



**IN THE
TENTH COURT OF APPEALS**

No. 10-21-00096-CV

**IN THE GUARDIANSHIP OF GLADYS MILDRED STORTINI,
AN INCAPACITATED PERSON**

**From the County Court at Law No. 2
Brazos County, Texas
Trial Court No. 732-G**

MEMORANDUM OPINION

On April 29, 2021, Appellant Frank Allen filed a notice of appeal indicating his desire to appeal from the trial court's Order Appointing Permanent Guardian of the Person signed on February 12, 2021, Order Creating Management Trust for the Benefit of Gladys Mildred Stortini signed on February 12, 2021, and an Order Granting Permanent Injunction signed on April 23, 2021.

By letter dated June 15, 2021, the Clerk of this Court notified Appellant that the docketing statement was past due and must be filed within 21 days from the date of the letter. The June 15, 2021, letter warned Appellant that the appeal would be dismissed

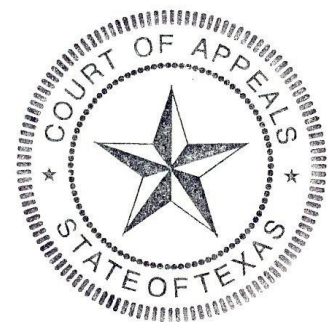
without further notification unless, within 21 days from the date of the letter, a docketing statement was filed. No docketing statement was received and filed. We also note that Appellant has not paid for this Court's fees associated with the appeal, nor has he paid to have the reporter's record prepared.

Absent a specific exemption, the Clerk of the Court must collect filing fees at the time a document is presented for filing. TEX. R. APP. P. 12.1(b); Appendix to TEX. R. APP. P., Order Regarding Fees (Amended Aug. 28, 2007, eff. Sept. 1, 2007). *See also* TEX. R. APP. P. 5; TEX. GOV'T CODE ANN. § 51.207(b); § 51.941(a) (West 2005); and § 51.208 (West Supp. 2011). Under these circumstances, we suspend the rule and order the Clerk to write off all unpaid filing fees in this case. TEX. R. APP. P. 2. The write-off of the fees from the accounts receivable of the Court in no way eliminates or reduces the fees owed by Appellant.

Accordingly, this appeal is dismissed. TEX. R. APP. P. 42.3(b).

MATT JOHNSON
Justice

Before Chief Justice Gray,
Justice Johnson, and
Justice Wright¹
Appeal dismissed
Opinion delivered and filed August 4, 2021
[CV06]



¹ The Honorable Jim R. Wright, Senior Chief Justice (Retired) of the Eleventh Court of Appeals, sitting by assignment of the Chief Justice of the Texas Supreme Court. *See* TEX. GOV'T CODE §§ 74.003, 75.002, 75.003.