



NUMBER 13-09-00590-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

ARNOLD ANTHONY MENDEZ,

APPELLANT,

v.

LINDA RENEE MENDEZ ,

APPELLEE.

On Appeal from the 105th District Court
of Nueces County, Texas.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Yañez and Vela
Memorandum Opinion Per Curiam**

Appellant, Arnold Anthony Mendez, perfected an appeal from a judgment rendered against him in favor of appellee, Linda Renee Mendez. On October 29, 2009, the Clerk of this Court notified appellant that the clerk's record in the above cause was originally due on October 12, 2009, and that the deputy district clerk, Arnold Garcia, had notified this Court that appellant failed to make arrangements for payment of the clerk's record. The

Clerk of this Court notified appellant of this defect so that steps could be taken to correct the defect, if it could be done. See TEX. R. APP. P. 37.3, 42.3(b),(c). Appellant was advised that, if the defect was not corrected within ten days from the date of receipt of this notice, the appeal would be dismissed for want of prosecution.

On December 7, 2009, the Clerk of the Court notified appellant that he was delinquent in remitting a \$175.00 filing fee. The Clerk of this Court notified appellant that the appeal was subject to dismissal if the filing fee was not paid within ten days from the date of this letter. See *id.* 42.3(b),(c).

Appellant has failed to respond to this Court's notices and has failed to pay the filing fee. Accordingly, the appeal is DISMISSED FOR WANT OF PROSECUTION. See TEX. R. APP. P. 42.3(b), (c).

PER CURIAM

Delivered and filed
the 17th day of December, 2009.