

NO. 12-09-00090-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

§ *APPEAL FROM THE 321ST*

*IN THE INTEREST OF D.M.J.,
A CHILD*

§ *JUDICIAL DISTRICT COURT OF*

§ *SMITH COUNTY, TEXAS*

***MEMORANDUM OPINION
PER CURIAM***

This appeal is being dismissed for want of prosecution. *See* TEX. R. APP. P. 42.3(b). The trial court signed its judgment on July 1, 2008, making the clerk's record due in this appeal on September 2, 2008. After granting the motions for extensions of time filed by the Smith County District Clerk, the deadline was extended to June 22, 2009. On June 16, 2009, the district clerk informed this court that Appellant had failed to pay for the preparation of the clerk's record and had not made any payment arrangements. The clerk also stated that Appellant is not entitled to appeal without paying the preparation fee.

On June 18, 2009, this court extended the time for filing the clerk's record to July 16, 2009. On the same date, Appellant was notified that the appeal would be dismissed unless Appellant, on or before June 29, 2009, provided this court with proof of full payment to the clerk. The deadline for furnishing proof of payment to this court has passed, and Appellant has failed to provide proof of full payment for preparation of the clerk's record. Accordingly, Appellant's appeal is ***dismissed for want of prosecution*** pursuant to Texas Rule of Appellate Procedure 42.3(b).

Opinion delivered July 8, 2009.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)