

COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

ERNESTO GARCIA,	§	No. 08-09-00070-CV
Appellant,	§	Appeal from the
v.	§	210th District Court
CITY OF EL PASO,	§	of El Paso County, Texas
Appellee.	§	(TC#2007-1927)
	§	

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**MEMORANDUM OPINION**

The Court reviews this appeal on its own motion to determine whether it should be dismissed for want of prosecution. On February 26, 2009, Appellant, Ernesto Garcia, filed his notice of appeal. By correspondence on the same date, the Clerk of the Court informed Ernesto Garcia that he had not tendered the filing fee. Appellant was warned that failure to tender such payment within twenty days may result in dismissal. Alternatively, the Clerk requested that Ernesto Garcia inform the Court within twenty days if he was excused from paying the cost of the filing fee. In correspondence dated March 24, 2009, Appellant received a second notice that the filing fee had not been paid, and unless excused, had twenty days from the date of notice to remedy the deficiency. Appellant has made no payment and has not responded to this Court's request. Therefore, pursuant to TEX.R.APP.P. 42.3(b), (c), we dismiss this appeal for want of prosecution, with prejudice.

GUADALUPE RIVERA, Justice

April 9, 2009

Before Chew, C.J., McClure, and Rivera, JJ.