



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

KAYLA ARREDONDO,	§	No. 08-15-00121-CV
	§	
Appellant,	§	Appeal from
	§	
v.	§	County Court at Law No. 5
	§	
INDIAN SPRINGS APARTMENTS,	§	of El Paso County, Texas
	§	
Appellee.	§	(TC # 2014-CCV03320)
	§	

MEMORANDUM OPINION

This appeal is before the Court on its own motion for determination of whether it should be dismissed for want of prosecution. Finding that the clerk's record has not been filed due to the fault of the Appellant, Kayla Arredondo, we dismiss the appeal for want of prosecution.

Unless otherwise excused, a non-indigent appellant must either pay for or make arrangements for the payment of the fees related to preparation of the appellate record to ensure that the record is timely filed. TEX.R.APP.P. 35.3(a)(2), (b)(3); *see* TEX.R.APP.P. 20.1(c); 37.3(b), (c). The clerk's record was due to be filed on May 24, 2015. The El Paso County Clerk notified the Court that the clerk's record would not be filed because Appellant has not made financial arrangements for the preparation of the clerk's record.

In accordance with Rule 37.3(b), the Clerk of the Court notified Appellant by letter regarding her failure to make financial arrangements to pay for the clerk's record and advised her

that the appeal would be dismissed for want of prosecution unless she responded within ten days and showed grounds for continuing the appeal. *See* TEX.R.APP.P. 37.3(b). Appellant has not filed any response or otherwise communicated with the Court regarding our letter. Pursuant to Rules 37.3(b) and 42.3(c), we dismiss the appeal for want of prosecution. *See* TEX.R.APP.P. 37.3(b)(authorizing appellate court to dismiss appeal for want of prosecution if the clerk's record is not filed because appellant failed to make payment arrangements for preparation of the clerk's record); TEX.R.APP.P. 42.3(c)(authorizing appellate court to dismiss appeal where the appellant fails to comply with a notice from the clerk requiring a response or other action within a specified time).

July 8, 2015

ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rodriguez, and Hughes, JJ.