



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

HARRIET NICHOLSON,	§	No. 08-16-00148-CV
	§	
Appellant,	§	Appeal from the
	§	
v.	§	48th District Court
	§	
NATIONSTAR MORTGAGE, LLC,	§	of Tarrant County, Texas
	§	
Appellee.	§	(TC# 048-276347-15)
	§	

MEMORANDUM OPINION

This appeal is before the Court on its own motion to determine 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, Harriet Nicholson, 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 July 16, 2016. The Tarrant County District Clerk notified the Court that the clerk's record would not be filed because Appellant has not made financial arrangements for 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 Appellant 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 written response or otherwise showed that grounds exist for the appeal to be continued. The appeal is dismissed for want of prosecution. *See* TEX.R.APP.P. 37.3(b), 42.3(b), (c).

STEVEN L. HUGHES, Justice

August 10, 2016

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