



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

LARRY CHAMBERS AND ABIE	§	No. 08-18-00213-CV
WOLF,	§	
	§	Appeal from the
Appellants	§	County Court at Law No. 3
V.	§	of El Paso County, Texas
JUAN CARLOS GARAY,	§	(TC# 2018DCV1553)
Appellee	§	

MEMORANDUM OPINION

This appeal is before the Court on its own motion to determine whether the appeal of Abie Wolf should be dismissed for want of prosecution. Finding that Wolf has failed to pay the case filing fee, we dismiss the appeal for want of prosecution.

Larry Chambers and Abie Wolf, *pro se*, are appealing an order dismissing their suit against Juan Carlos Garay. Both Chambers and Wolf personally signed the notice of appeal, but neither of them submitted the case filing fee. The Court sent requests for the case filing fee to both Chambers and Wolf. Chambers paid the filing fee for his appeal, but Wolf did not. There is nothing in the record before us to indicate that Wolf is indigent or otherwise excused from paying the case filing fee. On December 20, 2018, the Clerk of the Court sent Wolf a second request for payment of the case filing fee. The letter also notified Wolf that failure to pay the case filing fee

within twenty days could result in dismissal of the appeal for want of prosecution pursuant to TEX.R.APP.P. 42.3(b) and (c). Wolf has not paid the filing fee or otherwise responded to our notice. Pursuant to Rule 42.3(b) and (c), we dismiss the appeal brought by Appellant Wolf for want of prosecution. *See* TEX.R.APP.P. 42.3(b), (c). The Clerk of the Court is directed to change the style of the appeal to *Larry Chambers v. Juan Carlos Garay*.

January 18, 2019

YVONNE T. RODRIGUEZ, Justice

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