



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

PPC ACQUISITION COMPANY	§	No. 08-19-00143-CV
LLC, LOWE ROYALTY PARTNERS,	§	
LP, WHITE STAR ENERGY, INC.,	§	Appeal from the
COLT DEVELOPMENT, L.L.C., THE	§	143rd District Court
NORTHERN TRUST COMPANY, AS	§	
TRUSTEE FOR THE EDWARDS	§	
LIVING TRUST DATED	§	of Reeves County, Texas
DECEMBER 4, 2007, MICA	§	
RESOURCES, LLC, BIDWELL	§	(TC# 17-09-22150-CVR)
MINERALS, LLC, BASIN 16 LLC	§	
AND THE NORTHERN TRUST	§	
COMPANY, AS TRUSTEE FOR THE	§	
SARAH ZOLLER SEPARATE	§	
PROPERTY TRUST,	§	
Appellants,	§	
v.	§	
DELAWARE BASIN RESOURCES,	§	
LLC,	§	
Appellee.	§	

MEMORANDUM OPINION

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

Three notices of appeal have been filed in the case. Lowe Royalty Partners, LP filed its notice of appeal from the final judgment signed by the trial court on April 11, 2019, but it has not paid the case filing fee. There is nothing in the record before us to indicate that Lowe Royalty Partners, LP is excused from paying the case filing fee. On July 15, 2019, the Clerk of the Court sent Lowe Royalty Partners, LP a second request for payment of the case filing fee. The letter notified Lowe Royalty Partners, LP 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). Lowe Royalty Partners, LP 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 Lowe Royalty Partners, LP for want of prosecution. *See* TEX.R.APP.P. 42.3(b), (c).

This is a partial dismissal only. The appeal perfected by the remaining appellants will continue. The Clerk of the Court is directed to change the style of the appeal to *PPC Acquisition Company LLC, White Star Energy, Inc., Colt Development, L.L.C., The Northern Trust Company, as Trustee for the Edwards Living Trust dated December 4, 2007, MICA Resources, LLC, Bidwell Minerals, LLC, Basin 16 LLC and The Northern Trust Company, as Trustee for the Sarah Zoller Separate Property Trust v. Delaware Basin Resources, LLC.*

August 14, 2019

GINA M. PALAFOX, Justice

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