



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

LINDA NGUYEN,

Appellant,

v.

LINH NGUYEN,

Appellee.

§

§

§

§

§

§

No. 08-19-00158-CV

Appeal from the

County Court at Law No. 5

of El Paso County, Texas

(TC# 2018DCV2004)

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 because Appellant has failed to make financial arrangements to pay for the preparation and filing of the clerk's record, we dismiss the appeal for want of prosecution.

On August 1, 2019, the El Paso County District Clerk notified the Court that Appellant has not made financial arrangements to pay for preparation of the clerk's record as required by TEX.R.APP.P. 35.3(a)(2). The Clerk notified Appellant that the Court intended to dismiss the appeal for want of prosecution unless Appellant 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 establishing that she is entitled to appeal without paying for the clerk's record or that she has made arrangements to pay for preparation of the clerk's record. We conclude that the clerk's record has

not been filed due to the fault of the Appellant. Accordingly, we dismiss the appeal for want of prosecution. *See* TEX.R.APP.P. 37.3(b), 42.3(b).

GINA M. PALAFOX, Justice

August 21, 2019

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