



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

KAREN LOUISE BURNETT,	§	
Appellant,	§	No. 08-21-00040-CV
v.	§	Appeal from the
THOMAS REFINE BURNETT,	§	388th District Court
Appellee.	§	of El Paso County, Texas
	§	(TC# 95-13356)
	§	

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 clerk's record, we dismiss the appeal for want of prosecution.

The El Paso County District Clerk twice notified the Court that Appellant had 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 of the Court 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 she is entitled to appeal without paying for the clerk's record, nor has Appellant otherwise shown that arrangements to pay for preparation of the clerk's record have been made. 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), (c).

GINA M. PALAFOX, Justice

April 28, 2021

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