

DISMISS; Opinion issued March 7, 2013



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-12-00774-CV

**BIRGIT CLARKE, Appellant
v.
AMERICAN HOME MORTGAGE SERVICING, Appellee**

**On Appeal from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-11-15227**

MEMORANDUM OPINION

Before Chief Justice Wright and Justices Lang-Miers and Lewis
Opinion by Chief Justice Wright

By letter dated June 11, 2012, we notified appellant the \$175 filing fee was due in this case. We cautioned appellant that failure to pay the fee within ten days would result in the dismissal of this appeal. By letter dated July 27, 2012, we notified appellant that the district clerk's office informed the Court that the clerk's record had not been filed because appellant had not paid the fee for the clerk's record. We directed appellant to provide this Court with either written verification that she had paid for the clerk's record or written verification that she was entitled to proceed without payment of costs. We cautioned appellant that if the Court did not receive the required documentation within ten days we might dismiss the appeal for want of prosecution. To date, appellant has not paid the filing fee, provided verification of payment for

the clerk's record, provided verification that she is entitled to proceed without payment of costs, or otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal. *See* TEX. R. APP. P. 42.3(b),(c).

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

120774F.P05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

BIRGIT CLARKE, Appellant

No. 05-12-00774-CV V.

AMERICAN HOME MORTGAGE
SERVICING, Appellee

On Appeal from the 191st Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-11-15227.

Opinion delivered by Chief Justice Wright.

Justices Lang-Miers and Lewis participating.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.

It is **ORDERED** that appellee AMERICAN HOME MORTGAGE SERVICING recover its costs of this appeal from appellant BIRGIT CLARKE.

Judgment entered March 7, 2013.

/Carolyn Wright/

CAROLYN WRIGHT

CHIEF JUSTICE