

DISMISS and Opinion Filed April 2, 2013.



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

No. 05-12-01111-CV

IN THE INTEREST OF T.L.R AND A.R.R

**On Appeal from the 330th Judicial District Court
Dallas County, Texas
Trial Court Cause No. 09-12373**

MEMORANDUM OPINION

**Before Justices Moseley, O'Neill, and Lewis
Opinion by Justice Lewis**

By letter dated August 13, 2012 we notified appellant the \$175 filing fee in this case was due. We directed appellant to pay the fee within ten days and cautioned appellant that failure to do so would result in the dismissal of the appeal. The same day, we notified appellant the docketing statement had not been filed. On August 23, 2012, appellant filed his docketing statement indicating that he was not indigent. On February 11, 2013 we ordered the Dallas County District Clerk to either file the clerk's record or written verification that appellant had not paid or made arrangements to pay for the record. In the same order, we notified appellant that if we received verification he was not indigent and had not paid for the record, we would dismiss the appeal without further notice. On March 1, 2013, the Dallas County District Clerk's office informed the Court that the clerk's record had been prepared but not filed because appellant had not paid for the record. To date, appellant has not paid the filing fee, provided the Court with proof of payment or arrangements to pay for the clerk's record, contradicted his docketing

statement indicating he is not indigent, or otherwise corresponded with the Court regarding the status of this appeal.

Accordingly, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 37.3(b); 42.3(b),(c).

/David Lewis/

DAVID LEWIS
JUSTICE

121111F.P05



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

JUDGMENT

IN THE INTEREST OF T.L.R AND A.R.R,
CHILDREN

05-12-01111-CV

On Appeal from the 330th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. 09-12373.
Opinion delivered by Justice Lewis.
Justices Moseley and O'Neill participating.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.
It is **ORDERED** that appellee Kara Rafferty recover her costs of this appeal from
appellant Richard Rafferty.

Judgment entered this 2nd day of April, 2013.

/David Lewis/

DAVID LEWIS
JUSTICE