

DISMISS; and Opinion Filed September 13, 2013.



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

No. 05-12-01495-CV

JEFF C. NOEBEL, Appellant

V.

DLJ MORTGAGE CAPITAL, INC. AND SELECT PORTFOLIO SERVICING, INC., Appellees

**On Appeal from the 68th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-08-13275**

MEMORANDUM OPINION

Before Justices Moseley, Lang, and Richter
Opinion by Justice Moseley

Under the rules of appellate procedure, an appellant is required to file a docketing statement and, unless excused by statute or the appellate rules, pay a \$175 filing fee. *See* TEX. RS. APP. P. 5, 20.1, 32.1; *see also* TEX. GOV'T CODE ANN. §§ 51.207(b)(1), 51.208 (West Supp. 2012), 51.941(a)(1) (West 2005); Tex. Sup. Ct., *Order Regarding Fees Charged in Civil Cases in the Supreme Court and the Court of Appeals and Before the Judicial Panel on Multidistrict Litigation*, Docket No. 07-9138 (Aug. 28, 2007), §B1(a). Jeff Noebel has done neither, despite being cautioned that his appeal would be dismissed without further notice unless he complied with the requirements by August 19, 2013. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3.

/Jim Moseley/

JIM MOSELEY
JUSTICE



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

JUDGMENT

JEFF C. NOEBEL, Appellant

No. 05-12-01495-CV V.

DLJ MORTGAGE CAPITAL, INC. AND
SELECT PORTFOLIO SERVICING, INC.,
Appellees

On Appeal from the 68th Judicial District Court,
Dallas County, Texas

Trial Court Cause No. DC-08-13275.

Opinion delivered by Justice Moseley. Justices
Lang and Richter participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** that appellees DLJ Mortgage Capital, Inc. and Select Portfolio Servicing, Inc. recover their costs, if any, of this appeal from appellant Jeff C. Noebel.

Judgment entered this 13th day of September, 2013.

/Jim Moseley/

JIM MOSELEY
JUSTICE