

DISMISS; Opinion Filed November 19, 2013.



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

No. 05-13-00426-CV

IN THE INTEREST OF J.D.F., III, C.M.F., J.W.F., AND A.K.F., CHILDREN

**On Appeal from the 302nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-08-21910-U**

MEMORANDUM OPINION

Before Justices FitzGerald, Francis, and Myers
Opinion by Justice Myers

Although the clerk's record in this appeal was prepared in March 2013, it has not been filed because appellant has failed to pay the fee. *See* TEX. R. APP. P. 35.3(a). By letter dated October 15, 2013, appellant was directed to file, within ten days, written verification that she had paid or made arrangements to pay the clerk's fee. Appellant was cautioned that, if the required verification was not filed within the time specified, the Court might dismiss the appeal for want of prosecution. *See id.* 37.3(b). To date, appellant has not responded, and the clerk's record has not been filed. Because nothing in our records reflects appellant is excused by statute or rule from paying the clerk's fee, and she has failed to pay the fee, we dismiss the appeal. *See id.* 37.3(b), 42.3(b).

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/Lana Myers/
LANA MYERS
JUSTICE



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

JUDGMENT

IN THE INTEREST OF J.D.F., III, C.M.F.,
J.W.F., AND A.K.F., CHILDREN

No. 05-13-00426-CV

On Appeal from the 302nd Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DF-08-21910-U.
Opinion delivered by Justice Myers.
Justices FitzGerald and Francis participating.

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

We **ORDER** that appellee Kelly Reese Fisher recover his costs, if any, of this appeal from appellant Colleen Marie Fisher.

Judgment entered this 19th day of November, 2013.

/Lana Myers/

LANA MYERS
JUSTICE