

**DISMISS; Opinion Filed November 12, 2013.**



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

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**No. 05-13-00983-CV**

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**GALE E. JOHNSON, Appellant  
V.  
CITIMORTGAGE, INC., Appellee**

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**On Appeal from the County Court at Law No. 4  
Dallas County, Texas  
Trial Court Cause No. CC-12-05407-D**

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**MEMORANDUM OPINION**

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

Before the Court is appellee's October 22, 2013 motion to dismiss appeal. In the motion, appellee requests this Court to dismiss the appeal for want of prosecution. Our record shows that by letter dated August 30, 2013, we notified appellant that the clerk's record in this case had not been filed because appellant had not paid or made arrangements to pay for the clerk's record. We directed appellant to provide, within ten days of the date of the letter, written verification that appellant had paid or made arrangements to pay for the clerk's record, or written documentation that appellant had been found to proceed without payment of costs. We cautioned appellant that if appellant did not file the required documentation within ten days, we might dismiss the appeal without further notice. To date, the clerk's record has not been filed and appellant has not

provided the required documentation or otherwise corresponded with the Court regarding the status of the clerk's record.

Accordingly, we grant appellee's motion and dismiss this appeal for want of prosecution.

*See* TEX. R. APP. P. 37.3(b).

/Lana Myers/  
LANA MYERS  
JUSTICE

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

**JUDGMENT**

GALE E. JOHNSON, Appellant

No. 05-13-00983-CV      V.

CITIMORTGAGE, INC., Appellee

On Appeal from the County Court at Law  
No. 4, Dallas County, Texas

Trial Court Cause No. CC-12-05407-D.

Opinion delivered by Justice Myers.

Justices FitzGerald and Francis participating.

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

It is **ORDERED** that appellee CITIMORTGAGE, INC. recover its costs of this appeal from appellant GALE E. JOHNSON.

Judgment entered this 12th day of November, 2013.

/Lana Myers/

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LANA MYERS

JUSTICE