

DISMISS; and Opinion Filed February 25, 2014.



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

No. 05-13-01460-CV

**KELLY GATHRIGHT AND ALL OCCUPANTS, Appellants
V.
MARY M. STEPHENS, Appellee**

**On Appeal from the County Court at Law No. 1
Hunt County, Texas
Trial Court Cause No. CC1300323**

MEMORANDUM OPINION

Before Justices O'Neill, Myers, and Brown
Opinion by Justice O'Neill

The filing fee, docketing statement, and clerk's record in this case are past due. By postcard dated October 23, 2013, we notified appellants the \$195 filing fee was due. We directed appellants to remit the filing fee within ten days and expressly cautioned appellants that failure to do so would result in dismissal of the appeal. Also by postcard dated October 23, 2013, we notified appellants the docketing statement had not been filed in this case. We directed appellants to file the docketing statement within ten days. We cautioned appellants that failure to do so might result in dismissal of this appeal. By letter dated December 27, 2013, we informed appellants that the County Clerk had notified the Court that the clerk's record had not been filed because appellants had not paid for or made arrangements to pay for the clerk's record. We directed appellants to file written verification that they had paid for or made arrangements to pay

for the clerk's record or that they had been found entitled to proceed without payment of costs. We cautioned appellants that if they did not file the required documentation within ten days, we might dismiss the appeal without further notice. To date, appellants have not paid the filing fee, filed a docketing statement, provided the required documentation regarding the clerk's record, or otherwise corresponded with the Court regarding the status of this appeal.

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

/Michael J. O'Neill/
MICHAEL J. O'NEILL
JUSTICE

131460F.P05



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

JUDGMENT

KELLY GATHRIGHT AND ALL
OCCUPANTS, Appellants

No. 05-13-01460-CV V.

MARY M. STEPHENS, Appellee

On Appeal from the County Court at Law
No. 1, Hunt County, Texas
Trial Court Cause No. CC1300323.
Opinion delivered by Justice O'Neill.
Justices Myers and Brown participating.

In accordance with this Court's opinion of this date, this appeal is **DISMISSED**.
It is **ORDERED** that appellee MARY M. STEPHENS recover her costs of this appeal
from appellants KELLY GATHRIGHT AND ALL OCCUPANTS.

Judgment entered this 25th day of February, 2014.

/Michael J. O'Neill/

MICHAEL J. O'NEILL
JUSTICE