

Dismissed and Opinion Filed May 3, 2016



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

No. 05-16-00022-CV

ASHLEY MOSS, Appellant

V.

JOSEPH WINZER, Appellee

**On Appeal from the 296th Judicial District Court
Collin County, Texas
Trial Court Cause No. 296-50400-2015**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Bridges, and Justice Lang
Opinion by Justice Bridges

The filing fee, docketing statement, clerk's record, and reporter's record in this case are past due. By postcard dated January 8, 2016, we notified appellant the \$205 filing fee was due. We directed appellant to remit the filing fee within ten days and expressly cautioned appellant that failure to do so would result in dismissal of the appeal. Also by postcard dated January 8, 2016, we notified appellant the docketing statement had not been filed in this case. We directed appellant to file the docketing statement within ten days. We expressly cautioned appellant that failure to do so might result in dismissal of this appeal. By letter dated February 29, 2016, we informed appellant the clerk's record had not been filed because appellant had not paid for or made arrangements to pay for the clerk's record. We directed appellant to provide verification of payment or arrangements to pay for the clerk's record or written documentation that appellant

had been found to be entitled to proceed without payment of costs. We specifically cautioned appellant that failure to do so would result in the dismissal of this appeal without further notice.

Furthermore, by letter dated March 15, 2016, we informed appellant the reporter's record had not been filed because either appellant had not (1) requested the reporter's record, or (2) paid or made arrangements to pay the reporter's fee. We directed appellant to provide this Court, within ten days of the date of the letter, (1) notice that appellant has requested preparation of the reporter's record; and, (2) written verification that appellant has paid or made arrangements to pay the reporter's fee; or written documentation that appellant has been found to be entitled to proceed without payment of costs. To date, appellant has not paid the filing fee, filed the docketing statement, provided the required documentation, or otherwise corresponded with the Court regarding the status of the clerk's record or the reporter's record.

Accordingly, we dismiss this appeal. *See* TEX. R. APP. P. 5; 37.3(b),(c); 42.3(b),(c).

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE

160022F.P05



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

JUDGMENT

ASHLEY MOSS, Appellant

No. 05-16-00022-CV V.

JOSEPH WINZER, Appellee

On Appeal from the 296th Judicial District
Court, Collin County, Texas
Trial Court Cause No. 296-50400-2015.
Opinion delivered by Justice Bridges. Chief
Justice Wright and Justice Lang
participating.

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

We **ORDER** that appellee Joseph Winzer recover his costs, if any, of this appeal from appellant Ashley Moss.

Judgment entered May 3, 2016.