

Dismissed and Opinion Filed October 27, 2016



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-00516-CV

SHARON LEE WALLACE-GARZA & ALL OTHER OCCUPANTS, Appellant
V.
IRMA GARZA, Appellee

On Appeal from the County Court at Law No. 5
Dallas County, Texas
Trial Court Cause No. CC-16-01694-E

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Lang-Miers, and Justice Stoddart
Opinion by Chief Justice Wright

The filing fee, docketing statement, and clerk's record in this case are past due. By postcard dated May 3, 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 May 3, 2016, we informed appellant the docketing statement in this case was due. We cautioned appellant that failure to file the docketing statement within ten days might result in the dismissal of this appeal without further notice. By letter dated August 10, 2016, we informed appellant the clerk's record had not been filed because appellant had not paid for the clerk's record. We directed appellant to provide verification of payment or arrangements to pay for the clerk's record or to provide

written documentation she had been found entitled to proceed without payment of costs.¹ We cautioned appellant that failure to do so would result in the dismissal of this appeal without further notice. To date, appellant has not paid the filing fee, provided the required documentation, or otherwise corresponded with the Court regarding the clerk's record.

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

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

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¹ By order dated May 3, 2016, we denied appellant's emergency motion and affidavit to stay enforcement of judgment pending appeal and motion for approval of a supersedeas bond set at zero dollars because appellant did not file a supersedeas bond or affidavit of inability to pay for a bond within ten days of the judgment pursuant to section 24.007 of the Texas Property Code. Appellant has not otherwise attempted to proceed without payment of costs.



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

JUDGMENT

SHARON LEE WALLACE-GARZA &
ALL OTHER OCCUPANTS, Appellants

No. 05-16-00516-CV V.

IRMA GARZA, Appellee

On Appeal from the County Court at Law
No. 5, Dallas County, Texas
Trial Court Cause No. CC-16-01694-E.
Opinion delivered by Chief Justice Wright.
Justices Lang-Miers and Stoddart
participating.

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

It is **ORDERED** that appellee IRMA GARZA recover her costs of this appeal from appellants SHARON LEE WALLACE-GARZA & ALL OTHER OCCUPANTS.

Judgment entered October 27, 2016.