

Dismissed and Opinion Filed November 7, 2016



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

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No. 05-16-00569-CV

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**PAULA HERNANDEZ, INDIVIDUALLY, AS PERSONAL REPRESENTATIVE OF  
THE ESTATE OF CARLOS DUARTE, ET AL., Appellants**

**V.**

**CHANTRELL EDWARDS AND EMCASCO INSURANCE COMPANY/EMC  
INSURANCE COMPANIES, Appellees**

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**On Appeal from the 298th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-12-12667**

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**MEMORANDUM OPINION**

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

The clerk's record in this case is past due. By letter dated August 10, 2016, we informed appellants 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 provide written verification that they had paid for or made arrangements to pay for the clerk's record or to provide written documentation they had been found entitled to proceed without payments of costs. We cautioned appellants that failure to do so would result in dismissal of this appeal for want of prosecution. To date, appellants have not paid the clerk's fee, provided the required documentation, 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).

/Carolyn Wright/

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CAROLYN WRIGHT  
CHIEF JUSTICE

160569F.P05



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

**JUDGMENT**

PAULA HERNANDEZ, INDIVIDUALLY,  
AS PERSONAL REPRESENTATIVE OF  
THE ESTATE OF CARLOS DUARTE, ET  
AL., Appellants

No. 05-16-00569-CV      V.

CHANTRELL EDWARDS AND  
EMCASCO INSURANCE  
COMPANY/EMC INSURANCE  
COMPANIES, Appellees

On Appeal from the 298th Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. DC-12-12667.  
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 appellees Chantrell Edwards and Emcasco Insurance Company/EMC Insurance Companies recover their costs of this appeal, if any, from appellants Paula Hernandez, Individually, as Personal Representative of the Estate of Carlos Duarte, Deceased, and on behalf of all wrongful death beneficiaries; Maria Guadalupe Lopez Pina, Individually and as Next Friend of Carla Vanessa Duarte and Alexander Duarte, Minor Children; Victor Duarte; Modesta Duarte; Yvette Duarte; and Rachel Duarte.

Judgment entered this 7th day of November, 2016.