

Dismissed and Opinion Filed December 5, 2017



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

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No. 05-17-00692-CV

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**DONNY JOE CURRY, Appellant**  
V.

**A. HENDERSON, ET AL., Appellees**

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**On Appeal from the 354th District Court**  
**Hunt County, Texas**  
**Trial Court Cause No. 84319**

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**MEMORANDUM OPINION**

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

The docketing statement and clerk's record in this case are past due. By postcard dated June 20, 2017, 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 23, 2017, 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, within ten days, written verification of payment or arrangements to pay for the clerk's record or written verification appellant had been found entitled to proceed without payment of costs. We cautioned appellant that failure to do so would result in the dismissal of this appeal without further notice. To date, the clerk's record has not

been filed and appellant has not provided the required documentation regarding the clerk's record.

We dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 37.3(b); 42.3(b), (c).

/Carolyn Wright/  
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CAROLYN WRIGHT  
CHIEF JUSTICE

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

**JUDGMENT**

DONNY JOE CURRY, Appellant

No. 05-17-00692-CV      V.

A.HENDERSON, et al., Appellees

On Appeal from the 354th District Court,  
Hunt County, Texas

Trial Court Cause No. 84319.

Opinion delivered by Chief Justice Wright.

Justices Lang-Miers and Stoddart  
participating.

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

It is **ORDERED** that appellees A. HENDERSON, ET AL., recover their costs of this appeal from appellant DONNY JOE CURRY.

Judgment entered December 5, 2017.