

Dismissed and Opinion Filed August 31, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00791-CV

DA'CHARLESTON BOOKER, Appellant
V.
NIAKITA ATTAWAY, Appellee

On Appeal from the 302nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-16-14280

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Francis, and Justice Stoddart
Opinion by Chief Justice Wright

This appeal was filed July 10, 2017, without the filing fee. The following day, we notified appellant the filing fee was due and directed him to remit the fee within ten days. We cautioned that failure to comply would result in the Court taking appropriate action, including dismissing the appeal without further notice. *See* TEX. R. APP. P. 5, 42.3(b),(c). To date, however, appellant has not paid the fee, shown he is entitled to proceed without payment of the fee, or otherwise communicated with the Court. *See id.* 5. Accordingly, we dismiss the appeal. *See id.* 5, 42.3(b),(c).

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

170791F.P05



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

JUDGMENT

DA'CHARLESTON BOOKER, Appellant

No. 05-17-00791-CV V.

NIAKITA ATTAWAY, Appellee

On Appeal from the 302nd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DF-16-14280.

Opinion delivered by Chief Justice Wright.

Justices Francis and Stoddart participating.

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

We **ORDER** appellee Niakita Attaway recover her costs, if any, of this appeal from appellant Da' charleston Booker.

Judgment entered this 31st day of August, 2017.