

Dismissed and Opinion Filed January 5, 2018



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

No. 05-17-01160-CV

ESTELA MARTINEZ, Appellant

V.

**BAYVIEW LOAN SERVICING LLC AS SERVICER FOR BAYVIEW FINANCIAL
TRUST, Appellee**

**On Appeal from the County Court at Law No. 2
Dallas County, Texas
Trial Court Cause No. CC-17-03702-B**

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 October 4, 2017, 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 October 4, 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 November 2, 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 verification of payment or arrangements to pay for the clerk's record or to provide written documentation appellant had been found entitled to proceed without payment of

costs within ten days. 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 status of this appeal.

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

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

171160F.P05



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

JUDGMENT

ESTELA MARTINEZ, Appellant

No. 05-17-01160-CV V.

BAYVIEW LOAN SERVICING LLC AS
SERVICER FOR BAYVIEW FINANCIAL
TRUST, Appellee

On Appeal from the County Court at Law
No. 2, Dallas County, Texas
Trial Court Cause No. CC-17-03702-B.
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 BAYVIEW LOAN SERVICING LLC AS SERVICER FOR BAYVIEW FINANCIAL TRUST recover its costs of this appeal from appellant ESTELA MARTINEZ.

Judgment entered January 5, 2018.