

**Dismissed and Opinion Filed May 25, 2018**



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

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**No. 05-18-00270-CV**

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**JEFF COBER, Appellant  
V.  
NARCISO MONTOYA, Appellee**

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**On Appeal from the 116th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-16-11499**

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**MEMORANDUM OPINION**

Before Chief Justice Wright, Justice Evans, and Justice Brown  
Opinion by Chief Justice Wright

The filing fee, docketing statement, and clerk's record in this case are past due. By postcard dated March 13, 2018, 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 March 13, 2018, 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 May 4, 2018, 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

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

**JUDGMENT**

JEFF COBER, Appellant

No. 05-18-00270-CV      V.

NARCISO MONTOYA, Appellee

On Appeal from the 116th Judicial District  
Court, Dallas County, Texas

Trial Court Cause No. DC-16-11499.

Opinion delivered by Chief Justice Wright.

Justices Evans and Brown participating.

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

It is **ORDERED** that appellee NARCISO MONTOYA recover his costs of this appeal from appellant JEFF COBER.

Judgment entered May 25, 2018.