

DISMISS; and Opinion Filed September 28, 2018.



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

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No. 05-18-00423-CV

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**SCOTT DAMON RICHARDSON, Appellant**  
**V.**  
**STEPHEN CRAIN, Appellee**

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**On Appeal from the 68th Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause No. DC-17-09777**

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**MEMORANDUM OPINION**

Before Justices Lang, Fillmore, and Schenck  
Opinion by Justice Schenck

The clerk's record in this appeal has not been filed because appellant has failed to pay the clerk's fee. By letter dated August 21, 2018, we cautioned appellant that the appeal could be dismissed if he failed to file, within ten days, written verification he had paid or made arrangements to pay the fee or was entitled to proceed without payment of costs. *See* TEX. R. APP. P. 37.3(b). To date, appellant has not responded. Accordingly, we dismiss the appeal. *See id.* 37.3(b), 42.3(b),(c).

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/David J. Schenck/  
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DAVID J. SCHENCK  
JUSTICE



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

**JUDGMENT**

SCOTT DAMON RICHARDSON,  
Appellant

No. 05-18-00423-CV      V.

STEPHEN CRAIN, Appellee

On Appeal from the 68th Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. DC-17-09777.  
Opinion delivered by Justice Schenck,  
Justices Lang and Fillmore participating.

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

We **ORDER** appellee Stephen Crain recover his costs, if any, of this appeal from appellant Scott Damon Richardson.

Judgment entered this 28th day of September, 2018.