

DISMISS and Opinion Filed December 19, 2018



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

No. 05-18-01016-CV

IN THE INTEREST OF S.E.F., A.F., T.R.F. AND O.D.F., CHILDREN

**On Appeal from the 429th Judicial District Court
Collin County, Texas
Trial Court Cause No. 429-56599-2016**

MEMORANDUM OPINION

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

The filing fee, clerk's record, and reporter's record in this case are past due. By postcard dated September 5, 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. By postcard dated October 26, 2018, we notified appellant a second time that the filing fee had not been paid and instructed appellant to pay the filing fee or risk dismissal of the appeal without further notice.

The record was due December 1, 2018. The Collin County District Clerk and the court reporter both informed this Court in writing that payment had not been made nor had arrangements to pay been made for either the clerk's record or the reporter's record. In light of this, we notified appellant on December 3, 2018 that the clerk's record had not been filed because appellant had not paid or made arrangements to pay for the clerk's record. On December 5, 2018, we notified appellant that the reporter's record had not been filed due to the failure to pay or make

arrangements to pay for the reporter's record. We directed appellant to provide verification of payment or arrangements to pay for the clerk's record and reporter'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

IN THE INTEREST OF S.E.F., A.F.,
T.R.F. AND O.D.F., CHILDREN

No. 05-18-01016-CV

On Appeal from the 429th Judicial District
Court, Collin County, Texas
Trial Court Cause No. 429-56599-2016.
Opinion delivered by Chief Justice Wright.
Justices Evans and Brown participating.

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

We **ORDER** that appellee, Oran Daniel Fought III recover his costs, if any, of this appeal from appellant Karen Lynn Whitten f/k/a Karen Lynn Fought.

Judgment entered December 19, 2018.