

Opinion issued December 30, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-07-00582-CV

BERTIE PECK FAMILY LIMITED PARTNERSHIP AS THE PROPERTY OWNERS AND THE PROPERTY OWNERS, Appellants

V.

THE APPRAISAL REVIEW BOARD OF HARRIS COUNTY APPRAISAL DISTRICT, Appellee

**On Appeal from the 189th District Court
Harris County, Texas
Trial Court Cause No. 2006-35703**

MEMORANDUM OPINION

Appellants Bertie Peck Family Limited Partnership as the Property Owners and the Property Owners have neither established indigence, nor paid or made

arrangements to pay the clerk's fee for preparing the clerk's record. *See* TEX. R. APP. P. 20.1 (listing requirements for establishing indigence), 37.3(b) (allowing dismissal of appeal if no clerk's record filed due to appellant's fault). After being notified that this appeal was subject to dismissal, appellants Bertie Peck Family Limited Partnership as the Property Owners and the Property Owners did not adequately respond. *See* TEX. R. APP. P. 42.3(c) (allowing involuntary dismissal of case).

The appeal is dismissed for want of prosecution for failure to pay or make arrangements to pay the clerk's fee. All pending motions are denied.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Nuchia and Higley.