

Opinion issued December 18, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-08-00702-CV

TRULA MONTGOMERY SAMUEL, Appellant

V.

WAL-MART STORES, INC., Appellee

**On Appeal from the 129th District Court
Harris County, Texas
Trial Court Cause No. 2008-14480**

MEMORANDUM OPINION

Appellant has neither established indigence, nor paid all the required fees. *See* TEX. R. APP. P. 5 (requiring payment of fees in civil cases unless indigent), 20.1 (listing requirements for establishing indigence); *see also* TEX. GOV'T CODE ANN. §§

51.207 (Vernon 2005), 51.208 (Vernon Supp. 2008); 51.941(a) (Vernon 2005), 101.041 (Vernon Supp. 2008) (listing fees in court of appeals); FEES CIV. CASES B(1), (3) (listing fees in court of appeals). After being notified that this appeal was subject to dismissal, appellant Trula Montgomery Samuel did not adequately respond. *See* TEX. R. APP. P. 5 (allowing enforcement of rule); 42.3(c) (allowing involuntary dismissal of case).

We dismiss the appeal for nonpayment of all required fees. We deny all pending motions.

PER CURIAM

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