

Opinion issued August 9, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00883-CV

LAMBERT ADUMEKWE, Appellant

V.

BAKER SIGN AND LIGHTING MAINTENANCE COMPANY, Appellee

On Appeal from the 334th District Court
Harris County, Texas
Trial Court Cause No. 2011-11019

MEMORANDUM OPINION

Appellant Lambert Adumekwe has neither established his entitlement to a free record on appeal, nor paid, or made arrangements to pay, the fee for preparing

the clerk's record. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 13.003(a)(2) (West 2002) (listing requirements for obtaining free record on appeal); TEX. R. APP. P. 20.1 (listing requirements for establishing indigence), 33.1 (listing requirements for preserving error), 37.3(b) (allowing dismissal of appeal if no clerk's record filed due to appellant's fault); *Schlapper v. Forest*, 272 S.W.3d 676, 678 (Tex. App.—Austin 2008, pet. denied) (appellant fails to meet statutory requirements for receiving a free record and fails to preserve any error on the issue when appellant fails to request or obtain the findings required by Civil Practice and Remedies Code section 13.003). After being ordered to pay or make arrangements to pay for the clerk's record or be dismissed for want of prosecution, appellant did not adequately respond. *See* TEX. R. APP. P. 37.3(b) (failure to pay or make arrangements to pay for the clerk's record when required is grounds for dismissal for want of prosecution); 42.3(b) (allowing involuntary dismissal for want of prosecution).

We dismiss the appeal for want of prosecution. We dismiss all pending motions as moot.

PER CURIAM

Panel consists of Justices Higley, Sharp, and Huddle