

Opinion issued October 13, 2015



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-14-00951-CV

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SHANNON L. COWEN, Appellant

V.

SAMUEL COWEN, Appellee

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On Appeal from the 309th District Court  
Harris County, Texas  
Trial Court Case No. 2013-43776

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**MEMORANDUM OPINION**

Appellant, Shannon L. Cowen, has filed an appeal from the trial court's final order in a suit affecting the parent-child relationship. The trial court clerk filed the clerk's record on January 27, 2015. The court reporter filed an information sheet

stating that appellant had requested preparation of the reporter's record but had not paid, or made arrangements to pay, the fee for preparation of the reporter's record. The Clerk of the Court, therefore, notified appellant that Court might require her to file a brief and consider and decide the appeal on the issues that did not require a reporter's record for a decision unless appellant responded to the notice no later than June 8, 2015. *See* TEX. R. APP. P. 37.3(c). Appellant did not adequately respond, and we ordered her to file a brief no later than August 10, 2015. *See* TEX. R. APP. P. 4.1(a), 37.3(c), 38.6(a). The notice and order were returned, with the following marked on the envelope: "return to sender, moved left no address, unable to forward, return to sender." Appellant has not provided us with any other mailing address. *Cf.* TEX. R. APP. P. 9.1(b) (requiring unrepresented party to provide party's mailing address on all documents filed with court).

On August 26, 2015, the Clerk of this Court notified appellant that she had failed to timely file a brief and that failure to file a brief or a motion for extension by September 8, 2015 could lead to dismissal of her appeal. *See* TEX. R. APP. P. 38.8(a), 42.3(b). Appellant has not adequately responded.

Further, appellant has neither paid the required fees nor established indigence for purposes of appellate costs. *See* TEX. R. APP. P. 5, 20.1; *see also* TEX. GOV'T CODE ANN. §§ 51.207, 51.941(a), 101.041 (Vernon 2013), § 101.0411 (Vernon Supp. 2014); Order Regarding Fees Charged in the Supreme Court, in

Civil Cases in the Courts of Appeals, and Before the Judicial Panel on Multi-District Litigation, Misc. Docket No. 13-9127 (Tex. Aug. 16, 2013).

Accordingly, we dismiss the appeal for nonpayment of all required fees and for want of prosecution for failure to timely file a brief. *See* TEX. R. APP. P. 42.3(b). We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Justices Jennings, Higley, and Brown.