

Opinion issued November 1, 2016



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

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NO. 01-14-00640-CV

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**PHUONGVI AN NGUYEN, BAYTOWN MANOR APARTMENTS LLC,  
AND PVN, INC., Appellants**

**V.**

**RICHARD MIK AND SKY 3D INVESTMENTS, LLC, Appellees**

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**On Appeal from the 215th District Court  
Harris County, Texas  
Trial Court Cause No. 2014-38632**

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**MEMORANDUM OPINION**

Appellants, Phuongvi An Nguyen, Baytown Manor Apartments LLC, and PVN, Inc., timely appealed from the trial court's order, signed on July 25, 2014. *See* TEX. R. APP. P. 26.1(b). However, appellants have neither paid nor made arrangements to pay the fee for preparing the clerk's record and they have not

established indigence for purposes of appellate costs. *See* TEX. R. APP. P. 20.1, 37.3(b). After being notified by this Court's Order and Notice of Intent to Dismiss for Want of Prosecution on August 16, 2016, which reinstated this case after Baytown Manor Apartments, LLC's bankruptcy case had been dismissed, and that this appeal was subject to dismissal for want of prosecution for failure to pay the required fee, appellants did not timely respond. *See* TEX. R. APP. P. 5, 37.3(b), 42.3(b), (c).

Accordingly, we dismiss this appeal for nonpayment of all required fees and for want of prosecution. *See* TEX. R. APP. P. 5, 37.3(b), 42.3(b), (c). We dismiss any pending motions as moot.

**PER CURIAM**

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