

Opinion issued February 25, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-15-00497-CV

EVELYN WYATT, Appellant

V.

**CYNTHIA M. SIMON, JERRY L. SCHUTZA, JAIKSHIN S. BHAGIA AND
NANIK S. BHAGIA, Appellees**

**On Appeal from the 55th District Court
Harris County, Texas
Trial Court Cause No. 2014-59033**

MEMORANDUM OPINION

Appellant, Evelyn Wyatt, via counsel, timely filed a notice of appeal in the trial court from the final judgment, signed on March 3, 2015, granting summary judgment. *See* TEX. R. APP. P. 26.1(a)(1). However, appellant, now proceeding *pro se* after her counsel's motion to withdraw was granted by this Court, has

neither paid nor made arrangements to pay the fee for preparing the clerk's record. *See id.* 37.3(b). After being notified by the Clerk of this Court on October 19, 2015, and again by this Court's Order on January 12, 2016, that this appeal was subject to dismissal for failure to pay the clerk's record fee, appellant did not timely respond. *See id.* 37.3(b), 42.3(b), (c).

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

PER CURIAM

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