

Opinion issued May 3, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-17-00968-CV

**BRIAN BRAND, BAB INTERESTS, LP AND BAB GROUP
INVESTMENTS, LLC, Appellants**

V.

ASCENTIUM CAPITAL, LLC, Appellee

**On Appeal from the 129th District Court
Harris County, Texas
Trial Court Cause No. 2017-62053**

MEMORANDUM OPINION

Appellants, Brian Brand, Bab Interests, LP and BAB Group Investments, LLC, have neither paid the required filing fee 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, 51.851(b), 51.941(a), 101.041(1) (West 2013); Order, 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. 15-9158 (Tex. Aug. 28, 2015). Furthermore, appellants have neither paid nor made arrangements to pay the fee for preparing the clerk's record. *See* TEX. R. APP. P. 37.3(b). After being notified by the Clerk of this Court on January 16, 2018, that this appeal was subject to dismissal for failure to pay the required filing fee, and again by the Clerk of this Court's March 15, 2018 notice that this appeal was subject to dismissal for failure to pay the required clerk's record fee, appellants failed to timely respond to either notice. *See id.* 5, 37.3(b), 42.3(b), (c).

Accordingly, we dismiss the appeal for want of prosecution for failure to pay all required fees. *See* TEX. R. APP. P. 5, 37.3(b), 42.3(b), (c).

PER CURIAM

Panel consists of Justices Jennings, Keyes, and Higley.