

Opinion issued September 15, 2020



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

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NO. 01-20-00016-CV

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**CONSTRUCTION TECHNOLOGIES OF TEXAS, INC. D/B/A CTI  
HOUSTON AND TONIE MEDINA A/K/A TONEISHA C. MEDINA,  
Appellants**

**V.**

**CEMEX CONSTRUCTION MATERIALS HOUSTON, LLC, Appellee**

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**On Appeal from the County Civil Court at Law No. 4  
Harris County, Texas  
Trial Court Case No. 1143539**

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**MEMORANDUM OPINION**

Appellants, Construction Technologies of Texas, Inc., doing business as CTI Houston, and Tonie Medina, also known as Toneisha C. Medina, have not paid or made arrangements to pay the fee for preparing the clerk's record. *See* TEX. R. APP.

P. 37.3(b). On February 19, 2020, appellants were notified that this appeal was subject to dismissal if appellants did not respond by March 20, 2020. *See* TEX. R. APP. P. 42.3(b), (c). After more than five months, appellants have not responded in any way.

Based on appellants' failure to pay or make arrangements to pay the fee for preparing the clerk's record, appellee, Cemex Construction Materials Houston, LLC, filed a motion to dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 38.8(a); 42.3(b). More than ten days have passed, and appellants have not responded to the motion. *See* TEX. R. APP. P. 10.1(a)(5), 10.3(a).

Accordingly, we grant appellee's motion and dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 42.3(b), (c), 43.2(f). All pending motions are dismissed as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Hightower and Adams.