

Opinion issued June 22, 2021



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

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NO. 01-20-00595-CV

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**ELEVATION EXPRESS, INC., Appellant**

**V.**

**ALLIED WORLD SURPLUS LINES INSURANCE CO., DANIELLE KEYS,  
AND REDMON-KEYS INSURANCE GROUP, INC., Appellees**

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**On Appeal from the County Court at Law No. 1  
Fort Bend County, Texas  
Trial Court Case No. 20-CCV-066876**

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**MEMORANDUM OPINION**

Appellant, Elevation Express, Inc., has filed an appeal from a final judgment signed on July 23, 2020. Appellant has not paid for the clerk's record or the required filing fee and has not established indigence for purposes of appellate costs. *See* TEX. R. APP. P. 5, 20.1 (indigence), 37.3(b) (allowing dismissal of appeal if no clerk's

record filed due to appellant's fault); *see also* TEX. GOV'T CODE ANN. §§ 51.207, 51.208, 51.941(a), 101.041; 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. 15-9158. Appellant failed to respond to our notices of September 15, 2020 (past due fee) and October 13, 2020 (no payment for clerk's record) that, should appellant not pay the fee for the clerk's record or the filing fee or establish indigence, this appeal was subject to dismissal. *See* TEX. R. APP. P. 5 (allowing enforcement of rule), 37.3(b) (allowing dismissal of appeal if no clerk's record filed due to appellant's fault), 42.3(c) (allowing involuntary dismissal of case).

We dismiss the appeal for want of prosecution. We dismiss any pending motions as moot.

**PER CURIAM**

Panel consists of Justices Kelly, Guerra, and Farris.