

Opinion issued January 27, 2022



In The
Court of Appeals
For The
First District of Texas

NO. 01-21-00387-CV

SPENWICK VILLAGE CONDOMINIUM ASSOCIATION, INC., Appellant
V.
**ERNEST C. VALENTINE, DARA INVESTMENTS, INC. AND SAIHAT
CORPORATION, Appellees**

**On Appeal from the County Civil Court at Law No. 1
Harris County, Texas
Trial Court Case No. 1146944**

MEMORANDUM OPINION

Appellant, Spenwick Village Condominium Association, Inc., appeals from a final judgment signed on June 14, 2021. Appellant has not paid the fee for preparation and filing of 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 (Tex. Aug. 28, 2015). Appellant failed to respond to our notice of August 6, 2021 concerning the past due court fee, or our notice of August 17, 2021 concerning the failure to pay for the clerk's record. In those notices, the Court advised appellant that failure to pay the fee for the clerk's record or the filing fee or to establish indigence, could result in dismissal of this appeal. *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). Appellant has not responded to this Court's notices.

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

PER CURIAM

Panel consists of Chief Justice Radack and Justices Kelly and Landau.