

Dismissed and Memorandum Opinion filed July 29, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00559-CV

SHERRIE LOUDEN, Appellant

V.

JAMES D. LOUDEN, Appellee

**On Appeal from the 309th District Court
Harris County, Texas
Trial Court Cause No. 2009-24605**

MEMORANDUM OPINION

This appeal is from a judgment signed January 29, 2009. It appears from information provided to this court that appellant's notice of appeal filed June 16, 2010 is untimely. *See* Tex. R. App. P. 26.1. No clerk's record has been filed, however, so that this court may determine its jurisdiction. The clerk responsible for preparing the record in this appeal informed the court appellant did not make arrangements to pay for the record. Our records show that appellant has neither established indigence nor paid the \$175.00 appellate filing fee. *See* Tex. R. App. P. 5 (requiring payment of fees in civil cases unless

indigent); Tex. R. App. P. 20.1 (listing requirements for establishing indigence); *see also* Order Regarding Fees Charged in Civil Cases in the Supreme Court and the Courts of Appeals and Before the Judicial Panel on Multidistrict Litigation, Misc. Docket No. 07-9138 (Tex. Aug. 28, 2007) (listing fees in court of appeals); Tex. Gov't Code Ann. § 51.207 (Vernon 2005) (same).

On, July 1 2010, notification was transmitted to all parties of the court's intention to dismiss the appeal for want of prosecution unless, within fifteen days, appellant paid or made arrangements to pay for the record and provided this court with proof of payment. *See* Tex. R. App. P. 37.3(b). On July 9, 2010, this court notified appellant that the filing fee was past due and the appeal was subject to dismissal. *See* Tex. R. App. P. 42.3(c) (allowing involuntary dismissal of case because appellant has failed to comply with notice from clerk requiring response or other action within specified time). Appellant filed no response to this court's notices.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of .Chief Justice Hedges and Justices Yates and Boyce.