

Dismissed and Memorandum Opinion filed September 30, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00706-CV

MARIO DE JESUS RIVERA, Appellant

V.

**ALL AMERICAN BUILDERS, INC. GREGORIA GARCIA and LANDMARK
COMMERCIAL CONSTRUCTORS, Appellees**

**On Appeal from the 269th District Court
Harris County, Texas
Trial Court Cause No. 2007-67558**

MEMORANDUM OPINION

According to information provided to this court, this is an appeal from a judgment signed March 22, 2010. The clerk's record was due July 20, 2010, but it has not been filed. The clerk responsible for preparing the record in this appeal informed this court that appellant did not make arrangements to pay for the record. On August 6, 2010, notification was transmitted to all parties of this 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 August 12, 2010, the clerk of this court advised appellant that the appellate filing fee was past due. Appellant paid the filing fee on August 17, 2010, but he did not respond to the notice requiring proof of payment for the clerk's record. On September 2, 2010, the court ordered appellant to provide this court with proof of payment for the record within fifteen days or the appeal would be dismissed for want of prosecution. *See* Tex. R. App. P. 37.3(b).

Appellant has not provided this court with proof of payment for the record or otherwise responded to this court's order. No clerk's record has been filed. Accordingly, the appeal is ordered dismissed.

PER CURIAM

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