

Dismissed and Memorandum Opinion filed October 20, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00621-CV

**WHITTEN ENTERPRISES, INC., D/B/A
ALLYN MEDICAL SERVICES, Appellant**

V.

JOYCE DOTY, Appellee

**On Appeal from County Civil Court at Law No. 4
Harris County, Texas
Trial Court Cause No. 914385**

MEMORANDUM OPINION

This appeal is from a judgment signed May 17, 2011. Appellant filed a timely motion for new trial. The notice of appeal was filed on July 19, 2011. To date, our records show that no evidence appellant is excused from paying costs has been filed. *See* Tex. R. App. P. 5.

On September 15, 2011, this court ordered appellant to pay the appellate filing fee on or before September 30, 2011, or the appeal would be dismissed. Appellant has not paid

the appellate filing fee. Accordingly, the appeal is ordered dismissed. *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).

PER CURIAM

Panel consists of Chief Justice Hedges, Justices Anderson and Christopher.