

**Motions Denied; Appeal Dismissed and Memorandum Opinion filed
September 4, 2014.**



**In The
Fourteenth Court of Appeals**

NO. 14-14-00438-CV

ERIC NDUBUEZE UFOM, Appellant

V.

**WEST WYNDE HEALTH SERVICES, INC., GLADYS IBIK AND JOHN
IBIK, Appellees**

**On Appeal from the 113th District Court
Harris County, Texas
Trial Court Cause No. 2011-70277**

M E M O R A N D U M O P I N I O N

The notice of appeal in this case was filed May 30, 2014. Appellant filed an affidavit to proceed without advance payment of costs on appeal. On July 28, 2014, the trial court signed an order sustaining a contest to appellant's claim of indigence.

Texas Rule of Appellate Procedure 20.1 governs the procedures to establish indigence on appeal. *See* Tex. R. App. P. 20.1. The rule requires a party claiming indigence who seeks review of the trial court's order sustaining a contest to file his challenge "within 10 days after the order sustaining the contest is signed, or within 10 days after the notice of appeal is filed, whichever is later." Tex. R. App. P. 20.1(j)(2). Appellant did not file a motion challenging the trial court's order within 10 days.

Accordingly, on August 12, 2014 , appellant was ordered to pay the filing fee in the amount of \$195.00 to the Clerk of this court on or before August 21, 2014, or the appeal would be dismissed. *See* Tex. R. App. P. 5. 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). Appellant's pending motions are denied.

PER CURIAM

Panel consists of Justices McCally, Brown and Wise.