

**Appeal Dismissed and Memorandum Opinion filed January 21, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-15-00827-CV**

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**BANYONNOH PARKER, Appellant**

**V.**

**DARRYL RAY WASH, Appellee**

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**On Appeal from the 328th District Court  
Fort Bend County, Texas  
Trial Court Cause No. 14-DCV-213288**

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

This is an appeal from a judgment signed September 4, 2015. The notice of appeal was filed September 30. On November 10, we dismissed this appeal due to appellant's failure to pay the appellate filing fee. Appellant filed a motion for rehearing, explaining she misunderstood the deadline to pay. By our order of December 9, we granted her motion, reinstated the appeal, and ordered appellant to pay the filing fee and file the clerk's record by December 29.

To date, our records show that appellant has neither paid the filing fee nor filed the clerk's record. *See* Tex. R. App. P. 5 (requiring payment of fees in civil cases unless party is excused by statute or by appellate rules from paying costs); Tex. Gov't Code Ann. § 51.207.

Accordingly, the appeal is **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); Tex. R. App. P. 37.3(b) (allowing involuntary dismissal for want of prosecution for appellant's failure to file clerk's record unless appellant is entitled to proceed without prepayment of costs).

PER CURIAM

Panel consists of Justices Jamison, McCally, and Wise.