

Dismissed and Memorandum Opinion filed March 10, 2016.



In The

Fourteenth Court of Appeals

NO. 14-15-00963-CV

TRACETTE HOUSE, Appellant

V.

CUNEY HOMES, Appellee

**On Appeal from County Civil Court at Law No. 1
Harris County, Texas
Trial Court Cause No. 1067413**

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 November 9, 2015. A partial clerk's record was filed January 6, 2016. The record reflects appellant filed an affidavit to proceed without advance payment of costs on appeal. On January 5, 2016, the trial court signed an order sustaining a contest to appellant's claim of indigence. Appellant did not file a motion challenging the trial court's order. *See* Tex. R. App. P. 20.1(j)(2).

On January 26, 2016, this court ordered appellant to pay the appellate filing fee on or before February 10, 2016, or the appeal would be dismissed. Appellant has not paid the appellate filing fee. *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 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 Justices Jamison, Donovan and Brown.