

Dismissed and Memorandum Opinion filed February 23, 2017.



In The

Fourteenth Court of Appeals

NO. 14-16-00938-CV

DAVID BAHR, Appellant

V.

KHALED ALATTAR, Appellee

**On Appeal from the 113th District Court
Harris County, Texas
Trial Court Cause No. 2012-54501**

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

This is an appeal from an order signed November 8, 2016. The notice of appeal was filed November 17, 2016.

To date, our records show that 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 (West 2013). Further, the clerk responsible for preparing the record in this appeal informed the court appellant did not make arrangements to pay for the

record. Tex. R. App. P. 35.3(a)(2) (requiring party responsible for filing clerk's record to pay the clerk's fee or make satisfactory arrangements with the clerk to pay the fee unless party is entitled to appeal without paying the fee).

On January 12, 2017, this court issued an order stating the appeal would be dismissed unless appellant paid the appellate filing fee and provided proof of payment for the clerk's record by January 27, 2017. *See* Tex. R. App. P. 42.3(b), (c) (allowing involuntary dismissal of case for want of prosecution or because appellant has failed to comply with notice from clerk requiring response or other action within specified time).

Appellant has not paid the appellate filing fee or provided proof of payment for the clerk's record. Accordingly, the appeal is dismissed.

PER CURIAM

Panel consists of Justices Christopher, Busby, and Jewell.