

Dismissed and Memorandum Opinion filed November 2, 2017.



In The

Fourteenth Court of Appeals

NO. 14-17-00530-CV

IN THE ESTATE OF MICHAEL NICK PATZAKIS, DECEASED

**On Appeal from the Probate Court No. 1
Harris County, Texas
Trial Court Cause No. 426520-401**

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 April 5, 2017. Appellants Nick J. Patzakis, Jean Patzakis and John Patzakis filed their notice of appeal on July 7, 2017. To date, our records show appellants have 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, no clerk's record has been filed. The clerk responsible for preparing the record in this appeal informed the court appellants did not make arrangements to pay for the record.

On September 28, 2017, this court ordered appellants to (1) pay the appellate filing fee by October 13, 2017, and (2) provide this court, by October 13, 2017, with proof of payment or arrangements to pay for the clerk's record. We cautioned appellants that the appeal would be dismissed if they did not comply with the order. As of this date, the filing fee has not been paid, and the required proof regarding the clerk's record has not been filed.

Accordingly, the appeal is DISMISSED. *See* Tex. R. App. P. 37.3(b) (allowing dismissal for want of prosecution because appellant failed to pay or make arrangements to pay for the clerk's record); Tex. R. App. P. 42.3(c) (allowing involuntary dismissal of case because appellant failed to comply with court order or notice from clerk requiring response or other action within specified time).

PER CURIAM

Panel consists Justices Boyce, Jamison, and Brown.