

Appeal Dismissed and Memorandum Opinion filed September 9, 2021.



In The

Fourteenth Court of Appeals

NO. 14-21-00395-CV

IN THE INTEREST OF M.M.A., A CHILD

**On Appeal from the 25th District Court
Colorado County, Texas
Trial Court Cause No. 24399**

MEMORANDUM OPINION

This is an attempted appeal from a judgment signed May 3, 2021. The notice of appeal was filed July 14, 2021. 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 § 51.207 (appellate fees and costs).

On August 16, 2021, this court ordered appellant to pay the appellate filing fee on or before August 26, 2021, or the appeal would be dismissed. Appellant has not paid the appellate filing fee or otherwise responded to the court's order.

Accordingly, we dismiss the appeal. *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).¹

PER CURIAM

Panel consists of Chief Justice Christopher and Justices Hassan and Poissant.

¹ We note that the letter of assignment and the notice of appeal state the date of judgment was May 3, 2021. Attached to the letter of assignment is a motion for new trial that was timely filed. However, a motion for new trial will not operate to extend the appellate timetable in an accelerated appeal. *In the Interest of K.A.F.*, 160 S.W.3d 923, 928 (Tex. 2005). The notice of appeal was due May 24, 2021. *See* Tex. R. App. P. 26.1(b). The fifteen-day grace period provided by Rule 26.3 for filing a motion for extension of time ended June 8, 2021. *See Verburgt v. Dorner*, 959 S.W.2d 615, 617–18 (1997) (construing the predecessor to Rule 26); Tex. R. App. P. 26.3. Appellant's notice of appeal was not filed until July 14, 2021.