

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-11-00470-CV

Rochelle **ACEVEDO**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the County Court at Law No. 11, Bexar County, Texas  
Trial Court No. CV363087  
Honorable Jason Pulliam, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Steven C. Hilbig, Justice  
Marialyn Barnard, Justice

Delivered and Filed: August 17, 2011

DISMISSED

On June 3, 2011, Rochelle Acevedo filed a notice of appeal from the trial court's judgment signed May 25, 2011. The record was due July 25, 2011, sixty days after the judgment was signed. *See* TEX. R. APP. P. 35.1. On July 19, 2011, the Bexar County Clerk filed a notification stating the clerk's record would not be filed because Acevedo had not paid or made arrangements to pay the clerk's fee to prepare the record and is not entitled to appeal without paying the fee. On July 25, 2011, we ordered Acevedo to provide written proof to this court on

or before August 4, 2011, that either (1) the clerk's fee has been paid or arrangements had been made to pay the clerk's fee; or (2) she is entitled to appeal without paying the clerk's fee. We cautioned Acevedo that if she failed to respond appropriately within the time provided, the appeal would be dismissed. *See* TEX. R. APP. P. 37.3(b); 42.3(c).

Acevedo filed a response to our order on August 5, 2011. However, the response does not establish either that the clerk's fee for preparation of the appellate record has been paid or that Acevedo is entitled to appeal without paying the clerk's fee.

We therefore **order** this appeal dismissed.

PER CURIAM