

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



MEMORANDUM OPINION

No. 04-11-00471-CV

Rochelle **ACEVEDO**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the County Court at Law No. 11, Bexar County, Texas
Trial Court No. 363,086
Honorable Jason Pulliam, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Marialyn Barnard, Justice

Delivered and Filed: August 17, 2011

DISMISSED

On June 3, 2011, appellant 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. TEX. R. APP. P. 35.1. On July 19, 2011, the County Clerk of Bexar County filed a notification stating the clerk's record would not be filed because appellant 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 21, 2011, we ordered appellant to provide written proof

to this court on or before August 1, 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 appellant that if she failed to respond within the time provided, her appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b). Appellant filed a response on August 5, 2011, but that response does not establish appellant has paid or made arrangements to pay the clerk's fee or that she is entitled to appeal without paying the clerk's fee.

We therefore **order** this appeal dismissed for want of prosecution. We further **order** that appellee, the State of Texas, recover its costs in this appeal from appellant.

PER CURIAM