

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



MEMORANDUM OPINION

No. 04-11-00868-CV

IN THE INTEREST OF J.D. and E.D., Children

From the 38th Judicial District Court, Medina County, Texas
Trial Court No. 10-05-20043-CV
Honorable Camile G. Dubose, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Santee Bryan Marion, Justice

Delivered and Filed: January 11, 2012

DISMISSED FOR WANT OF PROSECUTION

The trial court clerk filed a notification of late record, stating that the clerk's record had not been filed because appellant had failed to pay or make arrangements to pay the clerk's fee for preparing the record and that appellant is not entitled to appeal without paying the fee. By order dated December 13, 2011, appellant was ordered to provide written proof to this court within ten days of the date of the order that either (1) the clerk's fee had been paid or arrangements had been made to pay the clerk's fee; or (2) appellant is entitled to appeal without paying the clerk's fee. The order stated that if appellant failed to respond within the time provided, the appeal

would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b). Because appellant failed to respond to the order, the appeal is dismissed for want of prosecution. *See id.*

PER CURIAM