

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



MEMORANDUM OPINION

No. 04-12-00546-CV

Jonese M. **ORTEGON**, et al.,
Appellants

v.

HOUSING AUTHORITY OF BEXAR COUNTY,
Appellee

From the County Court At Law No. 10, Bexar County, Texas
Trial Court No. 375315
Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Rebecca Simmons, Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: October 10, 2012

DISMISSED FOR WANT OF PROSECUTION

Appellants were required to pay \$175.00 and \$10.00 fees when they filed their notice of appeal. *See* TEX. R. APP. P. 5.¹ Appellants did not pay the required fees. Accordingly, the clerk of this court notified appellants by letter dated August 27, 2012, that the notice of appeal was conditionally filed and the filing fees were due no later than September 7, 2012.

¹ *See also* TEX. GOV'T CODE ANN. §§ 51.207(b)(1), 51.941(a) (West 2005); *id.* §§ 51.208, 51.0051 (West Supp. 2010); Texas Supreme Court Order Regarding Fees Charged in Civil Cases in the Supreme Court and the Courts of Appeals and Before the Judicial Panel on Multidistrict Litigation, Misc. Docket No. 07-9138 (Tex. Aug. 28, 2007), *reprinted in* TEX. R. APP. P. app. A § B.1.(a).

On September 12, 2012, when the fees remained unpaid, this court ordered appellants to provide written proof to this court not later than September 27, 2012, that either (1) the \$175.00 and \$10.00 filing fees have been paid, or (2) the parties are entitled to appeal without paying the filing fees. *See id.* We warned appellants that if they failed to respond as ordered, the appeal would be dismissed. *See id.* R. 42.3.

To date, appellants have not filed any response with this court. Therefore, we dismiss this appeal for want of prosecution. *See id.* R. 37.3(b), 42.3(c). Costs of this appeal are taxed against appellants. *See id.* R. 43.4.

PER CURIAM