



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-12-00639-CV

BIOLUSTRE, INC.,
Appellant

v.

STANKA P. WOODS LIVING TRUST,
Appellee

From the 131st Judicial District Court, Bexar County, Texas
Trial Court No. 2009-CI-17158
Honorable Peter A. Sakai, Judge Presiding

PER CURIAM

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

Delivered and Filed: December 5, 2012

DISMISSED FOR WANT OF PROSECUTION

On November 1, 2012, 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. On November 6, 2012, appellant was ordered to provide written proof to this court by November 16, 2012, establishing 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 cautioned appellant that if no response was filed within the

time provided, the appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b).

Appellant did not respond to this court's order. Therefore, the appeal is dismissed for want of prosecution. *See id.* Costs of appeal are taxed against appellant.

PER CURIAM