



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-13-00117-CV

Shequela **FOUNTAIN**,
Appellant

v.

Robert **MARTINEZ**,
Appellee

From the County Court at Law No. 2, Bexar County, Texas
Trial Court No. 363305
Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: April 10, 2013

DISMISSED FOR WANT OF PROSECUTION

Appellant was required to pay \$175.00 and \$10.00 fees when she filed her notice of appeal. *See* TEX. R. APP. P. 5.¹ Appellant did not pay the required fees. Accordingly, the clerk of this court notified Appellant by letter dated February 14, 2013, that the notice of appeal was conditionally filed and the filing fees were due no later than February 25, 2013.

¹ *See also* TEX. GOV'T CODE ANN. §§ 51.0051, 51.207(b)(1), 51.208, 51.941(a) (West 2013); 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 March 11, 2013, when the fees remained unpaid, this court ordered Appellant to provide written proof to this court not later than March 26, 2013, that either (1) the \$175.00 and \$10.00 filing fees have been paid, or (2) Appellant is entitled to appeal without paying the filing fees. *See id.* We warned Appellant that if she failed to respond as ordered, the appeal would be dismissed. *See id.* R. 5, 42.3; *In re W.J.C.*, No. 04-05-00532-CV, 2005 WL 3477883, at *1 (Tex. App.—San Antonio Dec. 21, 2005, no pet.) (mem. op.).

To date, Appellant has 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 Appellant. *See id.* R. 43.4.

PER CURIAM