



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-13-00877-CV

Gerald **VERGOTT**,  
Appellant

v.

**DAVIS FAMILY IRREVOCABLE TRUST**, et al.,  
Appellees

From the County Court at Law No. 3, Bexar County, Texas  
Trial Court No. 389367  
Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: July 16, 2014

DISMISSED FOR WANT OF PROSECUTION

Because the trial court determined that appellant is not indigent, appellant was ordered to provide written proof by June 23, 2014, that the fee for preparing the clerk's record had been paid. This court's order stated that if appellant failed to respond within the time provided, this appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b), 42.3(b). Appellant failed to timely respond to the order with proof of payment. Accordingly, this appeal is dismissed for want of prosecution. TEX. R. APP. P. 37.3(b), 42.3(b).

PER CURIAM