



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

**MEMORANDUM OPINION**

No. 04-14-00204-CR

Benito Aguilar **GARZA**, Jr.,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 79th Judicial District Court, Jim Wells County, Texas  
Trial Court No. 10-05-13044-CR  
Honorable Richard C. Terrell, Judge Presiding

PER CURIAM

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

Delivered and Filed: July 16, 2014

DISMISSED FOR WANT OF PROSECUTION

On June 17, 2014, we notified Appellant Benito Aguilar Garza, Jr. that the trial court clerk filed a notification of late clerk's record stating that the clerk's record has not been filed because (1) Appellant has failed to pay or make arrangements to pay the clerk's fee for preparing the record, and (2) Appellant is not entitled to appeal without paying the fee. We ordered Appellant to provide written proof to this court on or before June 27, 2014, that either (1) the clerk's fee has been paid or arrangements have been made to pay the clerk's fee; or (2) Appellant is entitled to appeal

without paying the clerk's fee. We warned Appellant that if he failed to respond within the time provided, this appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b).

To date, Appellant has not filed any response with this court. We, therefore, dismiss this appeal for want of prosecution. *See id.* R. 37.3(b).

PER CURIAM

DO NOT PUBLISH