



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00386-CV

Arturo Rene ANAYA,
Appellant

v.

Juliana CASTILLO,
Appellee

From the 111th Judicial District Court, Webb County, Texas
Trial Court No. 2013-CVG-00820-D2
Honorable Monica Z. Notzon, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice
Marialyn Barnard, Justice
Rebeca C. Martinez, Justice

Delivered and Filed: August 6, 2014

DISMISSED

A filing fee of \$195.00 was due from appellant Arturo Rene Anaya when this appeal was filed but was not paid. *See* TEX. GOV'T CODE ANN. § 51.941(a) (West 2013); *id.* §§ 51.0051, 51.207(b)(1), 51.208 (West 2013); TEXAS SUPREME COURT ORDER REGARDING FEES CHARGED IN CIVIL CASES IN THE SUPREME COURT, IN CIVIL CASES IN THE COURTS OF APPEALS, AND BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION (Misc. Docket No. 13-9127, Aug. 16, 2013). The clerk of the court notified appellant of this deficiency in a letter dated May 30, 2014, and

stated the fee must be remitted no later than June 9, 2014. The fee remains unpaid. Rule 5 of the Texas Rules of Appellate Procedure provides:

A party who is not excused by statute or these rules from paying costs must pay – at the time an item is presented for filing – whatever fees are required by statute or Supreme Court order. The appellate court may enforce this rule by any order that is just.

TEX. R. APP. P. 5.

Accordingly, on July 3, 2014, this court ordered appellant to either (1) pay the applicable filing fee or (2) provide written proof to this court that he is excused by statute or the Rules of Appellate Procedure from paying the fee. *See* TEX. R. APP. P. 20.1 (providing that indigent party who complies with provisions of that rule may proceed without advance payment of costs). Our order informed appellant that if he failed to provide such written proof within the time ordered, this appeal would be dismissed. *See* TEX. R. APP. P. 42.3. Appellant has not responded. Accordingly, this appeal is dismissed. Costs of appeal are assessed against appellant.

PER CURIAM