



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00682-CV

IN THE INTEREST OF A.P.R. and J.C.R., Children

From the 224th Judicial District Court, Bexar County, Texas
Trial Court No. 2016-CI-06574
Honorable Michael E. Mery, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Luz Elena D. Chapa, Justice
Jason Pulliam, Justice

Delivered and Filed: December 7, 2016

DISMISSED

When Abel Castillo Rodriguez filed this appeal on October 17, 2016, he was required to pay a \$205.00 filing fee. *See* TEX. R. APP. 5; 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. 159158, Aug. 28, 2015). Appellant did not pay the required filing fee; accordingly, the clerk of this court notified him by letter that his notice of appeal was conditionally filed and the filing fee was due October 31, 2016. On November 16, 2016, when the fee remained unpaid, this court ordered that Rodriguez must, not later than November 28, 2016, either (1) pay the applicable filing fee or (2) provide written proof to this court that he is indigent or otherwise excused by statute or the Texas Rules of Appellate Procedure from paying the fee. *See* TEX. R. APP. P. 5 (“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.”). The court advised Rodriguez that if he failed to respond satisfactorily within the time ordered, the appeal would be dismissed. *See* TEX. R. APP. P. 42.3.

The filing fee has not been paid, and Rodriguez has not otherwise responded to our November 16 order. We therefore dismiss this appeal for want of prosecution.

PER CURIAM