



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00227-CV

Vicente Martin **MARTINEZ** and Rachel Martinez,
Appellants

v.

VANDERBILT MORTGAGE AND FINANCE, INC.,
Appellee

From the County Court at Law No. 3, Bexar County, Texas
Trial Court No. 2017CV00610
Honorable Robert Behrens, Judge Presiding

PER CURIAM

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

Delivered and Filed: August 9, 2017

DISMISSED FOR WANT OF PROSECUTION

A copy of appellants' notice of appeal was filed in this court on April 11, 2017. On that date, the clerk of the court notified appellants in writing that a filing fee for the appeal in the amount of \$205 was required to be paid. On May 23, 2017, this court ordered appellants to provide written proof that either: (1) the \$205 filing fee was paid to this court, or (2) the appellants are entitled to appeal without paying the filing fee for the appeal. The order noted that the record contains no evidence that appellants are excused by statute or rule from paying the filing fee. *See* TEX. R. APP. P. 5, 20.1. Appellants were advised that failure to respond within the time provided

would result in the appeal being dismissed for failure to pay the filing fee. TEX. R. APP. P. 5, 42.3(b), (c). Appellants did not respond. Accordingly, the appeal is dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b), 42.3(b), (c). Costs of the appeal are taxed against appellants.

PER CURIAM