



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

**MEMORANDUM OPINION**

No. 04-17-00593-CV

Tabitha and Daniel **JUREK**,  
Appellants

v.

Diane and Gerardo **GARCIA**,  
Appellees

From the 131st Judicial District Court, Bexar County, Texas  
Trial Court No. 2017CI07662  
Honorable Charles E. Montemayor, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Karen Angelini, Justice  
Irene Rios, Justice

Delivered and Filed: December 13, 2017

DISMISSED

On October 25, 2017, the trial court clerk notified this court that the clerk's record was not filed because appellant has failed to pay, or make arrangements to pay, the clerk's fee for preparing the record. Appellants are not entitled to appeal without paying the fee. We, therefore, ordered appellants to provide written proof to this court by November 20, 2017, that either (1) the clerk's fee had been paid or arrangements had been made to pay the clerk's fee; or (2) appellants are entitled to appeal without paying the clerk's fee. We warned that if appellants failed to respond within the time provided, this appeal would be dismissed. *See* TEX. R. APP. P. 37.3(b) (allowing

dismissal of appeal if clerk's record is not filed due to appellant's fault); *see also* TEX. R. APP. P. 42.3(c) (allowing dismissal of appeal if appellant fails to comply with an order of this court). Appellants failed to respond. Therefore, we dismiss this appeal. *See* TEX. R. APP. P. 37.3(b); *see also* TEX. R. APP. P. 42.3(c).

PER CURIAM