



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-18-00768-CV

Mark **HOMER** a/k/a Doc's Space Center,
Appellant

v.

Ernesto **MARTINEZ**,
Appellee

From the County Court at Law No. 3, Bexar County, Texas
Trial Court No. 380903A
Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice

Delivered and Filed: December 5, 2018

DISMISSED FOR WANT OF PROSECUTION

In this appeal, the clerk's record was due on October 29, 2018. *See* TEX. R. APP. P. 35.1. A few days later, the Bexar County District Clerk notified this court that Appellant Mark Homer a/k/a Doc's Space Center had not paid the clerk's fee for preparing the record and Appellant is not entitled to a free clerk's record.

On November 15, 2018, we ordered Appellant to file written proof with this court by November 26, 2018, 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 as ordered, 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. Therefore, we dismiss this appeal for want of prosecution. *See id.* R. 37.3(b), 42.3(b), (c).

PER CURIAM