



Fourth Court of Appeals San Antonio, Texas

MEMORANDUM OPINION

No. 04-18-00888-CV

Dr. Kelly **ISBELL**,
Appellant

v.

Jeanne **RUSSELL**, Mission Street Consulting LLC, Kate Rogers, Melissa Alcala, and San Antonio Independent School District,
Appellees

From the 166th Judicial District Court, Bexar County, Texas
Trial Court No. 2017CI14512
The Honorable Renée A. Yanta, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Rebeca C. Martinez, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: January 16, 2019

DISMISSED FOR WANT OF PROSECUTION

On December 4, 2018, the trial court clerk filed a notification of late clerk's record, stating that the appellant had failed to pay or make arrangements to pay the fee for preparing the clerk's record. We therefore ordered appellant to provide written proof to this court by December 17, 2018 that either (1) the trial court clerk's fee for preparing the record had been paid or arrangements had been made to pay the clerk's fee; or (2) appellant was entitled to appeal without paying the clerk's fee. We explained that if appellant failed to respond within the time provided, this appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b) (allowing dismissal of appeal

for want of prosecution 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). Appellant failed to respond to our order. Therefore, this appeal is dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b); *see also* TEX. R. APP. P. 42.3(c).

PER CURIAM