



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

**MEMORANDUM OPINION**

No. 04-19-00774-CV

**IN THE ESTATE OF William H. MCNUTT**

From the County Court, Kimble County, Texas  
Trial Court No. 2284  
Honorable Joe Loving Jr., Judge Presiding<sup>1</sup>

PER CURIAM

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

Delivered and Filed: December 27, 2019

DISMISSED FOR WANT OF PROSECUTION

Appellant Sherry McNutt filed a notice of appeal in this court on October 30, 2019. Appellant was required to pay \$205.00 in filing fees to this court. *See* TEX. R. APP. P. 5.<sup>2</sup> Appellant did not timely pay the required fees. On December 5, 2019, when the fees remained unpaid, we ordered Appellant to provide written proof to this court not later than December 16, 2019, that the filing fees have been paid or Appellant is entitled to appeal without paying the filing fees. *See id.* We warned Appellant that if she failed to respond as ordered, the appeal would be

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<sup>1</sup> The Honorable Delbert R. Roberts is the presiding judge of the Kimble County Court.

<sup>2</sup> *See also* TEX. GOV'T CODE ANN. § 51.207(b)(1) (filing fee \$100.00); *id.* §§ 51.0051, .208 (additional fee \$50.00); *id.* § 51.851(b) (electronic filing fee \$20.00); *id.* § 51.941(a) (services for indigents fee \$25.00); 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. 07–9138 (Tex. Aug. 28, 2007), *reprinted in* TEX. R. APP. P. app. A § B.1.(a).

dismissed without further notice. *See id.* R. 5, 42.3; *In re W.J.C.*, No. 04-05-00532-CV, 2005 WL 3477883, at \*1 (Tex. App.—San Antonio Dec. 21, 2005, no pet.) (mem. op.).

To date, Appellant has not paid the fees or filed any response with this court. Therefore, we dismiss this appeal for want of prosecution. *See* TEX. R. APP. P. 37.3(b), 42.3(b), (c).

PER CURIAM