



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-20-00236-CV

Lesley **WENGER**, City of Castle Hills Alderman Place 4 and Sylvia Gonzalez,
City of Castle Hills, Place 3,
Appellants/Cross-Appellees

v.

The **STATE** of Texas, ex. rel., Mike Flinn, Bonnie Hopke, Vince Martinez, Scott Gray,
Ginger Magers, and Robbie Casey,
Appellees/Cross-Appellants

From the 438th Judicial District Court, Bexar County, Texas
Trial Court No. 2019-CI-15722
Honorable Larry Noll, Judge Presiding

PER CURIAM

Sitting: Irene Rios, Justice
Beth Watkins, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: August 12, 2020

DISMISSED FOR LACK OF PROSECUTION

On May 19, 2020, the trial court clerk filed a notification of late record, stating that the appellants failed to pay or make arrangements to pay the fee for preparing the clerk's record. On June 18, 2020, we ordered appellants to provide written proof to this court by June 29, 2020 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