

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00525-CV

VALERIE MAY, Appellant

V.

DAVID MAY, Appellee

On Appeal from the County Court at Law No. 1
Montgomery County, Texas
Trial Cause No. 10-01-00751 CV

MEMORANDUM OPINION

On February 17, 2011, we notified the parties that the appeal would be dismissed for want of prosecution unless arrangements were made for filing the clerk's record or the appellant explained why she needed time for filing the record. *See* Tex. R. App. P. 37.3(b). The appellant did not file a response. It appears that the appellant is not entitled to proceed without payment of costs. *See* Tex. R. App. P. 20.1. Appellant was given a reasonable opportunity to cure. *See* Tex. R. App. P. 37.3(b). There being no satisfactory

explanation for the failure to provide the record after notice and opportunity to cure, the appeal is dismissed for want of prosecution. *See id.*; Tex. R. App. P. 42.3.

APPEAL DISMISSED.

DAVID GAULTNEY
Justice

Opinion Delivered March 31, 2011

Before McKeithen, C.J., Gaultney and Kreger, JJ.