

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-14-00183-CV

BELINDA PUNTANEN, Appellant

V.

BILLY KIMBERLIN, Appellee

On Appeal from the County Court at Law
Polk County, Texas
Trial Cause No. CV03150

MEMORANDUM OPINION

Belinda Puntanen filed a notice of appeal but failed to pay the filing fee and failed to file a brief. On June 2, 2014, we notified the parties that the appeal would be dismissed unless the appellant remitted the filing fee for the appeal. On June 16, 2014, we notified the parties that the reporter's record had not been filed and that the appeal would be submitted to the Court without a reporter's record unless we received a response. On August 14, 2014, in response to correspondence referring to an affidavit of indigence that had been filed in the justice court, we notified the

appellant that an affidavit of indigence and a motion for extension of time to file an affidavit of indigence would have to be filed with this Court if the appellant wished to establish indigence for purposes of this appeal. Appellant did not file a brief or respond to the Court's notice that we required a current affidavit of indigence if she wished to proceed with the appeal without prepayment of costs. On September 18, 2014, we notified the parties that the appeal would be submitted to the Court without a reporter's record and directed the appellant to file her brief by October 20, 2014. She did not file a brief. On October 23, 2014, we notified the parties of the submission of the appeal without briefs. *See* Tex. R. App. P. 39.8.

Appellant failed to comply with a notice from the Clerk of the Court requiring a response within a specified time. *See* Tex. R. App. P. 42.3(c). Appellant failed to prosecute the appeal by filing a brief assigning error for appellate review. *See* Tex. R. App. P. 38.8(a)(1); Tex. R. App. P. 42.3(b). We dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 43.2(f).

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on November 13, 2014
Opinion Delivered November 20, 2014

Before McKeithen, C.J., Horton and Johnson, JJ.