

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-15-00300-CV**

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**RICHARD EARL SISNEY SR., Appellant**

**V.**

**BRENDA LEE SISNEY, Appellee**

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**On Appeal from the 410th District Court**  
**Montgomery County, Texas**  
**Trial Cause No. 13-09-10256-CV**

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**MEMORANDUM OPINION**

On October 27, 2015, we notified the parties that the filing fee had not been paid and warned that the appeal would be dismissed unless the appellant remitted the filing fee for the appeal. Appellant did not respond to this Court's notice.

An appellant who wishes to proceed on appeal without payment of costs must file an affidavit of indigence. *See* Tex. R. App. P. 20.1. An appeal may be dismissed if the appellant fails to comply with a requirement of the Texas Rules of Appellate Procedure, or fails to respond to a notice from the Clerk of the Court

requiring a response or other action within a specified time. *See* Tex. R. App. P. 42.3(c).

Appellant did not file an affidavit of indigence on appeal and has not shown that he is entitled to proceed without payment of costs. *See generally* Tex. R. App. P. 20.1. Appellant failed to comply with notices that required a response. *See* Tex. R. App. P. 42.3(c). There being no reasonable explanation for the failure to pay the filing fee for the appeal, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3.

APPEAL DISMISSED.

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CHARLES KREGER  
Justice

Submitted on December 9, 2015  
Opinion Delivered December 10, 2015

Before Kreger, Horton, and Johnson, JJ.