

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00448-CV

LANCE RUSSELL BRASWELL, Appellant

V.

STACY BRUMLEY, Appellee

**On Appeal from the 418th District Court
Montgomery County, Texas
Trial Cause No. 14-07-08014-CV**

MEMORANDUM OPINION

On January 19, 2016, we notified the parties that the filing fee had not been paid and warned that the appeal would be dismissed unless the appellant, Lance Russell Braswell, remitted the filing fee for the appeal. Braswell 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).

Braswell 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. Additionally, he 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.

STEVE McKEITHEN
Chief Justice

Submitted on March 2, 2016
Opinion Delivered March 3, 2016

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