

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00177-CV

KIERRAH S. BUSHNELL, Appellant

V.

DEMARCUS JAMAL BUSHNELL, Appellee

On Appeal from the 317th District Court
Jefferson County, Texas
Trial Cause No. C-223,019

MEMORANDUM OPINION

Appellant, Kierrah S. Bushnell, filed a notice of appeal from the trial court's judgment dated June 9, 2016. We remanded the appeal to the trial court for a determination of the appellant's indigence. On August 10, 2016, the trial court sustained the clerk's contest to the appellant's affidavit of inability to pay costs for the appeal. The appellant did not challenge the trial court's ruling on the contest.

The trial court clerk notified the Court of Appeals that the appellant was not entitled to appeal without paying fees, and that she neither paid for nor made

arrangements to pay for preparing the record. On August 23, 2016, we notified the parties that the appeal would be dismissed unless the appellant remitted the filing fee for the appeal. In a separate notice, we warned the parties that the appeal would be dismissed if the appellant failed to pay for a record. The appellant has not responded to this Court's notices.

Although given an opportunity to cure, the appellant failed to make arrangements to pay for a record supporting any issues that she desires to raise in her appeal. *See* Tex. R. App. P. 37.3(b). Furthermore, the appellant has not responded to our notices. *See* Tex. R. App. P. 42.3(c). We dismiss Bushnell's appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b).

APPEAL DISMISSED.

LEANNE JOHNSON
Justice

Submitted on October 19, 2016
Opinion Delivered October 20, 2016

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