

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-17-00326-CR

EX PARTE BILLY WAYNE BARTON

On Appeal from the 258th District Court
Polk County, Texas
Trial Cause No. 24667

MEMORANDUM OPINION

On September 11, 2017, we notified the parties that the appeal would be dismissed for want of prosecution unless arrangements were made for filing the record or the appellant explained why he needed more 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. 20.2. There being no satisfactory explanation for the failure to file the record, the appeal is dismissed for want of prosecution. *See* Tex. R. App. P. 37.3(b).

APPEAL DISMISSED.

STEVE McKEITHEN
Chief Justice

Submitted on October 17, 2017
Opinion Delivered October 18, 2017
Do Not Publish

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