

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-22-00398-CV

TOMAS CASTILLO BARBOZA JR., Appellant

V.

GEICO CASUALTY COMPANY, Appellee

On Appeal from the County Court at Law No. 1
Jefferson County, Texas
Trial Cause No.137739

MEMORANDUM OPINION

Tomas Castillo Barboza Jr. filed a notice of appeal from a final judgment, which the trial court signed on November 3, 2022.

On January 3, 2023, the County Clerk notified the Court that Barboza had failed to pay or to arrange to pay for the clerk's record in his appeal. On that same day, we notified the parties that the clerk's record had not been filed and we warned Barboza that we would dismiss the appeal unless he arranged to pay the fee required

to file the clerk's record or he explained that he needed additional time to do so by February 2, 2023. *See* Tex. R. App. P. 37.3(b).

On January 18, 2023, through a notice issued by the Clerk of the Court, we warned the parties that Barboza had not remitted the filing fee and that unless he paid the fee, the Court would dismiss the appeal without further notice on any date after February 2, 2023. Barboza neither paid the filing fee nor asserted that he was unable to afford payment of costs. *See* Tex. R. App. P. 5, 20.1. None of the parties responded to the Court's notices.

In the absence of a satisfactory explanation justifying the appellant's failure to pay the filing fee for the appeal or to arrange to pay for a clerk's record to support his appeal, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 37.3(b), 42.3, 43.2(f).

APPEAL DISMISSED.

PER CURIAM

Submitted on February 22, 2023
Opinion Delivered February 23, 2023

Before Golemon, C.J., Horton and Wright, JJ.