



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-13-00231-CV**

DEREK E. SHEPPARD

APPELLANT

V.

ROSS MECHANICAL  
CONTRACTING, INC. AND GARRY  
ROSS

APPELLEES

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FROM THE 67TH DISTRICT COURT OF TARRANT COUNTY  
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**MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT**  
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On October 1, 2013, we notified appellant that the trial court clerk responsible for preparing the record in this appeal informed the court that payment arrangements had not been made to pay for the clerk's record as required by Texas Rule of Appellate Procedure 35.3(a)(2). See Tex. R. App. P.

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<sup>1</sup>See Tex. R. App. P. 47.4.

35.3(a)(2). We stated that we would dismiss the appeal for want of prosecution unless appellant, within ten days, made arrangements to pay for the clerk's record and provided this court with proof of payment.

Because appellant has not made payment arrangements for the clerk's record, it is the opinion of the court that the appeal should be dismissed for want of prosecution. Accordingly, we dismiss the appeal. See Tex. R. App. P. 37.3(b), 42.3(b).

Appellant shall pay all costs of the appeal, for which let execution issue.

PER CURIAM

PANEL: WALKER, MCCOY, and MEIER, JJ.

DELIVERED: October 31, 2013