



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

NO. 02-13-00275-CV

IN THE INTEREST OF J.M.W., A
MINOR CHILD

FROM THE 231ST DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

On October 3, 2013, the court dismissed this appeal because appellant had not paid the \$175 filing fee. We subsequently granted appellant's motion for rehearing and abated the appeal and remanded the indigency issue to the trial court. The trial court sustained a timely contest to appellant's affidavit of indigency, and she did not challenge that ruling in this court.

¹See Tex. R. App. P. 47.4.

On November 22, 2013, we notified appellant in accordance with rule of appellate procedure 42.3(c), that we would dismiss this appeal unless the \$175 filing fee was paid. See Tex. R. App. P. 42.3(c). Appellant has not paid the \$175 filing fee. See Tex. R. App. P. 5, 12.1(b).

Because appellant has failed to comply with a requirement of the rules of appellate procedure and the Texas Supreme Court's order of August 28, 2007,² we dismiss the appeal. See Tex. R. App. P. 42.3(c), 43.2(f). Further, we deny appellant's "Motion for Continuance to File Brief on the Merits And Waiver of Court Costs Due to Identity Theft and Government Complicity."

Appellant shall pay all costs of this appeal, for which let execution issue. See Tex. R. App. P. 43.4.

PER CURIAM

PANEL: MEIER, J.; LIVINGSTON, C.J.; and GABRIEL, J.

DELIVERED: January 23, 2014

²See Supreme Court of Tex., *Order Regarding Fees Charged in Civil Cases in the Supreme Court and the Courts of Appeals and Before the Judicial Panel on Multidistrict Litigation*, Misc. Docket No. 07-9138 (Aug. 28, 2007) (listing fees in courts of appeals).