



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

**NO. 02-15-00197-CV**

IN THE INTEREST OF A.V., A  
CHILD

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FROM THE 325TH DISTRICT COURT OF TARRANT COUNTY  
TRIAL COURT NO. 325-460493-09

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**MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT**

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On August 26, 2015, we affirmed the trial court's order sustaining the trial court clerk's and the court reporter's contests to appellant's affidavit of indigency and concluded that appellant is not entitled to proceed without payment of costs in this appeal. See Tex. R. App. P. 20.1. We ordered that appellant pay the

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

required \$195.00 filing fee on or before Friday, September 4, 2015, and pay or make arrangements to pay for preparation of the appellate record on or before Thursday, September 24, 2015. We stated that failure to pay or to make such arrangements would result in dismissal of the appeal.

Appellant did not pay the \$195.00 filing fee or pay or make arrangements to pay for preparation of the clerk's record. On October 9, 2015, we notified appellant that we would dismiss this appeal unless, by Monday, October 19, 2015, the \$195 filing fee was paid and she made arrangements to pay for the clerk's record and provided this court with proof of payment. See Tex. R. App. P. 5, 35.3(a)(2), 37.3(b), 42.3(b), (c).

On October 27, 2015, we granted appellant's "Motion for Extension of Time on Pending Dismissal for Time to Obtain Funds for Costs of Appeal." In our order, we stated that we would dismiss this appeal unless, by Monday, November 30, 2015, the \$195 filing fee was paid and appellant made arrangements to pay for the clerk's record and provided this court with proof of payment. See Tex. R. App. P. 5, 35.3(a)(2), 37.3(b), 42.3(b), (c). We further stated that "**NO FURTHER EXTENSIONS OF TIME WILL BE GRANTED.**"

Appellant has not paid the \$195 filing fee. See Tex. R. App. P. 5, 12.1(b). Because appellant failed to comply with a requirement of the rules of appellate procedure and the Texas Supreme Court's order of August 16, 2013,<sup>2</sup> it is the

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<sup>2</sup>See Supreme Court of Tex., *Fees Charged in the Supreme Court, in Civil Cases in the Courts of Appeals, and Before the Judicial Panel on Multi-district*

opinion of this court that the appeal should be dismissed. See Tex. R. App. P. 42.3(c).

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 rule of appellate procedure 35.3(a)(2). See Tex. R. App. P. 35.3(a)(2). Because appellant has not made payment arrangements for the clerk's record, it is the opinion of the court that the appeal also should be dismissed for want of prosecution. See Tex. R. App. P. 37.3(b), 42.3(b).

For these reasons, we dismiss the appeal. See Tex. R. App. P. 37.3(b), 42.3(b), (c), 43.2(f). Appellant shall pay all costs of this appeal, for which let execution issue. See Tex. R. App. P. 43.4.

PER CURIAM

PANEL: GARDNER, WALKER, and MEIER, JJ.

DELIVERED: December 10, 2015

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*Litigation*, Misc. Docket No. 13-9127 (Aug. 16, 2013) (listing fees in courts of appeals).