



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

**NO. 02-16-00235-CV**

ROBERT ALVAH BRIMMER, II,  
M.D.

APPELLANT

V.

DANA BUTLER, M.D.; BENJAMIN J.  
LEEAH, M.D.; TEXAS TECH  
UNIVERSITY HEALTH SCIENCES  
CENTER SCHOOL OF MEDICINE

APPELLEES

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FROM THE 30TH DISTRICT COURT OF WICHITA COUNTY  
TRIAL COURT NO. 183,563-A

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**MEMORANDUM OPINION<sup>1</sup> AND JUDGMENT**  
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On August 9, 2016, 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

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

required by Texas Rule of Appellate Procedure 35.3(a)(2). See Tex. R. App. P. 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: MEIER, GABRIEL, and SUDDERTH, JJ.

DELIVERED: August 30, 2016