

NO. 07-03-0069-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
APRIL 24, 2003

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HERBERT FEIST, APPELLANT

V.

KEITH PRICE, APPELLEE

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FROM THE 47TH DISTRICT COURT OF POTTER COUNTY;  
NO. 087621-00-A; HONORABLE DAVID GLEASON, JUDGE

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Before QUINN and REAVIS and CAMPBELL, JJ.

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

By order dated March 5, 2003, this Court overruled appellant's motion to proceed *in forma pauperis* and directed him to pay the required filing fee of \$125 within 15 days

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<sup>1</sup>Tex. R. App. P. 47.2(a).

noting that failure to do so might result in dismissal. Unless a party is excused from paying a filing fee, the Clerk of this Court is required to collect filing fees set by statute or by the Supreme Court when an item is presented for filing. See Tex. R. App. P. 5 and 12.1(b). Thus, because the filing fee was not paid we must dismiss the appeal.

Accordingly, the appeal is dismissed for failure to comply with the Texas Rules of Appellate Procedure and with a notice from the Clerk requiring payment of the filing fee. Tex. R. App. P. 42.3(c).

Don H. Reavis  
Justice