

NO. 07-04-0459-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
DECEMBER 28, 2004

DELBERT MCCLOY, APPELLANT

V.

BOB DAVIS, INDIVIDUALLY AND AS HANSFORD
COUNTY JUSTICE OF THE PEACE, AND HANSFORD COUNTY
SHERIFF R. L. MCFARLIN, A GOVERNMENTAL EMPLOYEE
OF HANSFORD COUNTY, TEXAS, APPELLEES

FROM THE 84TH DISTRICT COURT OF HANSFORD COUNTY;

NO. 4514; HONORABLE STEVEN EMMERT, JUDGE

Before JOHNSON, C.J., and REAVIS and CAMPBELL, JJ.

MEMORANDUM OPINION

On September 13, 2004, the clerk of this court received a copy of a Notice of Appeal filed on behalf of appellant Delbert McCloy. By letter dated October 20, 2004, the clerk advised counsel for appellant that a reporter's record had not been received, see TEX. R. APP. P. 34.6(h), 35.3(b). By letter dated November 5, 2004, counsel for appellant was likewise advised that failure to file a written status report regarding payment for the clerk's and reporter's record may result in dismissal of the appeal. See TEX. R. APP. P. 42.3(c).

By letter dated December 1, 2004, the clerk advised counsel for appellant that a written status report regarding payment for the clerk's and reporter's record was due, and that unless the written status report was received on or before December 10, 2004, the appeal would be subject to dismissal.

This Court has not received a written status report confirming that the clerk's and reporter's records have been paid for or that satisfactory arrangements have been made for payment for these records. Accordingly, this appeal is dismissed. TEX. R. APP. P. 42.3.

Phil Johnson
Chief Justice