

NO. 07-05-0083-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
JUNE 6, 2005

CLARE CONSTAT, LTD. and STEPHEN YORK TAYLOR,

Appellants

v.

MAX SWINBURN,

Appellee

FROM THE 242ND DISTRICT COURT OF CASTRO COUNTY;
NO. B-8243-0404; HON. ED SELF, PRESIDING

MEMORANDUM OPINION

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

Appellant Clare Constat, Ltd. and Stephen York Taylor filed a notice of appeal on February 25, 2005. The clerk's record was filed on March 21, 2005, and the reporter's record was due to be filed on or about April 27, 2005. On May 18, 2005, counsel for appellant was directed by letter to provide this court with proof that he either paid for the record or made satisfactory arrangements for payment of the record on or before May 31, 2005. So too was he told that the failure to comply with the court's directive would result

in dismissal. We have received nothing illustrating that payment for the reporter's record has been made to or arrangements for its payment have been made with the court reporter.

Because appellant failed to comply with our May 18th directive, we dismiss the appeal pursuant to Texas Rule of Appellate Procedure 42.3(b) and (c).

Per Curiam