

NO. 07-05-0149-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
APRIL 27, 2005

THE FEED STORE, INC., d/b/a CHAD and PATRICIA LANGSTON, et al.,

Appellants

V.

SYSCO FOOD SERVICES OF HOUSTON, INC.,

Appellee

FROM THE COUNTY CIVIL COURT AT LAW NO. 2 OF HARRIS COUNTY;

NO. 823,840; HON. GARY MICHAEL BLOCK, PRESIDING

MEMORANDUM OPINION

Before QUINN, REAVIS and CAMPBELL, JJ.

Appellants The Feed Store, Inc., d/b/a Chad and Patricia Langston, et al. filed a notice of appeal on February 22, 2005. However, they did not pay the \$125 filing fee required from appellants under Texas Rule of Appellate Procedure 5. Nor did they file an affidavit of indigence per Texas Rule of Appellate Procedure 20.1. By letter from this Court dated April 15, 2005, we informed appellants that “the filing fee has not been paid in the captioned appeal. Unless the filing fee in the amount of \$125.00 is paid by Monday, April

25, 2005, this appeal will be subject to dismissal.” TEX. R. APP. P. 42.3(c); see *Holt v. F. Enterprises*, 990 S.W.2d 756 (Tex. App.--Amarillo 1998, pet. ref'd). The deadline lapsed, and the fee was not received.

Because appellants have failed to pay the requisite filing fee as directed by the court, we dismiss the appeal pursuant to Texas Rule of Appellate Procedure 42.3(c).

Per Curiam