

NO. 07-07-0146-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
MAY 15, 2007

DUTCH GIRL OF TEXAS, INC., ET AL, APPELLANTS

V.

HRH OF AMARILLO, APPELLEE

FROM THE 47TH DISTRICT COURT OF POTTER COUNTY;

NO. 90,114-A; HONORABLE HAL MINER, JUDGE

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

By letter dated April 17, 2007, this Court directed Appellant, Dutch Girl of Texas, Inc., et al, to pay the required filing fee of \$125 within ten days. The Court noted that failure to do so might result in dismissal pursuant to Rule 42.3(c) of the Texas Rules of Appellate Procedure. 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 the Supreme Court when an item is presented for filing. See Tex. R. App. P. 5 and 12.1(b). Although the filing of a notice of appeal invokes this Court's jurisdiction, if a party fails to follow the prescribed rules of appellate procedure, the appeal may be dismissed. Tex. R. App. P. 25.1(b). Consequently, because the filing fee remains unpaid, 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 within ten days. Tex. R. App. P. 42.3(c).

Patrick A. Pirtle
Justice