

NO. 07-11-00170-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
MAY 20, 2011

RICKY W. TURNER, APPELLANT

v.

ARLIE FOX, ET. AL, APPELLEES

FROM THE 108TH DISTRICT COURT OF POTTER COUNTY;
NO. 98,818-E; HONORABLE DOUGLAS WOODBURN, JUDGE

Before CAMPBELL and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

Appellant Ricky W. Turner, an inmate appearing *pro se*, filed a notice of appeal in trial court cause number 98,818-E in the 108th Judicial District Court of Potter County on April 18, 2011. He did not pay the required filing fee, nor did he file an affidavit of indigence. See Tex. R. App. P. 5 (unless excused by law, filing fee in civil case due when item presented for filing); 20.1 (procedure for indigent in civil cases). By letter of April 25, 2011, we notified Turner that “the filing fee in the amount of \$175.00 has not been paid. Failure to pay the filing fee within ten (10) days from the date of this notice

may result in a dismissal. See Tex. R. App. P. 42.3(c).” Turner did not pay the filing fee or file an affidavit of indigence.

Accordingly, we dismiss the appeal. See Tex. R. App. P. 5, 42.3(c).

Per Curiam