

NO. 07-12-0430-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
OCTOBER 18, 2012

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PATRICK MORGAN, APPELLANT  
V.  
HONORABLE FELIX KLEIN, APPELLEE

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FROM THE 154<sup>TH</sup> DISTRICT COURT OF LAMB COUNTY;  
NO.4182; HONORABLE FELIX KLEIN, JUDGE

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

**MEMORANDUM OPINION**

Patrick Morgan, an inmate, filed this appeal from the trial court's denial of a "Bill of review." By letter dated October 4, 2012, this Court advised Mr. Morgan that a filing fee of \$175 was overdue and also noted that failure to make payment within ten days might result in dismissal of the appeal. Appellant has not responded, paid the filing fee, or made other arrangements for the discharge of the clerk's filing fee. See TEX. R. APP. P. 12.1(b).

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).

Accordingly, this appeal is dismissed for failure to comply with a directive from this Court requiring action within a specified time. TEX. R. APP. P. 42.3(c).

Patrick A. Pirtle  
Justice