



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-15-00403-CV

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**IN THE INTEREST OF B.M.A., A CHILD**

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**On Appeal from the 425th District Court  
Williamson County, Texas  
Trial Court No. 14-1261-F425; Honorable Betsy F. Lambeth, Presiding**

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November 20, 2015

**MEMORANDUM OPINION**

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

Appellant, David S. Ambrose, filed a notice of appeal from the trial court's order in a suit affecting the parent-child relationship. By letter dated September 23, 2015, the Clerk of the Third Court of Appeals advised Ambrose that a filing fee of \$205 was overdue and directed him to submit payment on or before October 2, 2015.<sup>1</sup> By letter dated October 27, 2015, this court also advised Ambrose that the filing fee was overdue, directed him to pay the filing fee, and notified him that failure to submit

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<sup>1</sup> After the letter was issued, this appeal was transferred from the Third Court of Appeals to this court by the Texas Supreme Court pursuant to its docket equalization efforts. TEX. GOV'T CODE ANN. § 73.001 (West 2013).

payment on or before November 9, 2015, would subject the appeal to dismissal pursuant to Rule 42.3(c) of the Texas Rules of Appellate Procedure.

An inquiry from the Clerk of this court to the Clerk of the Third Court of Appeals revealed that Ambrose has not responded, paid the filing fee, nor made other arrangements for the discharge of the filing fee with either this court or the Third Court of Appeals. 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 Texas Supreme Court when an item is presented for filing. See *id.* at 5, 12.1(b). Although the filing of a proper notice of appeal invokes an appellate court's jurisdiction, if a party fails to follow the prescribed rules of appellate procedure, the appeal may be dismissed. *Id.* at 25.1(b).

Accordingly, having provided Ambrose a reasonable opportunity to cure this defect, 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).

Per Curiam