



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

No. 07-15-00415-CV

MATTHEW BAUMAN, APPELLANT

V.

ALDRIDGE ELECTRIC, INC., APPELLEE

On Appeal from the 223rd District Court
Gray County, Texas
Trial Court No. 37,512; Honorable Phil N. Vanderpool, Presiding

December 7, 2015

MEMORANDUM OPINION

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

Appellant, Matthew Bauman, gave notice of appeal from the trial court's summary judgment in favor of Appellee, Aldridge Electric, Inc. By letter dated November 4, 2015, the clerk of this court advised Bauman that a filing fee of \$205 was overdue and notified him that failure to submit payment within ten days would subject the appeal to dismissal pursuant to Rule 42.3(c) of the Texas Rules of Appellate Procedure.

Bauman has not responded, paid the filing fee, nor made other arrangements for the discharge of the 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 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 Bauman a reasonable opportunity to cure this defect, this appeal is dismissed for failure to comply with a requirement of the appellate rules and failure to comply with a notice from the clerk requiring action within a specified time. TEX. R. APP. P. 42.3(c).

Per Curiam