



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

No. 07-15-00335-CV

**IN THE MATTER OF THE MARRIAGE OF DONNA MARIE OSBORNE
AND BRIAN LEE OSBORNE AND IN THE INTEREST OF
B.O., M.O. AND M.O., CHILDREN**

On Appeal from the 223rd District Court
Gray County, Texas
Trial Court No. 37,703, Honorable Phil N. Vanderpool, Presiding

March 8, 2016

MEMORANDUM OPINION

Before QUINN, CJ., and CAMPBELL and PIRTLE, JJ.

Appellant Brian Osborne filed his notice of appeal on September 14, 2015. On January 3, 2016, the district clerk notified us by letter that Osborne had not paid or made arrangements to pay for the clerk's record. See TEX. R. APP. P. 35.3(a)(2). By letter of January 8, we directed Osborne to make payment arrangements acceptable to the district clerk by January 20. Failure to do so, we advised, would subject the appeal to dismissal for want of prosecution. See TEX. R. APP. P. 37.3(b). Osborne did not make arrangements to pay for the clerk's record by this deadline. By letter of February 5, we again ordered Osborne to make payment arrangements for the clerk's record by

February 19, and advised him we would dismiss the appeal for want of prosecution without further notice if he failed to do so.

To date, Osborne has not made payment arrangements for the clerk's record or otherwise communicated with the Court. The appeal is therefore dismissed for want of prosecution and failure to comply with requirements of the appellate rules and this Court's order. TEX. R. APP. P. 37.3(b); 42.3(b), (c).

James T. Campbell
Justice