



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

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No. 07-17-00124-CV

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**RAUL GARCIA, JR., APPELLANT**

**V.**

**GENEVA ANN MARQUEZ, APPELLEE**

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On Appeal from the 242nd District Court  
Hale County, Texas  
Trial Court No. B41483-1703; Honorable Kregg Hukill, Presiding

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May 9, 2017

**MEMORANDUM OPINION**

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

Appellant, Raul Garcia, Jr., gave notice of appeal from the trial court's *Order Denying Protective Order* signed on March 27, 2017. By letter dated April 19, 2017, the clerk of this court advised Appellant that a filing fee of \$205 was overdue and that unless he was excused from paying costs under appellate rule 20.1, failure to pay the

filing fee by May 1st would result in dismissal of the appeal without further notice. See TEX. R. APP. P. 20.1, 42.3(c).

Appellant has not responded to the clerk's letter, paid the filing fee, made other arrangements, or sought to proceed without payment of costs. See TEX. R. APP. P. 12.1(b), 20.1. 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 by 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 Appellant 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