



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

---

No. 07-17-00267-CV

---

**JOSE PEREZ AND NORMA PEREZ, APPELLANTS**

**V.**

**ROBERT IBE AND CRUZ IBE, APPELLEES**

---

---

On Appeal from the 72nd District Court  
Lubbock County, Texas  
Trial Court No. 2016-522,140; Honorable Ruben Gonzales Reyes, Presiding

---

---

August 29, 2017

**MEMORANDUM OPINION**

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

Appellants, Jose Perez and Norma Perez, gave notice of appeal from the trial court's *Judicial Foreclosure Judgment* signed on May 17, 2017. By letter dated August 2, 2017, the clerk of this court advised Appellants that a filing fee of \$205 was overdue and that unless they were excused from paying costs under appellate rule 20.1, failure

to pay the filing fee by August 14 would result in dismissal of the appeal without further notice. See TEX. R. APP. P. 20.1, 42.3(c).

Appellants have 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 Appellants a reasonable opportunity to cure this defect, this appeal is dismissed for Appellants' 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