



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

No. 07-18-00065-CV

EX PARTE DEBBIE BARTHOLOMEW AND JAMES A. RILEY

On Appeal from the County Court at Law No. 3
Lubbock County, Texas
Trial Court No. 2006-599,158; Honorable Pat Phelan, Presiding

March 29, 2018

MEMORANDUM OPINION

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

Appellant, Debbie Bartholomew, proceeding *pro se*, appeals from trial court's order denying her *Motion for Enforcement by Contempt*, but has not paid the required filing fee. By letter dated March 6, 2018, the clerk of this court advised Bartholomew that a filing fee of \$205 was overdue and that unless she was excused from paying costs under appellate rule 20.1, failure to pay the filing fee by March 16 would result in dismissal of the appeal without further notice. See TEX. R. APP. P. 20.1, 42.3(c).

Bartholomew 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 Bartholomew a reasonable opportunity to cure this defect, this appeal is dismissed for Bartholomew's 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