



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

No. 07-18-00316-CV

IN RE LESLIE L. MOSS, RELATOR

ORIGINAL PROCEEDING

October 11, 2018

MEMORANDUM OPINION

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

Relator Leslie L. Moss, a Texas prison inmate appearing *pro se*, filed a petition for writ of mandamus with the clerk of this Court, but did not accompany his petition with the required filing fee or proof of indigence and the materials required by Chapter 14 of the Texas Civil Practice and Remedies Code.

By letter of August 28, 2018, we directed Moss to pay the filing fee or file an affidavit of indigence, and if indigent, to comply with Chapter 14 by filing an affidavit describing his previous filings and a certified copy of his inmate trust account statement. See TEX. CIV. PRAC. & REM. CODE ANN. §§ 14.002(a) (West 2017) (stating that Chapter 14 applies to original proceedings brought by an inmate in an appellate court); 14.004 (West 2017). The letter further notified Moss that the proceeding would be subject to dismissal

should he fail to comply by September 7. See TEX. R. APP. P. 42.3(c). Moss did not pay the filing fee or submit the materials necessary to proceed under Chapter 14. Rather, on October 10, Moss filed a letter with this Court withdrawing his petition for writ of mandamus.

Accordingly, Moss's petition for writ of mandamus is dismissed for failure to comply with a requirement of the appellate rules and by virtue of his voluntary withdrawal. TEX. R. APP. P. 42.3(c), 42.1.

Per Curiam