



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

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No. 07-20-00354-CV

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**IN RE CURTIS JAMES MCGUIRE, RELATOR**

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**OPINION ON ORIGINAL PROCEEDING FOR WRIT OF MANDAMUS**

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January 12, 2021

**MEMORANDUM OPINION**

Before **PIRTLE** and **PARKER** and **DOSS, JJ.**

Relator Curtis James McGuire, a Texas inmate proceeding pro se, filed a petition for writ of mandamus without paying the required filing fee. By letter of December 17, 2020, we directed McGuire to pay the filing fee or, in lieu thereof, to comply with Chapter 14 of the Civil Practice and Remedies Code by filing 1) an affidavit of indigence, 2) an affidavit relating to previous filings, and 3) a certified copy of his inmate trust account statement. See TEX. CIV. PRAC. & REM. CODE ANN. §§ 14.002(a), 14.004 (West 2017). We advised McGuire that this proceeding was subject to dismissal if he did not comply by December 28, 2020. McGuire has since filed an affidavit of indigence but has not filed

an affidavit describing his previous filings or a certified copy of his inmate trust account statement to date.

The requirement to pay the filing fee or tender an affidavit of indigence, an affidavit of previous filings, and a certified copy of an inmate trust account statement is mandatory, and the lack thereof is grounds for dismissal of an original proceeding. *In re Denson*, No. 07-20-00191-CV, 2020 Tex. App. LEXIS 6966, at \*1 (Tex. App.—Amarillo Aug. 27, 2020, orig. proceeding) (per curiam) (mem. op.). Because McGuire has failed to pay the filing fee or comply with all the requirements of Chapter 14 of the Civil Practice and Remedies Code within the time provided for compliance, we dismiss this original proceeding.

Per Curiam