



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

No. 07-22-00050-CV

FREDDIE KING, APPELLANT

V.

DEBRA KAY AUSTIN, APPELLEE

On Appeal from the 237th District Court
Lubbock County, Texas
Trial Court No. 2020-542,335, Honorable Les Hatch, Presiding

April 21, 2022

MEMORANDUM OPINION

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

Appellant, Freddie King, a Texas inmate proceeding pro se, appeals from the trial court's order granting summary judgment in favor of Appellee, Debra Kay Austin. By letter of February 22, 2022, we directed King to pay the required filing fee or, in lieu thereof, to comply with Chapter 14 of the Civil Practice and Remedies Code by filing an affidavit of indigence, an affidavit relating to previous filings, and a certified copy of his inmate trust account statement. See TEX. CIV. PRAC. & REM. CODE ANN. §§ 14.002(a), 14.004. We advised King that this appeal was subject to dismissal if he did not comply

by March 4, 2022, but subsequently granted King an extension to April 1. Although King has filed an affidavit of indigence, he 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 appeal or original proceeding. See *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 King has failed to pay the filing fee or comply with all requirements of Chapter 14 of the Civil Practice and Remedies Code within the time provided for compliance, we dismiss his appeal. See TEX. R. APP. P. 42.3(c).

Per Curiam