



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-20-00041-CV

SUENAN GOBER, Appellant

V.

BULKLEY PROPERTIES, LLC, Appellee

On Appeal from the 62nd District Court
Hopkins County, Texas
Trial Court No. CV43552

Before Morriss, C.J., Burgess and Stevens, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

Suenan Gober, appellant, filed a notice of appeal in this matter on July 20, 2020. Although Gober has filed a docketing statement, she has not tendered the mandatory \$205.00 filing fee associated with the appeal, *see* TEX. R. APP. P. 5, and has not filed proof of indigency in lieu of a filing fee, *see* TEX. R. APP. P. 20.1.

“A party who is not excused by statute or these rules from paying costs must pay—at the time an item is presented for filing—whatever fees are required by statute or Supreme Court order. The appellate court may enforce this rule by any order that is just.” TEX. R. APP. P. 5.

By letter dated August 25, 2020, Gober was provided with notice of and an opportunity to cure this defect. *See* TEX. R. APP. P. 42.3(b), (c). The clerk’s letter further warned Gober that, if she did not submit an adequate response to the notice by September 4, 2020, this appeal would be subject to dismissal for want of prosecution and for failure to comply with the above-cited rules. Gober did not pay the mandatory filing fee and did not file proof of indigency in lieu of a filing fee. Although counsel for Gober indicated on October 7, 2020, that he intended to file a motion to avoid dismissal of this appeal, no such motion was filed. Accordingly, this appeal is ripe for dismissal.

Pursuant to Rules 42.3(b) and (c) of the Texas Rules of Appellate Procedure, we dismiss this appeal for want of prosecution.

Josh R. Morriss, III
Chief Justice

Date Submitted: October 19, 2020
Date Decided: October 20, 2020