



**IN THE  
TENTH COURT OF APPEALS**

**No. 10-09-00028-CV**

**CELYNCIA JORDAN,**

**Appellant**

**v.**

**DERIUS JEMARD WARREN,**

**Appellee**

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**From the 85th District Court  
Brazos County, Texas  
Trial Court No. 08-000922-CV-85**

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**MEMORANDUM OPINION**

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The Clerk of this Court notified Appellant by letter dated June 16, 2009 that the original filing fee of \$175.00 had not been paid, that unless Appellant obtained indigent status, the filing fee's payment is required, and that unless Appellant either paid the filing fee or obtained indigent status within fourteen days, the appeal would be presented to the Court for dismissal. More than fourteen days have passed, and Appellant has not paid the filing fee or filed an affidavit of indigence.

Accordingly, this appeal is dismissed. *See* TEX. R. APP. P. 42.3(c); 10TH TEX. APP.

(WACO) LOC. R. 5(c).

Absent a specific exemption, the Clerk of the Court must collect filing fees at the time a document is presented for filing. TEX. R. APP. P. 12.1(b); Appendix to TEX. R. APP. P., Order Regarding Fees (July 21, 1998); *see also* TEX. R. APP. P. 5; 10TH TEX. APP. (WACO) LOC. R. 5(a); TEX. GOV'T CODE ANN. §§ 51.207(b), 51.941 (Vernon 2005). Under these circumstances, we suspend the rule and order the Clerk to write off all unpaid filing fees in this case. TEX. R. APP. P. 2.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Reyna, and  
Justice Davis

Dismissed  
Opinion delivered and filed July 29, 2009  
[CV06]