



IN THE
TENTH COURT OF APPEALS

No. 10-11-00007-CV

IN RE TODD WARREN ALTSCHUL

Original Proceeding

MEMORANDUM OPINION

Todd Warren Altschul's petition for writ of mandamus was filed in January of 2011. In the petition, Altschul complained that the trial court had not timely ruled on Altschul's pending petition for writ of injunction. Altschul now requests that his petition for writ of mandamus be dismissed because the trial court has recently ruled on Altschul's petition for writ of injunction.

This appeal is dismissed. *See* TEX. R. APP. P. 42.1(a)(1).

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 (Amended Aug. 28, 2007, eff. Sept. 1, 2007). *See also* TEX. R. APP. P. 5; 10TH TEX. APP. (WACO) LOC. R. 5; TEX. GOV'T CODE ANN. § 51.207(b); §

51.941(a) (West 2005); and § 51.208 (West Supp. 2010). 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. The write-off of the fees from the accounts receivable of the Court in no way eliminates or reduces the fees owed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed April 6, 2011
[OT06]