



**IN THE
TENTH COURT OF APPEALS**

No. 10-12-00107-CV

IN THE INTEREST OF K.B.F. AND M.B.F., CHILDREN

**From the 378th District Court
Ellis County, Texas
Trial Court No. 73586D**

MEMORANDUM OPINION

The Clerk of this Court notified Appellant by letter dated May 15, 2012 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 dismissed without further notification. More than fourteen days have passed, and Appellant has not paid the filing fee or filed an affidavit of indigence.

This appeal is dismissed. *See* TEX. R. APP. P. 42.3(b, 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 (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); § 51.208 (West Supp. 2011). 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 does not eliminate the fees owed by Appellant.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed June 13, 2012
[CV06]