



**IN THE
TENTH COURT OF APPEALS**

No. 10-12-00280-CV

**SPECTRA MANAGEMENT, INC., D/B/A
GATESVILLE SHOPPING CENTER,**

Appellant

v.

RUE21, INC.,

Appellee

**From the 52nd District Court
Coryell County, Texas
Trial Court No. 40548**

MEMORANDUM OPINION

Spectra Management, Inc. d/b/a Gatesville Shopping Center appealed the trial court's order granting Rue21, Inc.'s motion for summary judgment. The parties have filed a joint motion to dismiss the appeal stating that they have resolved their disputes.

The motion to dismiss is granted, and 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); 51.208 (West Supp. 2012); § 51.941(a) (West 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. 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 January 10, 2013
[CV06]