



**IN THE  
TENTH COURT OF APPEALS**

---

**No. 10-14-00026-CV**

**IN THE MATTER OF  
THE MARRIAGE OF  
KAREN ROGERS AND ISMAEL ROGERS  
AND IN THE INTEREST OF J.R., A CHILD**

---

**From the 414th District Court  
McLennan County, Texas  
Trial Court No. 2013-1087-5**

---

---

**MEMORANDUM OPINION**

---

---

Ismael Rogers attempts to appeal the judgment of the trial court. By letter dated January 30, 2014, the Clerk of this Court notified Rogers that his notice of appeal appeared untimely. *See* TEX. R. APP. P. 26.1(b); 28.4(a)(1). In the same letter, the Clerk warned Rogers that we would dismiss this appeal unless, within 10 days from the date of the letter, a response was filed showing grounds for continuing the appeal. Ten days have passed, and we have not received a response.

Accordingly, this appeal is dismissed.<sup>1</sup>

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; § 51.941(a) (West 2013). 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 February 27, 2014  
[CV06]

---

<sup>1</sup> A motion for rehearing may be filed within 15 days after the judgment or order of this Court is rendered. TEX. R. APP. P. 49.1. If the appellant desires to have the decision of this Court reviewed by the Texas Supreme Court, a petition for review must be filed with the Texas Supreme Court clerk within 45 days after either the date the court of appeals' judgment was rendered or the date the last ruling on all timely motions for rehearing was made by the court of appeals. TEX. R. APP. P. 53.7(a).