



IN THE  
TENTH COURT OF APPEALS

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No. 10-11-00133-CV

**FORREST CLEBURNE PROPERTIES, LP  
AND CHARLES MICHAEL FORREST,**

**Appellants**

**v.**

**WILLIAM CLINTON FORREST AND  
CHESAPEAKE OPERATING, INC.,**

**Appellees**

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**From the 18th District Court  
Johnson County, Texas  
Trial Court No. C201100001**

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**MEMORANDUM OPINION**

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The Clerk of this Court notified Appellant Charles Michael Forrest<sup>1</sup> by letter dated June 21, 2011 that the original filing fee of \$175.00 had not been paid and that if the fee was not paid or an indigence affidavit was not filed within 14 days, the appeal would be dismissed. More than 14 days have passed, and the fee has not been paid and an indigence affidavit has not been filed.

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<sup>1</sup> In a prior order, the Court dismissed this appeal as to Appellant Forrest Cleburne Properties, L.P.

Furthermore, by letter dated June 15, 2011, the Clerk notified Appellant Charles Michael Forrest that the clerk's record in the above cause had apparently not been filed because Appellant had failed to pay or make arrangements to pay the clerk's fee for preparation of the record. Appellant was further notified that if he desired to proceed with this appeal, he must pay or make arrangements to pay the clerk's fee and notify this Court of the actions taken within 21 days after the date of this letter. Appellant was warned that if he failed to do so, this appeal might be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b). More than 21 days have passed, and we have not been notified that Appellant has paid or made arrangements to pay the clerk's fee.

Accordingly, this appeal is dismissed. *See* TEX. R. APP. P. 37.3(b), 42.3(b), (c); *see also* TEX. R. APP. P. 5; 10TH TEX. APP. (WACO) LOC. R. 5(a).

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Dismissed  
Opinion delivered and filed July 20, 2011  
[CV06]