



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-16-00021-CV**

**JOANN MORENO,**

**Appellant**

**v.**

**LARRY LEACH,**

**Appellee**

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**From the County Court at Law No. 1  
Johnson County, Texas  
Trial Court No. CC-C20150382**

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**MEMORANDUM OPINION**

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Joann Moreno appealed the trial court's judgment of eviction. By letter dated February 17, 2016, the Clerk of this Court notified Moreno that the docketing statement had not been received and that the docketing statement must be filed within 21 days from the date of the letter. In the same letter, the Clerk warned Moreno that the appeal would be dismissed unless the docketing statement was filed within the time period specified. TEX. R. APP. P. 42.3(b), (c).

More than 21 days have passed and we have not received a docketing statement from Moreno. Accordingly, this appeal is dismissed. *Id.* 42.3(b), (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); 51.208; § 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 March 24, 2016  
[CV06]

