



**IN THE
TENTH COURT OF APPEALS**

No. 10-16-00022-CV

IN THE INTEREST OF C.D.P., A CHILD

**From the 66th District Court
Hill County, Texas
Trial Court No. 52698**

MEMORANDUM OPINION

Casi Wood appeals from the trial court's December 23, 2015 order concerning visitation of the minor child, C.D.P. Wood's brief was originally due on March 1, 2016. By letter dated March 7, 2016, this Court notified Wood that the appeal was subject to dismissal for want of prosecution if a brief or response showing grounds for continuing the appeal was not filed within 21 days from the date of the letter. More than 21 days have passed, and no response has been filed.

By letter dated March 8, 2016, the Clerk of this Court notified Wood that the docketing statement was past due and that the appeal would be dismissed without

further notification unless, within 21 days from the date of the letter, a docketing statement was filed. No docketing statement was received and filed.

Accordingly, this appeal is dismissed. TEX. R. APP. P. 42.3(b).

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); and § 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 in no way eliminates or reduces the fees owed.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed April 14, 2016
[CV06]

