



**IN THE
TENTH COURT OF APPEALS**

No. 10-17-00130-CV

CARMEL MILLER AND CARMESHA CARTER,

Appellants

v.

JOHN MOORE,

Appellee

**From the County Court at Law No. 1
Brazos County, Texas
Trial Court No. 15-003098-CV-CCL 1**

MEMORANDUM OPINION

Appellants Carmel Miller and Carmesha Carter, presented a notice of appeal regarding a trial court order or judgment signed on April 20, 2017. By letter dated, May 22, 2017, the Clerk of this Court notified appellants that the docketing statement was past due and must be filed within 21 days from the date of the letter. No docketing statement was received and filed. By letter dated July 18, 2017, the Clerk of this Court warned appellants that the appeal would be dismissed without further notification unless, within 14 days from the date of the letter, a docketing statement was filed. Again, no docketing

statement was received and filed. We also note that appellants have not paid for this Court's fees associated with the appeal.

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 by appellants.

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

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed August 9, 2017
[CV06]

