

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-02-00683-CV

Heather Alford Bell, Appellant

v.

Bobby Jack Bell, Appellee

FROM THE DISTRICT COURT OF TOM GREEN COUNTY, 51ST JUDICIAL DISTRICT
NO. A-96-0418-F, HONORABLE RAE LEIFESTE, JUDGE PRESIDING

MEMORANDUM OPINION

On October 12, 2002, appellant Heather Bell filed a notice of appeal stating that she was appealing the district court's order modifying the parent-child relationship signed on July 26, 2002. The notice of appeal also states that the district court made findings of fact and conclusions of law on September 19, 2002. The clerk's and reporter's records were due to be filed in this Court in November 2002. On March 3, 2003, this Court's clerk's office sent notices requesting the status of the clerk's and reporter's records which were overdue as well as the status of the appellate fees which were unpaid. No response has been received.

On April 10, 2003, this Court sent a letter to the parties requesting a status report regarding this appeal. The letter informed the parties that neither a clerk's record nor a reporter's record from the

underlying district court cause had been filed in this Court and further that the appellate fees remained unpaid. Further, the letter provided appellant and any other party desiring to continue the appeal an opportunity to respond to the letter by Friday, April 25, 2003, and show why this appeal should not be dismissed for want of prosecution. *See* Tex. R. App. P. 42.3(b).

To date, no response has been filed, the appellate fees remain unpaid and neither a clerk's record nor a reporter's record has been filed in this Court from the underlying district court cause. We dismiss the appeal for want of prosecution.

Mack Kidd, Justice

Before Justices Kidd, Yeakel and Patterson

Dismissed for Want of Prosecution

Filed: May 15, 2003