

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-04-00317-CV

Betty Ann Newby, Appellant

v.

Travis County, Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 200TH JUDICIAL DISTRICT
NO. GN201833, HONORABLE PATRICK O. KEEL, JUDGE PRESIDING**

MEMORANDUM OPINION

The trial court signed its judgment on May 4, 2004. Appellant filed her notice of accelerated appeal on May 28. Upon receiving the notice of appeal, the Clerk of this Court notified appellant that the record was due on July 5 and instructed her that she should arrange to pay for the record. On September 23, the Clerk of this Court sent notice that the record was overdue, asking that it be filed by October 4. On September 27, this Court was informed that no arrangements had been made to pay for the clerk's record. On October 6, this Court notified appellant that she should arrange payment for the record and submit to this Court a status report regarding her efforts to obtain the record by October 18 and that failure to do so would result in the dismissal of her appeal for want of prosecution. To date, appellant has not responded to this Court's communications.

We therefore dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3.

David Puryear, Justice

Before Chief Justice Law, Justices Kidd and Puryear

Dismissed for Want of Prosecution

Filed: October 28, 2004