

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-08-00409-CV

Alberto Carvajal, Appellant

v.

**SunSet Logistics, Inc., & Dillon Resources, Inc.,
& Its Occupational Injury Benefit Plan, Appellees**

**FROM THE DISTRICT COURT OF WILLIAMSON COUNTY, 277TH JUDICIAL DISTRICT
NO. 08-402-C277, HONORABLE KEN ANDERSON, JUDGE PRESIDING**

MEMORANDUM OPINION

The clerk's record in this case was due on June 30, 2008. No clerk's record has been filed due to appellant's failure to pay or make arrangements to pay the clerk's fee for preparing the clerk's record.

If the trial court fails to file the clerk's record due to appellant's failure to pay or make arrangements to pay the clerk's fee for preparing the clerk's record, the appellate court may dismiss the appeal for want of prosecution unless the appellant was entitled to proceed without payment of costs. Tex. R. App. P. 37.3(b).

Because appellant has failed to pay or make arrangements to pay the clerk's fee for preparing the clerk's record, this appeal is dismissed for want of prosecution.

Diane M. Henson, Justice

Before Justices Patterson, Waldrop and Henson

Dismissed for Want of Prosecution

Filed: October 31, 2008