

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00705-CV

John E. Rodarte, Sr., Appellant

v.

**The State of Texas, Department of Family and Protective Services,
and Judge Mary Roman, Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 98TH JUDICIAL DISTRICT
NO. D-1-GN-13-001125, HONORABLE STEPHEN YELENOSKY, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant has failed to prosecute this appeal. The clerk's record in this case was due to be filed on November 18, 2013, and is overdue. On December 23, 2013, the Travis County district clerk's office notified the Court that appellant had neither paid for the clerk's record nor made arrangements for payment. *See* Tex. R. App. P. 35.3. On January 8, 2014, this Court's clerk sent appellant a notice advising that the record was overdue and cautioned that the appeal could be dismissed for want of prosecution unless appellant made arrangements with the district clerk's office to pay for the record and filed a response demonstrating compliance no later than February 10, 2014. Appellant has not responded to the notice, and the clerk's record remains overdue. Accordingly, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3 (b), (c).

J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Pemberton and Rose

Dismissed for Want of Prosecution

Filed: February 28, 2014