

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-14-00298-CV

R. S., Appellant

v.

The State of Texas, Appellee

**FROM THE COUNTY COURT AT LAW NO. 3 OF WILLIAMSON COUNTY
NO. 13-2527-FC3, HONORABLE DOUG ARNOLD, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant R.S. filed a notice of appeal on May 5, 2014, challenging the trial court's order appointing him possessory conservator of his child and setting forth his support obligations. The Clerk of this Court later notified appellant that the clerk's record was overdue and requested that appellant make payment arrangements for the clerk's record and submit a status report regarding this appeal. Appellant responded by stating that he was indigent and unable to pay for the record. We then requested that appellant provide an affidavit of indigence complying with the Texas Rules of Appellate Procedure or make arrangements to pay for the record and submit a status report on this appeal. Thereafter, appellant requested an extension of time to file his affidavit of indigency. We granted that extension until September 3, 2014 and cautioned appellant that failure to file an affidavit of indigence complying with Texas Rule of Appellate Procedure 20.1(b) could result in the

dismissal of this appeal. Appellant provided a certified copy of his “offender’s account” with the Texas Department of Criminal Justice, but did not file an affidavit of indigence.

More than five months after the filing of this appeal and despite our multiple requests to appellant, no affidavit of indigence has been filed, no clerk’s record has been filed, and no payment has been made to the district clerk. Accordingly, we dismiss this appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b), (c).

Jeff Rose, Justice

Before Chief Justice Jones, Justices Rose and Goodwin

Dismissed for Want of Prosecution

Filed: October 7, 2014