

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-15-00206-CV

Mary E. Allen, Appellant

v.

Nancy Wimberly, Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF TRAVIS COUNTY
NO. C-1-CV-14-009789, HONORABLE ERIC SHEPPERD, JUDGE PRESIDING**

MEMORANDUM OPINION

The appellate record must include the clerk's record from the trial court.¹ The clerk's record in this cause was due in this Court on June 5, 2015. Notice was received from the trial court clerk's office on June 24, 2015, indicating appellant had neither paid nor made arrangement for payment for the clerk's record.² If the clerk's record is not filed because the appellant failed to pay, this Court may dismiss the appeal for want of prosecution.³ On June 30, 2015, we sent notice to appellant that the clerk's record was overdue and that the appeal may be dismissed for want of prosecution if appellant did not make arrangements for the clerk's record by

¹ See Tex. R. App. P. 34.1, 34.5(a).

² Nor has appellant preserved any claim of indigency.

³ See *id.* R. 37.3(b).

July 10, 2015. To date, no clerk's record has been filed. Accordingly, we dismiss the appeal for want of prosecution.⁴

Bob Pemberton, Justice

Before Chief Justice Rose, Justices Pemberton and Field

Dismissed for Want of Prosecution

Filed: August 5, 2015

⁴ *See id.* R. 37.3(b), 42.3(b), (c).