

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-16-00359-CV

Fredreeka Calhoun, Appellant

v.

Johnny Calhoun, Jr., Appellee

**FROM THE DISTRICT COURT OF BELL COUNTY, 146TH JUDICIAL DISTRICT
NO. 277,927-B, HONORABLE JACK WELDON JONES, 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 20, 2016, but no record was filed. We received notice from the Bell County district clerk's office on June 30, 2016, that appellant has neither paid for nor made arrangement for payment of the record. Nor has appellant filed an affidavit of indigence.²

Under these circumstances, this Court may dismiss the appeal for want of prosecution.³ On July 1, 2016, 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

¹ See Tex. R. App. P. 34.1, 34.5(a).

² See *id.* R. 20.1.

³ See *id.* R. 37.3(b).

the record and submit a status report to this Court on or before July 11, 2016. To date, appellant has not responded in any way and the clerk's record has not been filed. Accordingly, we dismiss the appeal for want of prosecution.⁴

Bob Pemberton, Justice

Before Justices Puryear, Pemberton, and Field

Dismissed for Want of Prosecution

Filed: August 4, 2016

⁴ *See id.* R. 37.3(b), 42.3(b), (c).