



NUMBER 13-08-00429-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN THE INTEREST OF H.J.R.T., A CHILD

On appeal from the 135th District Court of De Witt County, Texas.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Yañez and Benavides
Memorandum Opinion Per Curiam**

Appellant perfected an appeal from a judgment rendered against her in favor of appellee. On October 14, 2008, the Clerk of this Court notified appellant that the clerk's record in the above cause was originally due on August 19, 2008, and that the district clerk, Tabeth Gardner, had notified this Court that appellant failed to make arrangements for payment of the clerk's record. The Clerk of this Court notified appellant of this defect so that steps could be taken to correct the defect, if it could be done. See TEX. R. APP. P. 37.3(b), 42.3(b). Appellant was advised that, if the defect was not corrected within ten

days from the date of receipt of this notice, the appeal would be dismissed for want of prosecution.

On November 3, 2008, the Clerk of the Court notified appellant that she was delinquent in remitting a \$175.00 filing fee. The Clerk of this Court notified appellant that the appeal was subject to dismissal if the filing fee was not paid within ten days from the date of receipt of this letter. See *id.* 42.3(c).

Appellant has failed to failed to respond to this Court's notices. Accordingly, the appeal is DISMISSED FOR WANT OF PROSECUTION. See TEX. R. APP. P. 42.3(b),(c).

PER CURIAM

Memorandum Opinion delivered and filed
this the 12th day of February, 2009.