



NUMBER 13-16-00107-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

CITY OF WESLACO,

Appellant,

v.

KEITH C. LIVESAY,

Appellee.

On appeal from the 92nd District Court
of Hidalgo County, Texas.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Garza
Memorandum Opinion Per Curiam**

Appellant, the City of Weslaco, appealed an order granting summary judgment on attorney's fees rendered on November 17, 2015, in favor of appellee, Keith C. Livesay. On February 18, 2016, the Clerk of this Court requested that appellant remit the filing fee for the notice of appeal within ten days. On March 8, the Clerk notified appellant, in accordance with Texas Rule of Appellate Procedure 42.3(c), that we would dismiss this

appeal unless the \$205.00 filing fee was paid. See TEX. R. APP. P. 42.3(c). On April 13, a clerk again contacted appellant regarding payment of the filing fee and was informed that appellant would be filing a motion to dismiss this appeal. Appellant has not otherwise responded to the notice from the Clerk, paid the filing fee, or filed a motion to dismiss this appeal. See *id.* R. 5, 12.1(b).

The Court, having considered the documents on file and appellant's failure to pay the filing fee, is of the opinion that the appeal should be dismissed. See *id.* 42.3(b),(c). Accordingly, the appeal is DISMISSED for want of prosecution.

PER CURIAM

Delivered and filed the
19th day of May, 2016.