



**NUMBER 13-21-00291-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**CASTINE MCILHARGEY AND  
JODY MCINTYRE, INDIVIDUALLY, AND  
DERIVATIVELY ON BEHALF OF  
A+ PRO RECOVERY AND TOWING, LLC,**

**Appellants,**

**v.**

**ERIK M. HAGER, JASON RIOS,  
EDUARDO PENA, JOANNA PENA, AND  
SOUTH PADRE TOWING AND  
RECOVERY, LLC,**

**Appellees.**

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**On appeal from the 107th District Court  
of Cameron County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Benavides, Longoria, and Tijerina  
Memorandum Opinion by Justice Longoria**

On September 9, 2021, appellants filed a notice of appeal. On September 23, 2021, the Clerk of the Court notified appellants that the clerk's record in the above cause was due on September 17, 2021, and that the deputy district clerk, Silva Mata, had notified this Court that appellants failed to make arrangements for payment of the clerk's record. The Clerk of this Court notified appellants of this failure so that steps could be taken to correct the defect, if it could be done. See TEX. R. APP. P. 37.3, 42.3(b),(c). Appellants were advised that, if arrangements to pay for the clerk's record and proof of payment were not made and filed within ten days from the date of receipt of this notice, the appeal would be dismissed for want of prosecution.

Appellants failed to comply with the notice from the clerk requiring a response or other action within the time specified; accordingly, the appeal is dismissed for want of prosecution. See TEX. R. APP. P. 42.3(b), (c).

NORA L. LONGORIA  
Justice

Delivered and filed on the  
28th day of October, 2021.