



**NUMBER 13-23-00512-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**BYRON G. SADLER, SANDRA SADLER,  
LACY HARBER, DOROTHY HARBER,  
AND LJH, LTD.,**

**Appellants,**

**v.**

**ERIC WHITE,**

**Appellee.**

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**ON APPEAL FROM THE 198TH DISTRICT COURT  
OF KERR COUNTY, TEXAS**

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**MEMORANDUM OPINION**

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

On October 30, 2023, appellants Byron G. Sadler, Sandra Sadler, Lacy Harber, Dorothy Harber, and LJH, Ltd. filed a notice of appeal from the trial court's "Order Granting

Temporary Injunction.”<sup>1</sup> On January 9, 2024, the Clerk of this Court requested that appellants pay the \$205.00 filing fee associated with the notice of appeal. See TEX. R. APP. P. 5 (“A party who is not excused by statute or these rules from paying costs must pay—at the time an item is presented for filing—whatever fees are required by statute or Supreme Court order. The appellate court may enforce this rule by any order that is just.”); TEX. GOV’T CODE ANN. § 51.207 (delineating the required fees in an appellate court). The Clerk also advised appellant that failing to pay the filing fee within ten days of the Clerk’s notice would result in the dismissal of the appeal. See TEX. R. APP. P. 42.3(c).

On April 4, 2024, the Court notified appellants via written order that the \$205.00 filing fee associated with their notice of appeal was still delinquent. See *id.* R. 5; TEX. GOV’T CODE ANN. § 51.207. We also informed appellants that a failure to pay the filing fee within ten days of our order would result in the dismissal of the appeal. See TEX. R. APP. P. 42.3(c).

To date, appellants have not paid the requisite filing fee associated with their notice of appeal. This Court has the authority to dismiss an appeal because an appellant has failed to comply with a requirement of the appellate rules, a court order, or a notice from the Clerk requiring a response or other action within a specified time. See *id.* R. 42.3(c); *JMJ Holding, LLC v. GRGTX Lobbying, LLC*, 516 S.W.3d 577, 577 (Tex. App.—San Antonio 2017, no pet.) (mem. op.) (per curiam). Accordingly, because appellants have failed to pay the necessary filing fee, we dismiss the appeal. See TEX. R. APP. P. 5,

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<sup>1</sup> This appeal was transferred to this Court from the Fourth Court of Appeals in San Antonio by order of the Texas Supreme Court. See TEX. GOV’T CODE ANN. § 73.001 (granting the supreme court the authority to transfer cases from one court of appeals to another at any time that there is “good cause” for the transfer).

42.3(c); TEX. GOV'T CODE ANN. § 51.207.

GINA M. BENAVIDES  
Justice

Delivered and filed on the  
2nd day of May, 2024.