



NUMBER 13-23-00597-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

THEODORE KHANISHO,

Appellant,

v.

**META PLATFORMS, INC. F/K/A
FACEBOOK, INC., CORPUS CHRISTI
CITIZEN'S CRIME WATCH,
JOHN DOE, AND JANE DOE,**

Appellees.

**ON APPEAL FROM THE 94TH DISTRICT COURT
OF NUECES COUNTY, TEXAS**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Longoria and Peña
Memorandum Opinion by Justice Longoria**

On December 27, 2023, appellant Theodore Khanisho filed a pro se notice of appeal regarding several matters in a civil lawsuit. That same day, the Clerk of this Court

notified appellant that the notice of appeal was defective and did not comply with Texas Rules of Appellate Procedure 9.5, 25.1(d)(2), (4), (6), and 25.1(e). See TEX. R. APP. P. 9.5, 25.1(d)(2), (4), (6); 25.1(e). The Clerk also directed appellant to pay the \$205.00 filing fee for the notice of appeal within ten days. See *id.* R. 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 and costs in an appellate court).

On February 5, 2024, the Clerk notified appellant by e-mail and regular mail that he was delinquent in paying the filing fee for his notice of appeal and that the appeal was subject to dismissal if the filing fee was not paid within ten days. See *id.* R. 42.3(b), (c). On February 22, 2024, the Clerk of this Court notified appellant by e-mail and regular mail that the defects in his notice of appeal had not been corrected and that the appeal was subject to dismissal if the defects were not corrected within ten days. See TEX. R. APP. P. 42.3(b), (c). To date, appellant has neither paid the filing fee nor corrected the defects in his notice of appeal.

This Court has the authority to dismiss an appeal when the 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 TEX. R. APP. P. 42.3(b), (c); *Smith v. DC Civil Constr., LLC*, 521 S.W.3d 75, 76 (Tex. App.—San Antonio 2017, no pet.). Here, appellant has not paid the appellate filing fee and has not filed a corrected

notice of appeal. Accordingly, we dismiss this appeal. See TEX. R. APP. P. 42.3(b), (c).

NORA L. LONGORIA
Justice

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