



NUMBER 13-24-00097-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

CARLOS GARCIA,

Appellant,

v.

JEFFREY C. REESE, M.D.,

Appellee.

**ON APPEAL FROM THE 138TH DISTRICT COURT
OF CAMERON COUNTY, TEXAS**

MEMORANDUM OPINION

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

On January 12, 2024, appellant Carlos Garcia filed a notice of appeal from an order granting summary judgment in favor of appellee Jeffrey C. Reese, M.D. On February 8, 2024, the Clerk of this Court advised appellant that the deputy district clerk had notified the Court that appellant had failed to arrange for payment of the clerk's record, and further advised appellant that the appeal would be subject to dismissal for want of prosecution

unless appellant arranged to pay for the clerk's record and provided proof of payment to the Court within ten days. See TEX. R. APP. P. 37.3(b). That same day, the Clerk advised appellant that the court reporter had also notified the Court that appellant had failed to request the reporter's record, and that the Court would consider and decide those issues that did not require a reporter's record for a decision unless the defect was cured within ten days. See *id.* R. 37.3(c). To date, appellant has not responded to the Clerk's directives.

This Court has the authority to dismiss an appeal because 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 *id.* R. 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 responded to the Clerk's directives, filed the clerk's record, or filed the reporter's record. Accordingly, we dismiss this appeal. See TEX. R. APP. P. 42.3(b), (c).

GINA M. BENAVIDES
Justice

Delivered and filed on the
28th day of March, 2024.