

NO. 12-12-00215-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*JASON WILLIAM LAPREZE,
APPELLANT*

§

APPEAL FROM THE 294TH

V.

§

JUDICIAL DISTRICT COURT

*JENNIFER CAMILLE LAPREZE,
APPELLEES*

§

VAN ZANDT COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

This appeal is being dismissed for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3. Pursuant to Rule 32.1, Appellant's docketing statement was due to have been filed at the time the appeal was perfected, i.e., May 9, 2012. On June 19, 2012, this court requested that Appellant file a docketing statement immediately if he had not already done so. On the same date, by separate letter, this court notified Appellant that the filing fee was due on or before June 29, 2012. In a third letter, also dated June 19, 2012, this court notified Appellant pursuant to Texas Rule of Appellate Procedure 37.1 that the notice of appeal was defective for failing to contain the information required by Rules 9.5 and 25.1(e), i.e. a certificate of service showing service on all parties to the trial court's judgment. Appellant was further notified that unless he filed an amended notice of appeal on or before July 19, 2012, the appeal would be referred to the court for dismissal. *See* TEX. R. APP. P. 42.3(c).

Because Appellant did not file the docketing statement as requested in the June 19, 2012 notice, this court issued a second notice on July 11, 2012, advising Appellant that the docketing statement was past due. *See* TEX. R. APP. P. 32.1. The notice also advised Appellant that the filing fee in the appeal was due to have been paid on or before June 29, 2012, but had not been received. *See* TEX. R. APP. P. 5. And, finally, the notice provided that unless the docketing

statement was filed and the filing fee paid on or before July 23, 2012, the appeal would be presented for dismissal in accordance with Texas Rule of Appellate Procedure 42.3.

The July 19, 2012 deadline for amending the notice of appeal and the July 23, 2012 deadline for filing the docketing statement and paying the filing fee have passed, and Appellant has not complied with the court's requests. Because Appellant has failed, after notice, to comply with Rules 5, 9.5, 25.1(e), and 32.1, the appeal is *dismissed*. See TEX. R. APP. P. 42.3(c); *Feist v. Berg*, No. 12-04-00004-CV, 2004 WL 252785, at *1 (Tex. App.–Tyler Feb. 11, 2004, pet. denied); *Feist v. Hubert*, No. 12-03-00442-CV, 2004 WL 252285, at *1 (Tex. App.–Tyler Feb. 11, 2004, pet. denied).

Opinion delivered July 31, 2012.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

JULY 31, 2012

NO. 12-12-00215-CV

JASON WILLIAM LAPREZE,

Appellant

v.

JENNIFER CAMILLE LAPREZE,

Appellee

Appeal from the 294th Judicial District Court
of Van Zandt County, Texas. (Tr.Ct.No. FM12-00045)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.