

**NO. 12-14-00117-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***AMERICAN DREAM TEAM, INC.,  
APPELLANT***

**§ *APPEAL FROM THE 173RD***

***V.***

**§ *JUDICIAL DISTRICT COURT***

***CITIZENS STATE BANK,  
APPELLEE***

**§ *HENDERSON COUNTY, TEXAS***

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***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 7, 2014. *See* TEX. R. APP. P. 32.1. On May 8, 2014, this court sent a notice informing Appellant that it should file a docketing statement within ten days if it had not already done so. On the same date, this court sent Appellant a notice requesting that it remit the filing fee for the appeal on or before May 19, 2014.

Appellant did not pay the filing fee or file the docketing statement. Accordingly, on May 21, 2014, this court issued another notice advising Appellant that the docketing statement was past due. The notice also advised Appellant that the filing fee was due to have been paid on or before May 19, 2014, but had not been received. *See* TEX. R. APP. P. 5 (requiring payment of filing fee at time an item is presented for filing). The notice further provided that unless the docketing statement and filing fee were filed on or before June 2, 2014, the appeal would be presented for dismissal in accordance with Rule 42.3. The time for filing the docketing statement and paying the filing fee has expired, and Appellant has not complied with the court's

request. Because Appellant has failed to comply with Texas Rules of Appellate Procedure 5 and 32.1, the appeal is *dismissed*. See TEX. R. APP. P. 42.3(c).

Opinion delivered June 11, 2013.

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

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

JUNE 11 2014

NO. 12-14-00117-CV

**AMERICAN DREAM TEAM, INC.,**  
Appellant  
V.  
**CITIZENS STATE BANK,**  
Appellee

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Appeal from the 173rd District Court  
of Henderson County, Texas (Tr.Ct.No. 2012A-0911)

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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.*