

NO. 12-15-00113-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*JASON ROWELL,
APPELLANT*

§ *APPEAL FROM THE 114TH*

V.

§ *JUDICIAL DISTRICT COURT*

*FIRETROL PROTECTION SYSTEMS,
APPELLEE*

§ *SMITH COUNTY, TEXAS*

*MEMORANDUM OPINION
PER CURIAM*

This appeal is being dismissed because Appellant has failed, after notice, to pay or make arrangements to pay the trial court clerk's fee for preparing the clerk's record. The trial court's judgment was signed on April 16, 2015, and Appellant timely filed a notice of appeal. The clerk's record was due on May 11, 2015. On May 12, 2015, this court notified Appellant that, according to the trial court clerk, he had not requested the clerk's record or made arrangements to pay for its preparation. *See* TEX. R. APP. P. 35.3(a)(2). Appellant was warned, pursuant to rule of appellate procedure 42.3, that the appeal would be dismissed unless proof of full payment to the clerk was provided on or before May 22, 2015.

The deadline has now passed, and Appellant has neither provided proof of full payment nor otherwise responded to this court's notice. Accordingly, the appeal is *dismissed*. *See* TEX. R. APP. P. 37.3(b); 42.3(c).

Opinion delivered June 3, 2015.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JUNE 3, 2015

NO. 12-15-00113-CV

JASON ROWELL,
Appellant
V.
FIRETROL PROTECTION SYSTEMS,
Appellee

Appeal from the 114th District Court
of Smith County, Texas (Tr.Ct.No. 15-0581-B)

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., Hoyle, J. and Neeley, J.