

**NO. 12-16-00033-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***THOMAS RAY SIDES,  
APPELLANT***

§ ***APPEAL FROM THE 369TH***

***V.***

§ ***JUDICIAL DISTRICT COURT***

***WILLIAM STEPHENS, DIRECTOR,  
T.D.C.J.-C.I.D.,  
APPELLEE***

§ ***ANDERSON 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.

On February 8, 2016, the clerk of this court requested that Appellant remit the \$205 filing fee for this appeal on or before February 18, 2016. *See* TEX. R. APP. P. 5. On the same date, by separate letter, the clerk notified Appellant that the notice of appeal in this case fails to contain the information specifically required by Texas Rules of Appellate Procedure 9.5 and 25.1(e). Appellant was warned that unless a “proper” notice of appeal was filed with the trial court on or before March 9, 2016, the appeal would be referred to this court for dismissal.

When Appellant did not remit the fee, he was notified, on February 29, 2016, that the filing fee was past due. *See* TEX. R. APP. P. 5. Additionally, Appellant was warned that the appeal would be dismissed unless the filing fee was received on or before March 10, 2016.

The deadlines for paying the filing fee and filing a “proper” notice of appeal have now passed, and Appellant has not complied with the February 8 and February 29 notices. Because Appellant has failed, after notice, to comply with Rules 5, 9.5, and 25.1(e), the appeal is ***dismissed*** for failure to comply with the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 42.3(c); *see also Feist v. Berg*, No. 12-04-00004-CV, 2004 WL 252785, at \*1 (Tex. App.—Tyler

Feb. 11, 2004, pet. denied) (mem. op.); *Feist v. Hubert*, No. 12-03-00442-CV, 2004 WL 252285, at \*1 (Tex. App.--Tyler Feb. 11, 2004, pet. denied) (mem. op.).

Opinion delivered March 16, 2016.

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

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

MARCH 16, 2016

NO. 12-16-00033-CV

THOMAS RAY SIDES,

Appellant

V.

WILLIAM STEPHENS, DIRECTOR, T.D.C.J.-C.I.D.,

Appellee

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Appeal from the 369th District Court  
of Anderson County, Texas (Tr.Ct.No. DCCV15-392-369)

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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 for failure to comply** with the Texas Rules of Appellate Procedure; 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.*