

NO. 12-16-00149-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***KP VENTURES, LLC D/B/A RE/MAX
LEGACY AND KERISSA PAYNE,
APPELLANTS***

§

APPEAL FROM THE

V.

§

COUNTY COURT AT LAW NO. 2

***AMBER REEVES,
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 March 9, 2016, and Appellant timely filed a notice of appeal. However, the appeal was dismissed because Appellant failed, after notice, to pay the filing fee. *See generally KP Ventures, LLC v. Reeves*, No. 12-16-00149-CV, 2016 WL 3213315 (Tex. App.—Tyler June 8, 2016, no pet.) (mem. op.). Thereafter, Appellant filed a motion for rehearing and paid the filing fee. Appellant's motion for rehearing was granted.

The trial court clerk subsequently informed this Court that Appellant has not paid, or made arrangements to pay, for the clerk's record in this case. On August 25, 2016, this Court notified Appellant that, pursuant to rules of appellate procedure 37.3(b) and 42.3(c), the appeal would be dismissed unless proof of full payment to the clerk was provided on or before September 6, 2016.

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 September 14, 2016.
Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

SEPTEMBER 14, 2016

NO. 12-16-00149-CV

KP VENTURES, LLC D/B/A RE/MAX LEGACY AND KERISSA PAYNE,
Appellants
V.
AMBER REEVES,
Appellee

Appeal from the County Court at Law No 2
of Smith County, Texas (Tr.Ct.No. 63,410-A)

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.