

**NO. 12-17-00039-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

<i>THE STATE OF TEXAS FOR</i>	§	<i>APPEAL FROM THE</i>
<i>THE BEST INTEREST AND</i>	§	<i>COUNTY COURT AT LAW</i>
<i>PROTECTION OF E. H.</i>	§	<i>CHEROKEE COUNTY, TEXAS</i>

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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., January 30, 2017. On January 31, 2017, this Court requested that Appellant file a docketing statement within ten days if he had not already done so. Appellant did not file the docketing statement as requested.

On February 15, this Court issued a second notice advising Appellant that the docketing statement was past due. The notice further provided that unless the docketing statement was filed on or before February 27, the appeal would be presented for dismissal in accordance with Texas Rule of Appellate Procedure 42.3. The date for filing the docketing statement has passed, and Appellant has not complied with the Court's request.

Because Appellant has failed, after notice, to comply with Rule 32.1, the appeal is *dismissed*. *See* TEX. R. APP. P. 42.3(c).

Opinion delivered March 1, 2017.

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

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

MARCH 1, 2017

NO. 12-17-00039-CV

**THE STATE OF TEXAS FOR THE BEST  
INTEREST AND PROTECTION OF E. H.**

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Appeal from the County Court at Law  
of Cherokee County, Texas (Tr.Ct.No. 42057)

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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., Hoyle, J. and Neeley, J.*