

NO. 12-18-00036-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***JAMES ERIC MELTON AND
KIMBERLY ANN MELTON,
APPELLANTS***

§ ***APPEAL FROM THE***

§ ***COUNTY COURT AT LAW***

V.

***ED SMITH,
APPELLEE***

§ ***VAN ZANDT COUNTY, TEXAS***

***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(c).

On February 21, 2018, the clerk of this Court notified Appellants that the filing fee in this appeal is due. *See* TEX. R. APP. P. 5. Appellants were informed that failure to remit the filing fee on or before March 5, 2018, would result in the Court's taking appropriate action, including dismissal of the case without further notice. *See* TEX. R. APP. P. 42.3(c). The date for remitting the filing fee has passed, and Appellants have not complied with the Court's request.

Because Appellants have failed, after notice, to comply with Rule 5, the appeal is *dismissed*. *See* TEX. R. APP. P. 42.3(c).

Opinion delivered March 7, 2018.

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

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

MARCH 7, 2018

NO. 12-18-00036-CV

JAMES ERIC MELTON AND KIMBERLY ANN MELTON,
Appellants
V.
ED SMITH,
Appellee

Appeal from the County Court at Law
of Van Zandt County, Texas (Tr.Ct.No. CV-05737)

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.