

NO. 12-22-00142-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***CANDI SCOTT, INDIVIDUALLY AND
ON BEHALF OF THE ESTATE OF
L. W. S. AND JOHN SCOTT,
APPELLANTS***

§ ***APPEAL FROM THE 294TH***

§ ***JUDICIAL DISTRICT COURT***

V.

***LARRY TEEL AND LISA TEEL,
APPELLEES***

§ ***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).

A party who is not excused by statute or the appellate rules from paying costs must pay-- at the time an item is presented for filing--whatever fees are required by statute or Texas Supreme Court order. TEX. R. APP. P. 5. An appellate court may enforce Rule 5 by any order that is just. *Id.* After giving ten days' notice, an appellate court may dismiss an appeal because the appellant failed to comply with a requirement of the appellate rules, a court order, or a notice from the clerk requiring a response or other action within a specified time. TEX. R. APP. P. 42.3(c).

On June 6, 2022, the Clerk of this Court notified Appellants, Candi Scott, Individually and on Behalf of the Estate of L.W.S. and John Scott, that the filing fee in this appeal is due. Appellants were informed that failure to remit the filing fee on or before June 16, 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 passed, and Appellants have not

responded to this Court's notice, paid the filing fee, or otherwise shown that they are excused from paying the fee.¹

Because Appellants failed, after notice, to comply with Rule 5, the appeal is *dismissed*.²
See TEX. R. APP. P. 42.3(c).

Opinion delivered June 30, 2022.

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

¹ The case information sheet from the Van Zandt County District Clerk's Office reflects that Appellants have not been declared indigent.

² We also note that Appellants have not filed the required docketing statement.



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JUNE 30, 2022

NO. 12-22-00142-CV

**CANDI SCOTT, INDIVIDUALLY AND ON BEHALF
OF THE ESTATE OF L. W. S. AND JOHN SCOTT,**

Appellants

V.

LARRY TEEL AND LISA TEEL,

Appellees

Appeal from the 294th District Court
of Van Zandt County, Texas (Tr.Ct.No. 20-00058A)

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.