



Goldberg v. Southwestern Bell Yellow Pages

2005 | Cited 0 times | Court of Appeals of Texas | June 23, 2005

MEMORANDUM OPINION

Before Justices Hinojosa, Yanez, and Garza

Memorandum Opinion Per Curiam

Appellant, JUDITH GOLDBERG, perfected an appeal from a judgment entered by County Court at Law No. 3 of Nueces County, Texas, in cause number 03-61131-3. No clerk's record has been filed due to appellant's failure to pay or make arrangements to pay the clerk's fee for preparing the clerk's record.

If the trial court clerk fails to file the clerk's record because the appellant failed to pay or make arrangements to pay the clerk's fee for preparing the clerk's record, the appellate court may dismiss the appeal for want of prosecution unless the appellant was entitled to proceed without payment of costs. TEX. R. APP. P.37.3(b).

On April 19, 2005, notice was given to all parties that this appeal was subject to dismissal pursuant to TEX. R. APP. P.37.3(b). Appellant was given ten days to explain why the cause should not be dismissed. To date, no response has been received from appellant.

The Court, having examined and fully considered the documents on file, appellant's failure to pay or make arrangements to pay the clerk's fee for preparing the clerk's record, this Court's notice, and appellant's failure to respond, is of the opinion that the appeal should be dismissed for want of prosecution. The appeal is hereby **DISMISSED FOR WANT OF PROSECUTION**.

