

Appeal Dismissed and Memorandum Opinion filed August 31, 2023.



In The

Fourteenth Court of Appeals

NO. 14-23-00347-CV

ASHA SHERESE HOLLOWAY, Appellant

V.

BMW FINANCIAL SERVICES NA, LLC, Appellee

**On Appeal from the County Civil Court at Law No. 1
Harris County, Texas
Trial Court Cause No. 1191887**

MEMORANDUM OPINION

This appeal is from a final judgment signed on April 6, 2023. The notice of appeal was filed May 15, 2023. To date, our records show that appellant has not paid the appellate filing fee. *See* Tex. R. App. P. 5 (requiring payment of fees in civil cases unless party is excused by statute or by appellate rules from paying costs). Tex. Gov't Code § 51.207 (appellate fees and costs). Moreover, no clerk's record has been filed. The clerk responsible for preparing the record in this appeal indicated to the court appellant did not make arrangements to pay for the record.

On May 31, 2023, appellant was instructed to pay the appellate filing fee on or before June 12, 2023 or the appeal would be subject to dismissal without further notice. In addition, on June 8, 2023, notification was transmitted to appellant that the appeal was subject to dismissal without further notice unless, within fifteen days, appellant made arrangements to pay for the record and provided this court with proof of payment. *See* Tex. R. App. P. 37.3(b). Appellant did not provide any response to any of those notices.

On August 17, 2023, appellant was ordered to pay the filing fee and demonstrate she had made arrangements to pay for the clerk's record on or before August 28, 2023. *See* Tex. R. App. P. 4.1(a). In the order, the court notified appellant that failure to comply with either of those requirements would leave the appeal subject to dismissal without further notice for want of prosecution.

Appellant has not paid the appellate filing fee, she has not provided this court with proof of payment for the record, nor has she otherwise responded to the court's order. Accordingly, we dismiss the appeal. *See* Tex. R. App. P. 42.3(c) (allowing involuntary dismissal of case because appellant has failed to comply with notice from clerk requiring response or other action within specified time).

PER CURIAM

Panel consists of Justices Wise, Zimmerer, and Poissant.