

Dismissed and Opinion filed March 29, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01467-CV

MARKETTA RAGIN, Appellant

V.

EPT MANAGEMENT COMPANY, Appellee

**On Appeal from the 333rd District Court
Harris County, Texas
Trial Court Cause No. 99-22175**

M E M O R A N D U M O P I N I O N

This is an appeal from a judgment signed September 13, 2000. The notice of appeal was filed on November 15, 2001. To date, the filing fee of \$125.00 has not been paid. No proper affidavit of indigence was filed with or before the notice of appeal. *See* TEX. R. APP. P. 20.1. Therefore, on February 8, 2001, the Court issued an order stating that unless appellant paid the appellate filing fee of \$125.00 within fifteen days of the date of the order, the appeal would be dismissed. On February 21, 2001, appellant filed a motion to extend time to pay the filing fee. The Court granted the motion until March 15, 2001, with the notation that the Court would entertain no further extensions of time to pay the fee. Despite this ruling, appellant

failed to pay the filing fee and, on March 19, 2001, filed a second motion to extend time to pay the filing fee. In that motion, the only excuse given by appellant for her failure to pay the fee was that she had filed a motion to extend time to file her brief, which was returned by the Court for failure to abide by the relevant rules of appellant procedure.

We deny appellant's second motion to extend time to pay the filing fee. Because appellant has failed to comply with this Court's order to pay the filing fee, we order the appeal dismissed. *See* TEX. R. APP. P. 42.3(c).

PER CURIAM

Judgment rendered and Opinion filed March 29, 2001

Panel consists of Justices Anderson, Hudson, and Seymore.

Do Not Publish — TEX. R. APP. P. 47.3(b).