

Dismissed and Opinion filed May 10, 2001.



In The

Fourteenth Court of Appeals

NO. 14-01-00085-CV

**GERRY DICKENS, INDIVIDUALLY AND DOING BUSINESS AS
DICKENS AUTOWORLD, Appellants**

V.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, Appellee

**On Appeal from the County Civil Court at Law No. 2
Harris County, Texas
Trial Court Cause No. 735,562**

MEMORANDUM OPINION

This is an appeal from a default judgment signed January 5, 2001. The notice of appeal was filed on January 18, 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 March 15, 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 March 25, 2001, appellant filed a motion with this court asking for appointment of counsel, or alternatively, for an extension of time to hire counsel. The court granted an extension of time until April 20, 2001, for appellant to pay the filing fee. The fee has not been paid.

Accordingly, the appeal is ordered dismissed. *See* TEX. R. APP. P. 42.3(c).

PER CURIAM

Judgment rendered and Opinion filed May 10, 2001.

Panel consists of Justices Edelman and Frost and Senior Chief Justice Murphy.¹

Do Not Publish — TEX.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

¹ Senior Chief Justice Paul C. Murphy sitting by assignment.