

**Dismissed and Opinion filed May 17, 2001.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-01-00084-CV**  
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**JOE JERRY FLORES AND ALL OTHER OCCUPANTS, Appellants**

**V.**

**FIRST UNION MORTGAGE CORPORATION, Appellee**

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**On Appeal from the County Court at Law  
Fort Ben County, Texas  
Trial Court Cause No. 16702**

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**MEMORANDUM OPINION**

This is an appeal from a judgment signed October 17, 2000. The notice of appeal was filed on January 16, 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 April 19, 2001, the Court issued an order stating that unless appellants paid the appellate filing fee of \$125.00 within fifteen days of the date of the order, the appeal would be dismissed.

On April 11, 2001, appellee filed a motion to dismiss the case for want of prosecution on the grounds that appellants had neither paid their filing fee nor filed a brief. Appellee also

requested sanctions for frivolous appeal. We grant the motion to dismiss for want of prosecution, but deny appellee's request for sanctions.

Based on the motion to dismiss and because the filing fee has not been paid, and appellant has not responded to the Court's order of April 19, 2001, the appeal is ordered dismissed. *See* TEX. R. APP. P. 42.3(c).

PER CURIAM

Judgment rendered and Opinion filed May 17, 2001.

Panel consists of Justices Anderson, Hudson, and Seymore.

Do Not Publish — TEX.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