

FIFTEENTH COURT OF APPEALS OF TEXAS

Patrick Jerome Chargualaf v. TTCU

No. 15-26-00026-CV · No. No. 15-26-00026-CV · Decided April 7, 2026

SUMMARY

The Fifteenth Court of Appeals of Texas dismissed Patrick Jerome Chargualaf’s appeal for want of prosecution. The court concluded that appellant failed to pay or arrange payment of the clerk’s-record fee, failed to respond to the court’s notice, and did not establish entitlement to proceed without payment of costs.

CASE DETAILS

COURT	Fifteenth Court of Appeals of Texas
WRITING FOR THE COURT	Chief Justice Brister; Justice Field; Justice Farris
JURISDICTION	Texas Court of Appeals, Fifteenth Court of Appeals
DECIDED	April 7, 2026
DOCKET	No. 15-26-00026-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal dismissed for want of prosecution because the appellant failed to pay or arrange payment of the clerk's fee, failed to establish eligibility to proceed without payment of costs, and failed to respond to the court's compliance notice.
PRECEDENTIAL VALUE	published
PARTIES	Patrick Jerome Chargualaf v. TTCU

TOPICS

- appellate procedure
- costs
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed for want of prosecution when the clerk's record was not filed because the appellant failed to pay or arrange payment of the clerk's fee and failed to establish

entitlement to proceed without payment of costs.

HOLDINGS

1. When a trial court clerk fails to file the clerk's record because an appellant failed to pay or arrange payment of the clerk's fee, the appellate court may dismiss the appeal for want of prosecution unless the appellant was entitled to proceed without payment of costs. Because Chargualaf did not respond to the court's notice or establish entitlement to proceed without costs, dismissal was warranted.

KEY QUOTATIONS

“If a trial court clerk fails to file the clerk’s record due to an appellant’s failure to pay, or make arrangements to pay, the clerk’s fee for preparing the record, the appellate court may dismiss the appeal for want of prosecution unless the appellant was entitled to proceed without payment of costs.” (at 2)

FACTUAL BACKGROUND

The clerk's record was not filed because Patrick Jerome Chargualaf failed to pay or make arrangements to pay the trial court clerk's fee for preparing the record. After receiving notice and a deadline to show payment, arrangements for payment, or entitlement to proceed without payment of costs, appellant did not respond and did not establish indigence or other entitlement to proceed without costs.

PROCEDURAL HISTORY

The appeal was taken from the 169th District Court of Bell County, Texas, in trial court cause number 25DCV355639. The appellate court notified appellant that the clerk's record had not been filed because he had not paid or arranged payment of the clerk's fee, directed him to provide documentation by February 23, 2026, and warned that noncompliance could result in dismissal. Appellant did not respond, and the clerk's record remained unfiled.

DISPOSITION

dismissed

OPINION

Patrick Jerome Chargualaf v. TTCU

PER CURIAM.

Appeal Dismissed and Memorandum Opinion filed April 7, 2026. In The Fifteenth Court of Appeals

NO. 15-26-00026-CV

PATRICK JEROME CHARGUALAF, Appellant V. TTCU, Appellee On Appeal from the 169th District Court Bell County, Texas Trial Court Cause No. 25DCV355639

MEMORANDUM OPINION

On February 13, 2026, this Court notified appellant Patrick Jerome Chargualaf that the clerk’s

record was due in this Court on February 10, 2026, but had not been filed due to his failure to pay, or make arrangements to pay, the trial court clerk's fee for preparing the record. The notice requested that appellant file a 1 response with written documentation showing that he had paid, or had made arrangements to pay, the clerk's fee or that he is entitled to proceed without payment of costs. In addition, in our notice, we directed appellant to comply with our request by February 23, 2026, and advised that his failure to comply could result in the dismissal of the appeal for want of prosecution. To date, appellant has not responded to the Court's notice, and the clerk's record has not been filed. If a trial court clerk fails to file the clerk's record due to an appellant's failure to pay, or make arrangements to pay, the clerk's fee for preparing the record, the appellate court may dismiss the appeal for want of prosecution unless the appellant was entitled to proceed without payment of costs. See Tex. R. App. P. 37.3(b). In this case, appellant has not established that he is entitled to proceed without payment of costs. See *id.* R. 20.1; Tex. R. Civ. P. 145. Consequently, we dismiss the appeal for want of prosecution. See Tex. R. App. P. 42.3(b).

PER CURIAM

Panel consists of Chief Justice Brister and Justices Field and Farris. 2