

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

Jack L. Martin and Kathran J. Martin v. Christina Lonze Ball

Martin v. Ball · No. 05-17-00738-CV · Decided August 2, 2017

OPINION

Jack L. Martin and Kathran J. Martin v. Christina Lonze Ball

PER CURIAM.

Order entered August 2, 2017 In The Court of Appeals Fifth District of Texas at Dallas No. 05-17-00738-CV JACK L. MARTIN AND KATHRAN J. MARTIN, Appellants V. CHRISTINA LONZE BALL, Appellee On Appeal from the 14th Judicial District Court Dallas County, Texas Trial Court Cause No. DC-16-06373

ORDER

Before the Court is appellee's July 31, 2017 contest of statement of inability to afford payment of court costs. Appellant Jack Martin filed a statement of inability to afford payment of court costs or an appeal bond in this Court on June 27, 2017. By letter dated June 29, 2017 with a copy sent to counsel for appellee, the Court informed appellant that he was allowed to proceed without payment of this Court's filing fees. See TEX. R. APP. P. 20.1(a), (c). We further informed appellant that fees charged for preparation of the appellate record are governed by Texas Rule of Civil Procedure 145. See id. 20.1(a). The fees for preparation of the clerk's and reporter's records have been paid and the records have been filed. In her motion, appellee cites to rule 20.1(d)(2)(B) regarding the deadline for filing a contest. Rule 20.1 was substantially revised effective September 1, 2016 and 20.1(d)(2)(B) no longer exists. As noted above, rule 20.1 no longer covers payment for the appellate record. See id. 20.1(a). The costs covered by rule 20.1 are the filing fees charged by the appellate court. See id. A challenge to this Court's decision to allow a party to proceed without payment of our costs is not allowed. See TEX. R. APP. P. 20.1(c). Accordingly, we DENY appellee's contest.

/s/ CAROLYN WRIGHT

CHIEF JUSTICE