

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Azhar Chaudhary Law Firm, PC and Azhar Chaudhary v. BOKE, N. A.

No. 01-19-00771-CV · No. 01-19-00771-CV · Decided December 31, 2019

SUMMARY

The First Court of Appeals of Texas dismissed the appeal because Azhar Chaudhary Law Firm, PC and Azhar Chaudhary failed to pay required appellate fees and did not establish indigence. The court also dismissed pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Per Curiam; Justice Keyes; Justice Goodman; Justice Countiss
JURISDICTION	Texas
DECIDED	December 31, 2019
DOCKET	01-19-00771-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal dismissed because appellants failed to pay required appellate fees and failed to establish indigence.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Azhar Chaudhary Law Firm, PC, Azhar Chaudhary v. BOKE, N. A.

TOPICS

[appellate procedure](#) [costs](#) [mootness](#) [civil procedure](#)

PRACTICE AREAS

[Appellate procedure](#) [Civil procedure](#)

QUESTIONS PRESENTED

- Whether the appeal should be dismissed because appellants failed to pay required appellate fees or establish indigence.
- Whether pending motions should be dismissed as moot after dismissal of the appeal.

HOLDINGS

1. An appeal may be dismissed when the appellants fail to pay required appellate fees and neither establish indigence nor adequately respond to notice that the appeal is subject to dismissal.
2. Pending motions are moot following dismissal of the appeal.

FACTUAL BACKGROUND

The appellants neither paid the required appellate fees nor established indigence for purposes of appellate costs. After receiving notice that the appeal could be dismissed, they did not adequately respond.

PROCEDURAL HISTORY

Appellants appealed from proceedings in the 240th District Court of Fort Bend County, Texas. The court of appeals notified appellants that the appeal was subject to dismissal for nonpayment of required fees, but appellants did not adequately respond. The court dismissed the appeal and dismissed pending motions as moot.

DISPOSITION

dismissed

OPINION

Azhar Chaudhary Law Firm, PC and Azhar Chaudhary v. BOKF, N. A.

PER CURIAM.

Opinion issued December 31, 2019 In The Court of Appeals For The First District of Texas
NO. 01-19-00771-CV

AZHAR CHAUDHARY LAW FIRM, PC AND AZHAR CHAUDHARY,
Appellants V. BOKF, N. A., Appellee On Appeal from the 240th District Court Fort Bend County,
Texas Trial Court Case No. 19-DCV-260416

MEMORANDUM OPINION

Appellants, Azhar Chaudhary Law Firm, PC and Azhar Chaudhary, have neither paid the required fees nor established indigence for purposes of appellate costs. See TEX. R. APP. P. 5, 20.1; see also TEX. GOV'T CODE ANN. §§ 51.207, 51.941(a), 101.041; Order, Fees Charged in the Supreme Court, in Civil Cases in the Courts of Appeals, and Before the Judicial Panel on Multi-District Litigation, Misc. Docket No. 15-9158 (Tex. Aug. 28, 2015). After being notified that this appeal was subject to dismissal, appellants did not adequately respond. See TEX. R. APP. P. 5; 42.3(c). We dismiss the appeal for nonpayment of all required fees. We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Goodman, and Countiss. 2

