

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

Kenneth Smith and Shanel Smith v. JPMorgan Chase Bank, N.A.

Smith v. JPMorgan Chase Bank · No. 05-17-01117-CV · Decided December 13, 2017

SUMMARY

The Texas Court of Appeals, Fifth District of Dallas, ordered that the appeal proceed without a reporter's record because the appellants had not paid for it or demonstrated eligibility to proceed without payment of costs. The court also ordered the appellants to file their brief by January 12, 2018.

OPINION

Kenneth Smith and Shanel Smith v. JPMorgan Chase Bank, N.A.

PER CURIAM.

Order entered December 13, 2017 In The Court of Appeals Fifth District of Texas at Dallas No. 05-17-01117-CV KENNETH SMITH AND SHANEL SMITH, Appellants V. JPMORGAN CHASE BANK, N.A., Appellee On Appeal from the County Court at Law No. 2 Kaufman County, Texas Trial Court Cause No. 17C-071-2

ORDER

The reporter's record in this appeal has not been filed because appellants have not paid for it. By letter dated November 7, 2017, we directed appellants to file, within ten days, written verification they had paid or made arrangements to pay the fee or are entitled to proceed without payment of costs. We cautioned appellants that failure to comply could result in the appeal being submitted without the reporter's record. See TEX. R. APP. P. 37.3(c). To date, however, appellants have not complied. Accordingly, we ORDER the appeal submitted without the reporter's record. See *id.* As the clerk's record has been filed, we further ORDER appellants to file their brief no later than January 12, 2018.

/s/ CRAIG STODDART

JUSTICE