

**COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS**

**Maria De La Fuente v. The Bank of New York Mellon Trust  
Company, N.A., as Trustee on Behalf of CWABS Inc., Asset-Backed  
Certificates Trust 2006-2 by Green Tree Servicing LLC**

No. 05-15-00559-CV (Tex. App.—Dallas Aug. 10, 2015) · No. No. 05-15-00559-CV · Decided August 11, 2015

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**SUMMARY**

The Texas Fifth District Court of Appeals dismissed Maria De La Fuente's appeal because she failed to pay the filing fee, file the required docketing statement, or provide documentation regarding payment for the clerk's record. The court ordered the appellee to recover its appellate costs from the appellant.

**OPINION**

**PER CURIAM.**

DISMISS; and Opinion Filed August 10, 2015. S In The Court of Appeals Fifth District of Texas at Dallas No. 05-15-00559-CV MARIA DE LA FUENTE, Appellant V. THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS TRUSTEE ON BEHALF OF CWABS INC., ASSET-BACKED CERTIFICATES TRUST 2006-2 BY GREEN TREE SERVICING LLC, Appellee On Appeal from the County Court at Law No. 1 Dallas County, Texas Trial Court Cause No. CC-15-01366-A MEMORANDUM OPINION Before Justices Bridges, Lang, and Schenck Opinion by Justice Schenck The filing fee, docketing statement, and clerk's record in this case are past due.

By postcard dated April 30, 2015, we notified appellant the \$195 filing fee was due. We directed appellant to remit the filing fee within ten days and expressly cautioned appellant that failure to do so would result in dismissal of the appeal. Also by postcard dated April 30, 2015, we notified appellant the docketing statement had not been filed in this case.

We directed appellant to file the docketing statement within ten days. We cautioned appellant that failure to do so might result in dismissal of this appeal. By letter dated May 29, 2015, we informed appellant the clerk's record had not been filed because appellant had not paid for or made arrangements to pay for the clerk's record.

We directed appellant to provide verification of payment or arrangements to pay for the clerk's record or written documentation that appellant had been found to be entitled to proceed without

payment of costs. We cautioned appellant that failure to do so would result in the dismissal of this appeal without further notice.

To date, appellant has not paid the filing fee, filed the docketing statement, provided the required documentation, or otherwise corresponded with the Court regarding the status of the clerk's record. Accordingly, we dismiss this appeal. See TEX. R. APP. P. 5; 37.3(b); 42.3(b), (c). /David J. Schenck/ DAVID J. SCHENCK JUSTICE 150559F.P05 -2- S Court of Appeals Fifth District of Texas at Dallas JUDGMENT MARIA DE LA FUENTE, Appellant On Appeal from the County Court at Law No. 1, Dallas County, Texas No. 05-15-00559-CV V. Trial Court Cause No. CC-15-01366-A.

Opinion delivered by Justice Schenck. THE BANK OF NEW YORK MELLON Justices Bridges and Lang participating. TRUST COMPANY, N.A., AS TRUSTEE ON BEHALF OF CWABS INC., ASSET- BACKED CERTIFICATES TRUST 2006-2 BY GREEN TREE SERVICING LLC, Appellee In accordance with this Court's opinion of this date, this appeal is DISMISSED. It is ORDERED that appellee THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS TRUSTEE ON BEHALF OF CWABS INC., ASSET-BACKED CERTIFICATES TRUST 2006-2 BY GREEN TREE SERVICING LLC recover its costs of this appeal from appellant MARIA DE LA FUENTE.

Judgment entered this 10th day of August, 2015. -3-