

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Jeana Cobb v. Belle Oaks Apartments

No. 03-25-00667-CV · No. No. 03-25-00667-CV · Decided November 26, 2025

SUMMARY

The Texas Court of Appeals dismissed Jeana Cobb’s appeal for want of prosecution because she failed to pay or arrange payment of the clerk’s record fee and did not respond to the court’s notice. The court noted that Cobb had not established eligibility to proceed without payment of costs under the applicable Texas rules.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-25-00667-CV Jeana Cobb, Appellant v. Belle Oaks Apartments, Appellee FROM THE COUNTY COURT AT LAW NO. 1 OF BELL COUNTY NO. 25CCV01126, THE HONORABLE PAUL A. MOTZ, JUDGE PRESIDING MEMORANDUM OPINION The clerk’s record in this appeal was due for filing in this Court on October 27, 2025.

On November 13, 2025, we notified appellant that no clerk’s record had been filed due to her failure to pay or make arrangements to pay the trial clerk’s fee for preparing the clerk’s record. The notice requested that appellant make arrangements for the clerk’s record and submit a status report regarding this appeal by November 24, 2025. Further, the notice advised appellant that her failure to comply with this request could result in the dismissal of the appeal for want of prosecution.

To date, appellant has not filed a status report or otherwise responded to this 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 for 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.

Tex. R. App. P. 37.3(b). In this case, appellant has not established that she is entitled to proceed without payment of costs. See Tex. R. Civ. P. 145. Because appellant has failed to pay or make arrangements to pay the clerk’s fee for preparing the clerk’s record, this appeal is dismissed for want of prosecution. _____ Gisela D. Triana, Justice

Before Justices Triana, Kelly, and Theofanis Dismissed for Want of Prosecution Filed: November 26, 2025 2

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