In The

Court of Appeals

Ninth District of Texas at Beaumont

NO. 09-17-00151-CV

IN THE INTEREST OF L.J.F.

On Appeal from the 279th District Court
Jefferson County, Texas
Trial Cause No. F-226,912

ORDER

Appellant, Dennis Fisher, filed a notice of appeal from the trial court's judgment signed on May 3, 2017. On July 31, 2017, appellant filed a statement of inability to pay costs of court or appeal. Additionally, appellant has indicated that he does not have the funds to pay for a copy of the record for the appeal. We abate this appeal and remand the cause to the trial court for a determination, if necessary, of the appellant's ability to afford payment of court costs under Rule 145 of the Texas Rules of Civil Procedure. *See* Tex. R. Civ. P. 145.

Any motion to require appellant to pay costs or to require appellant to prove his inability to afford costs must be filed in the trial court by the appropriate party in

accordance with Rule 145. *See id*. R. 145(f)(1)-(4). If necessary, the trial court shall conduct a hearing and make appropriate orders. *See id*. R. 145(f)(5)-(7). Any documents filed and orders signed pursuant to Rule 145 shall be forwarded to this Court for filing as a supplemental record no later than September 18, 2017. Alternatively, a party, the trial court clerk, or the court reporter may file a status report informing this Court that additional time is needed for a determination under Rule 145. In the absence of a request for additional time, this appeal will automatically reinstate on September 18, 2017. Upon reinstatement, if an order requiring appellant to pay costs has not been signed, appellant will be entitled to proceed without payment of costs associated with this appeal. *See id*. R. 145(a).

ORDER ENTERED August 16, 2017.

PER CURIAM

Before McKeithen, C.J., Horton and Johnson, JJ.