



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

CHRISTOPHER M. OLSEN AND	§	
CATHY A. OLSEN,	§	
		No. 08-14-00195-CV
Appellants,	§	
		Appeal from
v.	§	
		126th District Court
CITIGROUP GLOBAL MARKETS	§	
REALTY CORPORATION,	§	of Travis County, Texas
	§	
Appellee.	§	(TC # D-1-GN-13-003043)
	§	

MEMORANDUM OPINION

Pending before the Court is a motion filed by Appellee, Citigroup Global Markets Realty Corporation (Citigroup), to dismiss the appeal for want of jurisdiction because the order being appealed is not a final judgment or an appealable interlocutory order. We grant the motion and dismiss the appeal.

Appellants filed notice of appeal from an order entered by the trial court on May 13, 2014 granting summary judgment in favor of Citigroup. The Third Court of Appeals transferred the appeal to this Court on July 9, 2014 pursuant to a docket equalization order. On September 4, 2014, Citigroup filed a motion to dismiss the appeal for want of jurisdiction.

It is well settled that appellate courts have jurisdiction over final judgments, and such interlocutory orders as the Legislature deems appealable by statute. *Lehmann v. Har-Con*

Corporation, 39 S.W.3d 191, 195 (Tex. 2001); *Ruiz v. Ruiz*, 946 S.W.2d 123, 124 (Tex.App.-- El Paso 1997, no pet.); TEX.CIV.PRAC.&REM.CODE ANN. § 51.014 (West Supp. 2014) (authorizing appeals from certain interlocutory orders). The order is not final because LPP Mortgage's counterclaim remains pending against Appellants. Further, there is no statutory provision authorizing an appeal from this interlocutory order. Accordingly, we grant the motion and dismiss the appeal for want of jurisdiction. *See* TEX.R.APP.P. 42.3(a).

September 18, 2014

ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rodriguez, J., and Barajas, C.J., (Senior Judge)
(Barajas, C.J., Senior Judge, sitting by assignment, not participating)