



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

	§	No. 08-21-00090-CV
IN THE INTEREST OF	§	Appeal from the
A.J.C.,	§	388th Judicial District Court
A CHILD.	§	of El Paso County, Texas
	§	(TC# 2019DCM6656)

MEMORANDUM OPINION

This appeal is before the Court on Appellee's motion to dismiss for want of jurisdiction. Finding that the trial court's interlocutory order granting a motion to transfer venue is not appealable, we dismiss the appeal for lack of jurisdiction.

Appellant filed a notice of appeal indicating that she is appealing the trial court's order granting Appellee's motion to transfer venue of a pending suit affecting the parent-child relationship (SAPCR) pursuant to section 155.021 of the Texas Family Code. Appellee filed a motion to dismiss for lack of jurisdiction and argues, in part, that this Court does not have jurisdiction because Appellant is attempting to appeal the trial court's transfer order, which is not appealable because it is neither a final judgment or an appealable interlocutory order.¹ Appellant

¹ Our ruling makes it unnecessary to dispose of Appellee's additional issue regarding whether Appellant filed an untimely notice in an accelerated appeal.

filed no response to Appellee's motion to dismiss.

Generally, appellate courts have jurisdiction over final judgments and interlocutory orders made appealable by statute. *Lehmann v. Har-Con Corporation*, 39 S.W.3d 191, 195 (Tex. 2001); TEX.CIV.PRAC. & REM.CODE ANN. § 51.014 (authorizing appeals from certain interlocutory orders). A final judgment is one that disposes of all pending parties and claims. *Lehmann*, 39 S.W.3d at 195. Section 155.204 of the family code expressly provides that an order transferring or refusing to transfer a SAPCR under section 155.201 is not subject to interlocutory appeal. TEX.FAM.CODE ANN. § 155.204(h). Because the interlocutory order granting Appellee's motion to transfer the SAPCR is not appealable and the record before us indicates the absence of a final judgment, we dismiss this appeal for lack of jurisdiction. *See In the Interest of S.M.B., a Child*, No. 08-15-00251-CV, 2015 WL 6699299 at *1 (Tex.App.--El Paso November 3, 2015, no pet.) (mem. op.); *see also* TEX.R.APP.P. 42.3(a). Appellee's motion to dismiss for want of jurisdiction is granted and all other motions are denied as moot.

GINA M. PALAFOX, Justice

January 31, 2022

Before Rodriguez, C.J., Palafox, and Alley, JJ.