

Opinion filed February 4, 2016



In The
Eleventh Court of Appeals

No. 11-15-00270-CV

JOE LUIS COBAROBIO, Appellant
V.
MARK GUTIERREZ ET AL., Appellees

**On Appeal from the 238th District Court
Midland County, Texas
Trial Court Cause No. CV48207**

MEMORANDUM OPINION

Appellant, Joe Luis Cobarobio, filed a pro se notice of appeal on October 23, 2015. Appellant states in his notice of appeal that a hearing was held in the trial court on July 30, 2015, and that he is “uncertain” of the outcome of that hearing but wishes to appeal. On the civil information form filed in this court, the clerk of the trial court indicated that no order had been signed in this case. Upon docketing the case, we noted that the notice of appeal appeared to be premature, and we requested that a copy of the judgment be sent to us immediately upon it being

signed. *See* TEX. R. APP. P. 27.1. Appellant subsequently acknowledged that his notice of appeal was prematurely filed.

Upon further inquiry, we received a letter from the district judge. The letter reads as follows:

In reviewing the above referenced case, the Court did set a hearing for July 30, 2015 on the Plaintiff's Motion for Hearing on Bill of Review. The Court subsequently cancelled this hearing and it was never re-scheduled. On October 23, 2015, the Plaintiff requested Findings of Facts and Conclusions of Law and filed a Notice of Appeal. Being that a hearing was never held, the Court will not make any findings of fact or conclusions of law. Further, this Court does not intend on signing any other orders or judgments.

The letter is signed by the district judge.

Unless specifically authorized by statute, appeals may be taken only from final judgments. *Tex. A & M Univ. Sys. v. Koseoglu*, 233 S.W.3d 835, 840–41 (Tex. 2007); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191 (Tex. 2001). Because the trial court did not hold the hearing from which Appellant contemplated an appeal and because the trial court does not intend to enter any further orders or judgments in the case below, we are not authorized to proceed with this appeal. Accordingly, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

The appeal is dismissed for want of jurisdiction.

PER CURIAM

February 4, 2016

Panel consists of: Wright, C.J.,
Willson, J., and Bailey, J.