

Opinion issued April 27, 2017



In The
Court of Appeals
For The
First District of Texas

NO. 01-15-01015-CV

ALLIED COLLISION CENTER INC., Appellant
V.
EWEMADE OZIGBO, Appellee

On Appeal from the 215th District Court
Harris County, Texas
Trial Court Case No. 2014-37834

MEMORANDUM OPINION

Allied Collision Center Inc. filed a notice of appeal attempting to appeal from the trial court's September 1, 2015 judgment, which awarded "costs and attorney's fees as allowed by law" but did not award a specific dollar amount of

costs or attorney's fees. Because we conclude that the judgment is interlocutory, we dismiss this appeal for want of jurisdiction.

This court has jurisdiction only over appeals from final judgments and those interlocutory orders specifically authorized by statute. *See CMH Homes v. Perez*, 340 S.W.3d 444, 447–48 (Tex. 2011). “A judgment is final for purposes of appeal if it disposes of all pending parties and claims in the record, except as necessary to carry out the decree.” *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). One reason why an order may not constitute a final judgment for these purposes is if it fails to resolve a request for attorney's fees. *E.g., Farm Bureau Cty. Mut. Ins. Co. v. Rogers*, 455 S.W.3d 161, 162 (Tex. 2015) (per curiam). The judgment that Allied Collision Center seeks to appeal is neither a final judgment, nor does it give rise to an interlocutory appeal authorized by statute.

We abated the appeal to afford the trial court an opportunity to clarify and modify its order to make it final. The trial court has not amended the judgment. We notified Allied Collision Center that the appeal could be dismissed unless it timely filed a response demonstrating this court's jurisdiction over the appeal. *See* TEX. R. APP. P. 42.3(a), 43.2(f). Allied Collision Center did not respond.

Because the appealed judgment is not final, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a), 43.2(f).

PER CURIAM

Panel consists of Justices Massengale, Brown, and Huddle.