

*Court Of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-08-00583-CV

Jerry **WANZER**,  
Appellant

v.

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE – INSTITUTIONAL DIVISION**, et al.,  
Appellees

From the 81st Judicial District Court, Karnes County, Texas  
Trial Court No. 04-03-00051-CVK  
Honorable David Peeples, Judge Presiding<sup>1</sup>

PER CURIAM


Sitting: Phylis J. Speedlin, Justice  
Rebecca Simmons, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: October 15, 2008

DISMISSED

From our initial review of the record it appeared that the order sought to be appealed is interlocutory because it does not dispose of a pending claim for attorney's fees, and no severance order appears in the record. Therefore, we ordered appellant to show cause in writing why this

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<sup>1</sup>  Sitting by assignment.

appeal should not be dismissed for lack of jurisdiction. Appellant's response acknowledged the pending claim for attorney's fees. Based on our review of the record, we conclude that the order signed on March 27, 2006 is not a final and appealable judgment because it does not dispose of all parties and causes of action in this suit. Therefore, we do not have jurisdiction over this appeal. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 200 (Tex. 2001). Accordingly, this appeal is dismissed for lack of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

PER CURIAM

