



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-12-00559-CV

Estate of George Lee **MABE**, Deceased

From the Probate Court No. 1, Bexar County, Texas
Trial Court No. 2012-PC-0373
Honorable Polly Jackson Spencer, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice
Santee Bryan Marion, Justice
Phylis J. Speedlin, Justice

Delivered and Filed: December 28, 2012

DISMISSED FOR LACK OF JURISDICTION

Appellant Hermelinda Garza seeks to appeal an order denying her motion to dismiss “all pleadings and complaints” filed by the opposing party in the underlying probate proceeding. Appellate courts have jurisdiction over appeals from final judgments and appeals from certain designated interlocutory orders. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (“[T]he general rule, with a few mostly statutory exceptions, is that an appeal may be taken only from a final judgment.”); TEX. CIV. PRAC. & REM. CODE ANN. § 51.014 (West 2008) (designating appealable interlocutory orders); *see also Crowson v. Wakeham*, 897 S.W.2d 779, 783 (Tex. 1995) (explaining final orders in probate proceedings). In this appeal, the order appellant seeks to appeal is neither a final judgment, nor an appealable interlocutory order. We, therefore, ordered appellant to show cause in writing why this appeal should not be dismissed for

lack of jurisdiction. Appellant's response to our order does not direct us to any statutory or other authority that would allow appellant to appeal an interlocutory order denying a motion to dismiss in a probate proceeding. We, therefore, dismiss this appeal for lack of jurisdiction. All motions pending in this appeal are dismissed as moot.

PER CURIAM