



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00189-CV

Robert **MARTINEZ**,
Appellant

v.

Emilia C. **MARTINEZ**,
Appellee

From the 37th Judicial District Court, Bexar County, Texas
Trial Court No. 2016CI06633
Honorable Solomon Casseb III, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice

Delivered and Filed: May 24, 2017

DISMISSED FOR WANT OF JURISDICTION

Appellant Robert Martinez is an inmate acting pro se in this appeal pertaining to his petition for divorce. On February 28, 2017, the trial court granted Appellant's motion for continuance and set his divorce trial for July 24, 2017. On March 30, 2017, Appellant filed a notice of appeal citing the cause number for his divorce. His notice complains he has been denied the following:

- appointment of counsel in his civil trial,
- subpoena process,
- documents, transcripts from case number 2008-CI-01073,
- rendition of case number 2008-CI-01073,
- findings of fact and conclusions of law,

- adequate law library,
- equal and fair access to the courts,
- equal protection of the law,
- due process protection, and
- discovery.

On May 3, 2017, because there did not appear to be an appealable interlocutory order or a final, appealable judgment in the record, we ordered Appellant to show cause in writing not later than May 18, 2017, why this appeal should not be dismissed for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (noting that generally “an appeal may be taken only from a final judgment”). We warned Appellant that if he failed to timely show cause why this court has jurisdiction over this appeal, the appeal would be dismissed. *See* TEX. R. APP. P. 42.3(a); *Lehmann*, 39 S.W.3d at 195.

Appellant timely filed a response to our May 3, 2017 order. He explained that his unit is on lockdown and he has limited access to the Unit Law Library to conduct research to help him prepare for his trial. But Appellant failed to provide any information to show that there has been an appealable interlocutory order or final judgment in the underlying cause.

Generally, “an appeal may be taken only from a final judgment. 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*, 39 S.W.3d at 195. An appeal may also be taken from certain interlocutory orders as authorized by statute. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.014 (West Supp. 2016); *Rusk State Hosp. v. Black*, 392 S.W.3d 88, 92 (Tex. 2012).

Here, the appellate record does not contain an appealable interlocutory order or final judgment. Therefore, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a); *Lehmann*, 39 S.W.3d at 195.

PER CURIAM