

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00387-CV

CHARLES RAY MASON, Appellant

V.

ARTHUR J. WOOD, et al., Appellees

On Appeal from the 411th District Court
Polk County, Texas
Trial Cause No. CIV24,101

MEMORANDUM OPINION

On September 2, 2010, the Court notified the parties that our jurisdiction was not apparent from the notice of appeal, and warned the parties that the appeal would be dismissed unless our jurisdiction was established. In response, the appellant concedes that the trial court has not signed a final order in this case.

The order signed by the trial court on June 24, 2010, grants the defendants' motion to dismiss a deceptive trade practices claim but denies the motion to dismiss claims relating to due process, Texas Tort Claims Act, Theft Liability Act, fraud, and conspiracy. No final judgment has issued. Subject to certain statutory exceptions not

applicable in this case, only final judgments are appealable. TEX. CIV. PRAC. & REM. CODE ANN. § 51.012 (Vernon Supp. 2010). Accordingly, we hold the jurisdiction over this case is still vested in the trial court. The appeal is dismissed for want of jurisdiction.

APPEAL DISMISSED.

CHARLES KREGER
Justice

Opinion Delivered October 7, 2010
Before McKeithen, C.J., Kreger and Horton, JJ.