

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-17-00273-CV

IN RE COMMITMENT OF ETHAN TODD STEWART

On Appeal from the 435th District Court
Montgomery County, Texas
Trial Cause No. 10-05-05148-CV

MEMORANDUM OPINION

Ethan Todd Stewart filed a notice of appeal from an order denying a motion for a change of venue. We questioned our jurisdiction and the parties filed responses.

Generally, appeals may be taken only from final judgments. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). Stewart argues the order denying his motion for a change of venue disposed of all pending claims and parties. In a civil commitment case, however, the trial court retains jurisdiction while the commitment order remains in effect. *See In re Commitment of Cortez*, 405 S.W.3d 929, 932 (Tex.

App.–Beaumont 2013, no pet.). Stewart has not identified a signed order by the trial court that is appealable at this time.¹ Accordingly, the appeal is dismissed for lack of jurisdiction. *See* Tex. R. App. P. 42.3(a); 43.2(f).

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on August 16, 2017
Opinion Delivered August 17, 2017

Before Kreger, Horton and Johnson, JJ.

¹ Stewart requests that we consider his response as a mandamus petition, but neither the form nor the substance of the response presents a valid basis for granting mandamus relief. *See generally* Tex. R. App. P. 52. Accordingly, the request is denied.