



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 2-09-100-CV

MARK M. D'AMICO

APPELLANT

V.

CITY OF FORT WORTH
(ROBERT CHAMBERS)

APPELLEE

FROM COUNTY COURT AT LAW NO. 2 OF TARRANT COUNTY

MEMORANDUM OPINION¹

Appellant Mark M. D'Amico attempts to appeal from the trial court's order granting the plea to the jurisdiction of appellee City of Fort Worth (Robert Chambers). We sent a letter to appellant that informed him of our concern that we do not have jurisdiction because, based on our review of the record, this is

¹ [...](#) See Tex. R. App. P. 47.4

a case that originated in small claims court. See Tex. Gov't Code Ann. § 28.053(d) (Vernon 2004); *Sultan v. Mathew*, 178 S.W.3d 747, 752–53 (Tex. 2005) (holding that because of section 28.053(d), “courts of appeals lack jurisdiction over cases originally filed in the small claims court”); *Lister v. Walters*, 247 S.W.3d 381, 383 (Tex. App.—Texarkana 2008, no pet.); *Gaskill v. Sneaky Enters., Inc.*, 997 S.W.2d 296, 297 (Tex. App.—Fort Worth 1999, pet. denied).

Appellant has responded to our letter, but he has not established any valid jurisdictional grounds for continuing the appeal. Accordingly, we dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2(f).

TERRIE LIVINGSTON
JUSTICE

PANEL: CAYCE, C.J.; LIVINGSTON and MEIER, JJ.

DELIVERED: September 17, 2009