



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-21-00256-CV**

**IN THE MATTER OF THE MARRIAGE OF  
JAMES ROY VAUGHN IV AND AMBER VAUGHN  
AND IN THE INTEREST OF  
J.R.V.V., S.M.E.V., AND C.A.V., CHILDREN**

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**From the 369th District Court  
Leon County, Texas  
Trial Court No. CV20-0222**

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**MEMORANDUM OPINION**

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Appellant James Roy Vaughn IV, acting *pro se*, attempts to appeal from a “Temporary Ex Parte Protective Order and Order Setting Hearing,” signed by the trial court on August 27, 2021.<sup>1</sup> This Court, however, has no jurisdiction to hear an appeal from a judgment that is not final, unless there is specific statutory authority permitting an appeal before final judgment. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.012. It appears that none of the exceptions to the rule that only final judgments can be appealed

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<sup>1</sup> The temporary ex parte order has been extended.

applies in this case. *See id.* § 51.014 (listing interlocutory orders that may be appealed before final judgment is rendered in the case); TEX. FAM. CODE ANN. § 81.009.

On October 12, 2021, we issued an order notifying the parties that the Court may dismiss this appeal unless, within ten days of the date of the order, a response was filed showing grounds for continuing the appeal. No response showing grounds for continuing the appeal has been filed. Accordingly, this appeal is dismissed for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

Absent a specific exemption, the Clerk of the Court must collect filing fees at the time a document is presented for filing. *Id.* R. 12.1(b); *see id.* R. 5. But Appellant filed a Statement of Inability to Afford Payment of Court Costs in this appeal on October 5, 2021. We conclude that Appellant is not required to pay costs in this appeal. *See id.* R. 20.1(a) (defining “costs” as “filing fees charged by the appellate court”).

MATT JOHNSON  
Justice

Before Chief Justice Gray,  
Justice Johnson, and  
Justice Smith

Dismissed  
Opinion delivered and filed October 27, 2021  
[CV06]

