

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-18-00526-CV

Thomas Kam, Appellant

v.

Badrudin Karedia and Tony Hardt, Appellees

**FROM THE COUNTY COURT AT LAW NO. 1 OF TRAVIS COUNTY
NO. C-1-CV-16-007167, HONORABLE TODD T. WONG, JUDGE PRESIDING**

MEMORANDUM OPINION

Thomas Kam, acting pro se, filed a notice of appeal on August 3, 2018, with the trial court, along with a request for findings of fact.¹ On September 5, 2018, the Clerk of this Court advised appellant that it appears that this Court lacks jurisdiction over this matter because this Court's jurisdiction is limited to appeals in which there exists a final and appealable judgment or order which has been signed by a judge. The Clerk requested that he file a response by September 17, 2018, explaining how this Court may exercise jurisdiction over this appeal and advised him that the failure to do so would result in the dismissal of this appeal. *See* Tex. R. App. P. 42.3(a).

¹ We hold appellant to the same legal standards as parties represented by counsel, "even as we liberally construe [his] arguments and filings." *See Stewart v. Texas Health & Human Servs. Comm'n*, No. 03-09-00226-CV, 2010 Tex. App. LEXIS 9787, at *5-6 & n.1 (Tex. App.—Austin Dec. 9, 2010, no pet.) (mem. op.) ("[P]ro se appellants are held to the same standard as parties represented by counsel to avoid giving unrepresented parties an advantage over represented parties." (citing *Mansfield State Bank v. Cohn*, 573 S.W.2d 181, 184-85 (Tex. 1978))).

Appellant’s notice of appeal and his response to this Court’s letter confirm that the trial court has not signed a final and appealable judgment or order which would invoke this Court’s appellate jurisdiction, and appellant has asked for no other relief. *Cf. In re Tarvin*, No. 01-11-01127-CV, 2012 Tex. App. LEXIS 3277, at *2 (Tex. App.—Houston [1st Dist.] Apr. 24, 2012, orig. proceeding) (mem. op.) (construing petition for writ of procedendo as petition for writ of mandamus “because, in substance, relator seeks to compel the trial court to rule on his application”). Accordingly, we dismiss this appeal for want of jurisdiction.

Melissa Goodwin, Justice

Before Justices Puryear, Goodwin, and Bourland

Dismissed for Want of Jurisdiction

Filed: September 28, 2018