

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-20-00466-CV**

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**Robert Joseph Yezak, Appellant**

**v.**

**Jeana A. Riley, Appellee**

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**FROM THE 20TH DISTRICT COURT OF MILAM COUNTY  
NO. CV40,354, THE HONORABLE JOHN YOUNGBLOOD, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Robert Joseph Yezak filed a notice of appeal from the trial court's September 1, 2020 order denying appellant's request for a temporary restraining order. Upon initial review, the Clerk of this Court sent Yezak a letter informing him that this Court appears to lack jurisdiction over the appeal because our jurisdiction is limited to appeals in which there exists a final or appealable judgment, or in the case of an interlocutory order, there is a statute that provides for an interlocutory appeal. An order denying a request for temporary restraining order is neither. *See* Tex. Civ. Prac. & Rem. Code § 51.012; *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (explaining that appeal generally may only be taken from final judgment that disposes of all pending parties and claims in record unless statute provides for interlocutory appeal); *Stary v. DeBord*, 967 S.W.2d 352, 352-53 (Tex. 1998) ("Appellate courts

have jurisdiction to consider immediate appeals of interlocutory orders only if a statute explicitly provides appellate jurisdiction.”); *see also* Tex. Civ. Prac. & Rem. Code § 51.014 (specifically permitting appeal of various interlocutory orders but not permitting appeal from grant or denial of temporary restraining order). The Clerk requested a response on or before December 10, 2020, informing this Court of any basis that exists for jurisdiction. To date, no response has been filed.

Accordingly, for the reasons explained above, we dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a).

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Gisela D. Triana, Justice

Before Justices Goodwin, Triana, and Smith

Dismissed for Want of Jurisdiction

Filed: December 30, 2020