

NO. 12-13-00122-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*DARLENE FIKE AS NEXT FRIEND* § *APPEAL FROM THE THIRD*  
*OF H.E.B., A MINOR,*  
*APPELLANT*

V. § *JUDICIAL DISTRICT COURT*

*TRAVIS MILLER, JIM GREGORY*  
*AND LATEXO INDEPENDENT*  
*SCHOOL DISTRICT,*  
*APPELLEES* § *ANDERSON COUNTY, TEXAS*

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*MEMORANDUM OPINION*  
*PER CURIAM*

Appellant Darlene Fike, as next friend of H.E.B., a minor, filed a notice of appeal indicating her intent to appeal an order granting a motion to dismiss filed by Appellees Travis Miller and Jim Gregory. Having determined that the order does not appear to dispose of all parties to the underlying suit, this court notified Fike on April 18, 2013, that there is no final judgment or other appealable order included in the information received in this appeal. Fike was further notified that the appeal would be dismissed unless the information was amended on or before April 25, 2013, to show the jurisdiction of this court.

The April 25, 2013 deadline has now passed, and Fike has neither shown this court's jurisdiction nor otherwise responded to this court's April 18, 2013 notice.<sup>1</sup> Accordingly, we *dismiss* the appeal *for want of jurisdiction*. See TEX. R. APP. P. 42.3(a).

Opinion delivered May 22, 2013.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(PUBLISH)

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<sup>1</sup> We also note that Fike has not paid the filing fee or filed a docketing statement, despite this court's May 2, 2013 notice that the appeal would be dismissed if she did not do so by May 13, 2013.



**COURT OF APPEALS  
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS  
JUDGMENT**

**MAY 22, 2013**

**NO. 12-13-00122-CV**

**DARLENE FIKE AS NEXT FRIEND OF H.E.B., A MINOR,**

Appellant

V.

**TRAVIS MILLER, JIM GREGORY AND  
LATEXO INDEPENDENT SCHOOL DISTRICT,**

Appellees

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Appeal from the 3rd Judicial District Court  
of Anderson County, Texas. (Tr.Ct.No. 3-41442)

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THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this court is without jurisdiction of the appeal, and that the appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed for want of jurisdiction**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*