



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

ALAN C. SPENCE AND ALMA	§	No. 08-17-00152-CV
SPENCE,	§	
	§	Appeal from the
Appellants,	§	County Court at Law No. 5
V.	§	of El Paso County, Texas
NATIONSTAR MORTGAGE, LLC,	§	(TC# 2017DCV0144)
Appellee.	§	

MEMORANDUM OPINION

Appellants, Alan C. Spence and Alma Spence, are attempting to appeal from an order of the trial court granting Appellee's application for an expedited order allowing foreclosure under TEX.R.CIV.P. 736. We dismiss the appeal for lack of jurisdiction.

Rule 736 provides for an expedited order allowing the foreclosure of a lien listed in Rule 735. TEX.R.CIV.P. 736.1. Appellee filed an application for an expedited order under Rule 736 and the trial court granted it. Rule 736.8(c) provides:

An order granting or denying the application is not subject to a motion for rehearing, new trial, bill of review, or appeal. Any challenge to a Rule 736 order must be made in a suit filed in a separate, independent, original proceeding in a court of competent jurisdiction.

TEX.R.CIV.P. 736.8(c).

The Clerk of the Court notified Appellants that the Court intended to dismiss the appeal for lack of jurisdiction because the order is not appealable. Appellants filed a response, but they have not shown that Rule 736.8(c) is inapplicable. Finding that the order is not appealable, we dismiss the appeal for lack of jurisdiction.

July 26, 2017

YVONNE T. RODRIGUEZ, Justice

Before McClure, C.J., Rodriguez, and Palafox, JJ.