

Opinion filed July 18, 2019



In The

Eleventh Court of Appeals

No. 11-19-00171-CV

CARLOS FLORES, Appellant

V.

MARISOL CARAPIA, Appellee

**On Appeal from the 358th District Court
Ector County, Texas
Trial Court Cause No. D-19-05-0639-CV**

MEMORANDUM OPINION

Carlos Flores filed a pro se notice of appeal in which he indicated that he wished to appeal the trial court’s “decision . . . to deny [Flores’s] right to proceed in forma pauperis.” This court deemed Flores’s “notice of appeal” to be a motion filed pursuant to Rule 145(g) of the Texas Rules of Civil Procedure. At the time that Flores filed his “notice of appeal,” the trial court had not yet acted on Flores’s motion

to proceed *in forma pauperis*. The trial court subsequently held a hearing and issued an order permitting Flores to proceed as a pauper. We dismiss the appeal.

In the trial court's order affirming Flores's inability to pay, the trial court ruled that Flores is not required to pay the costs incurred or give security for such costs. This order appears to moot the "notice of appeal" filed by Flores. Therefore, on June 18, 2019, after this court received the trial court's order, we wrote Flores and requested that he respond and show grounds to continue this appeal. We have not received a response from Flores.

This court is prohibited from deciding moot controversies. *Nat'l Collegiate Athletic Ass'n v. Jones*, 1 S.W.3d 83, 86 (Tex. 1999). When an appeal becomes moot, the appellate court must dismiss it for want of jurisdiction. *Heckman v. Williamson Cty.*, 369 S.W.3d 137, 162 (Tex. 2012).

Consequently, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

PER CURIAM

July 18, 2019

Panel consists of: Bailey, C.J.,
Stretcher, J., and Wright, S.C.J.¹

Willson, J., not participating.

¹Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.