

Opinion filed October 10, 2019



In The
Eleventh Court of Appeals

No. 11-19-00279-CV

GLEN D. AARON, II, Appellant
V.
STEPHEN FISHER ET AL., Appellees

**On Appeal from the 118th District Court
Glasscock County, Texas
Trial Court Cause No. 1865**

MEMORANDUM OPINION

Appellant, Glen D. Aaron, II, filed a pro se notice of appeal from an order in which the trial court granted a motion for summary judgment filed by two cross-plaintiffs and denied Appellant's motion for summary judgment. After the appeal was docketed, we informed Appellant that it did not appear that the order from which Appellant attempted to appeal was a final, appealable order, and we requested that Appellant provide this court with a response showing grounds to continue this

appeal. *See* TEX. R. APP. P. 42.3. In response, Appellant notified this court that “the Notice of Appeal heretofore filed is withdrawn” but that it “may be re-filed should same become necessary in the future.” We dismiss this appeal.

We note that Appellant has not shown grounds upon which this appeal may continue, that Appellant has not requested that this appeal be abated for the entry of a final judgment, and that Appellant informed this court that he wished to withdraw his notice of appeal.

Unless specifically authorized by statute, appeals may be taken only from final judgments. *Tex. A & M Univ. Sys. v. Koseoglu*, 233 S.W.3d 835, 840–41 (Tex. 2007); *Lehmann v. Har–Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). We determine whether a judgment is a final, appealable judgment based on the language in the judgment and the record of the case. *Lehmann*, 39 S.W.3d at 195. A judgment is final and appealable if it disposes of all parties and all claims in the case. *Id.* Because all parties and all claims were not disposed of by the order from which Appellant appealed, we do not have jurisdiction to consider an appeal from that order.

This appeal is dismissed for want of jurisdiction.

PER CURIAM

October 10, 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.