

DISMISS and Opinion Filed October 28, 2014.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-14-01054-CV

JAY SANDON COOPER AND TERESA WARD COOPER, Appellants

V.

**THE STATE OF TEXAS, COLLIN COUNTY DISTRICT ATTORNEY GREG WILLIS,
CITY OF PLANO, TEXAS, THOMAS MUELENBECK, MARK ISRAELSON,
BRUCE GLASSCOCK, SCOTT NEUMEYER, GREGORY RUSHIN, PETE GABRIEL,
DOUGLAS ANGLE, RICHARD PEREZ, COURTNEY PERO, EARNEST OLDHAM,
GLENN KALETTA, EDDIE DELEON, JOSEPH CLAGGETT, JENNIFER DAY,
JAMAL MURRAY, PAUL MCNULTY, AND CHAD BEOUGHER,
ALL INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES, Appellees**

**On Appeal from the 416th Judicial District Court
Collin County, Texas
Trial Court Cause No. 416-00043-2014**

MEMORANDUM OPINION

Before Justices Bridges, Lang, and Evans
Opinion by Justice Lang

In a letter dated September 30, 2014, the Court questioned its jurisdiction over this appeal. Specifically, there did not appear to be an appealable order. We instructed appellants to file, within ten days, a letter brief addressing our jurisdictional concern with an opportunity for appellees to respond. As of today's date, appellants have not filed a letter brief.

Generally, this Court has jurisdiction only over appeals from final judgments. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). A final judgment is one that disposes of all pending parties and claims. *Id.* An appellate court lacks jurisdiction to review an interlocutory order unless a statute specifically authorizes an exception to the general rule that

appeals may only be taken from final judgments. *See Qwest Communications Corp. v. AT&T Corp.*, 24 S.W.3d 334, 336 (Tex. 2000).

In the notice of appeal, appellants state they are appealing from the “Orders/Rulings on Plaintiffs’ Motion to Strike, Plaintiffs’ Motion to Show Authority, and the Contest of Plaintiffs’ Rule 145 Affidavit.” None of these orders is a final judgment. Moreover, there is no statute authorizing an appeal from an indigency ruling pursuant to Texas Rule of Civil Procedure 145. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(a) (West Supp. 2014). Thus, there is no final judgment or appealable interlocutory order. For this reason, this Court lacks jurisdiction.

We dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

141054F.P05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

JAY SANDON COOPER AND TERESA
WARD COOPER, Appellants

No. 05-14-01054-CV V.

THE STATE OF TEXAS, COLLIN
COUNTY DISTRICT ATTORNEY GREG
WILLIS, CITY OF PLANO, TEXAS,
THOMAS MUELENBECK, MARK
ISRAELSON, BRUCE GLASSCOCK,
SCOTT NEUMEYER, GREGORY
RUSHIN, PETE GABRIEL, DOUGLAS
ANGLE, RICHARD PEREZ, COURTNEY
PERO, EARNEST OLDHAM, GLENN
KALETTA, EDDIE DELEON, JOSEPH
CLAGGETT, JENNIFER DAY, JAMAL
MURRAY, PAUL MCNULTY, AND
CHAD BEOUGHER, ALL
INDIVIDUALLY AND IN THEIR
OFFICIAL CAPACITIES, Appellees

On Appeal from the 416th Judicial District
Court, Collin County, Texas.
Trial Court Cause No. 416-00043-2014.
Opinion delivered by Justice Lang. Justices
Bridges and Evans, participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellees THE STATE OF TEXAS, COLLIN COUNTY DISTRICT ATTORNEY GREG WILLIS, CITY OF PLANO, TEXAS, THOMAS MUELENBECK, MARK ISRAELSON, BRUCE GLASSCOCK, SCOTT NEUMEYER, GREGORY RUSHIN, PETE GABRIEL, DOUGLAS ANGLE, RICHARD PEREZ, COURTNEY PERO, EARNEST OLDHAM, GLENN KALETTA, EDDIE DELEON, JOSEPH CLAGGETT, JENNIFER DAY, JAMAL MURRAY, PAUL MCNULTY, AND CHAD BEOUGHER, ALL INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES recover their costs of this appeal from appellants JAY SANDON COOPER AND TERESA WARD COOPER.

Judgment entered this 28th day of October, 2014.