

Dismiss and Opinion Filed February 19, 2016



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-15-01460-CV

CHARLES HENSLEY MITCHELL, JR., Appellant

V.

DALLAS COUNTY; CITY OF DALLAS; DALLAS INDEPENDENT SCHOOL DISTRICT; DALLAS COUNTY COMMUNITY COLLEGE DISTRICT; DALLAS COUNTY SCHOOL EQUALIZATION FUND; AND PARKLAND HOSPITAL DISTRICT, Appellees

On Appeal from the 14th Judicial District Court
Dallas County, Texas
Trial Court Cause No. TX-15-00748

MEMORANDUM OPINION

Before Justices Bridges, Lang-Miers, and Schenck
Opinion by Justice Bridges

In a letter dated December 4, 2015, the Court questioned its jurisdiction over this appeal. Specifically, there does not appear to be an appealable order. We instructed appellant to file a letter brief addressing our jurisdictional concern and gave appellee an opportunity to respond. Appellant did not file a response.

This Court has jurisdiction only over appeals from final judgments and those interlocutory orders specifically authorized by statute. *See Lehmann v. Har-Con Corp.*, 39 S.W.2d 191, 195 (Tex. 2001). A final judgment is one that disposes of all parties and all claims. *See id.*

In the notice of appeal filed on November 30, 2015, appellant complains about the December 2, 2015 scheduled trial date because he would not be able to appear due to his incarceration. We note that, on November 24, 2015, the trial court signed an order granting a continuance until August 30, 2016. The trial court has not signed a final judgment, and an order setting a trial date is not an appealable interlocutory order. Because there is no appealable order, this Court lacks jurisdiction. *See Lehmann*, 39 S.W.3d at 195. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

151460F.P05

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE



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

JUDGMENT

CHARLES HENSLEY MITCHELL, JR.,
Appellant

No. 05-15-01460-CV V.

DALLAS COUNTY; CITY OF DALLAS;
DALLAS INDEPENDENT SCHOOL
DISTRICT; DALLAS COUNTY
COMMUNITY COLLEGE DISTRICT;
DALLAS COUNTY SCHOOL
EQUALIZATION FUND; AND
PARKLAND HOSPITAL DISTRICT,
Appellees

On Appeal from the 14th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. TX-15-00748.
Opinion delivered by Justice Bridges.
Justices Lang-Miers and Schenck
participating.

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

It is **ORDERED** that appellees DALLAS COUNTY; CITY OF DALLAS; DALLAS INDEPENDENT SCHOOL DISTRICT; DALLAS COUNTY COMMUNITY COLLEGE DISTRICT; DALLAS COUNTY SCHOOL EQUALIZATION FUND; AND PARKLAND HOSPITAL DISTRICT recover their costs, if any, of this appeal from appellant CHARLES HENSLEY MITCHELL, JR.

Judgment entered February 19, 2016.