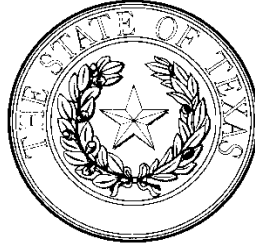


Opinion issued October 20, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-01124-CV

HAROLD DEAN WHITE, Appellant

V.

MELISSA H. WHITE, Appellee

**On Appeal from the 280th District Court
Harris County, Texas
Trial Court Case No. 2010-63189**

MEMORANDUM OPINION

Harold Dean White appeals the trial court's November 15, 2010 temporary protective order prohibiting him from having contact with his former wife, his

stepchildren, or his sons until November 15, 2012. With certain exceptions made explicit by statute, the courts of appeals have jurisdiction to review only final judgments. *Bally Total Fitness Corp. v. Jackson*, 53 S.W.3d 352, 352 (Tex. 2001); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001).

The Texas Family Code specifically precludes the interlocutory appeal of temporary orders in suits affecting the parent-child relationship. *See* TEX. FAM. CODE ANN. § 105.001(e) (West 2008); *see also* TEX. FAM. CODE ANN. § 6.507 (West 2006) (specifically precluding interlocutory appeal of temporary orders, except those appointing receiver); *Mason v. Mason*, 256 S.W.3d 716, 718 (Tex. App.—Houston [14th Dist.] 2008, no pet.) (citing *Marley v. Marley*, No. 01-05-00992-CV, 2006 WL 3094325, at *2 (Tex. App.—Houston [1st Dist.] 2006, pet. denied) (mem. op) (holding section 51.014(4) of Civil Practice and Remedies Code permitting appeals from temporary injunctions did not control over statutory prohibition of interlocutory appeals from temporary orders in Family Code). As a result, this Court lacks jurisdiction over this appeal.¹

¹ Harold challenges the temporary protective order as void, contending that, because a North Carolina court made the initial custody determination in a consent order arising out of the Whites' divorce proceeding, the Texas trial court lacked subject matter jurisdiction to issue the temporary protective order. Because we lack jurisdiction, we cannot consider that collateral attack in the context of this interlocutory appeal.

We therefore dismiss the appeal for want of jurisdiction. All pending motions are denied as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Bland and Huddle.