

Opinion issued December 8, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00669-CV

NATHANIEL JONES, III, Appellant

V.

DANIEL PEREZ, JR., Appellee

**On Appeal from the 333rd District Court
Harris County, Texas
Trial Court Cause No. 2010-41176**

MEMORANDUM OPINION

This is an attempted appeal from an order sustaining a contest to appellant's affidavit of indigence for trial court costs and ordering that appellant pay the costs of his suit in the trial court.

Generally, appeals may be taken only from final judgments. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). Interlocutory orders may be appealed only if authorized by statute. *Bally Total Fitness Corp. v. Jackson*, 53 S.W.3d 352, 352 (Tex. 2001).

The trial court's order sustaining the district clerk's contest to appellant's affidavit of indigence is an interlocutory order. Appellant cites no authority, and we have found none, providing for an interlocutory appeal to be taken from this order. *See generally* TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(a) (West 2008); *see, e.g., Minnfee v. Lexington*, No. 04-09-00770-CV, 2010 WL 381367, at *1 (Tex. App.—San Antonio Feb. 3, 2010, no pet.) (mem. op.) (dismissing appeal of order on motion to rule for costs); *Aguilar v. Texas La Fiesta Auto Sales LLC*, No. 01-08-00653-CV, 2009 WL 1562838, at *1 (Tex. App.—Houston [1st Dist.] June 4, 2009, no pet.) (mem. op.) (dismissing appeal of order sustaining contest to affidavit of indigence for trial court costs).

On September 8, 2011, the Court notified the parties of its intent to dismiss the appeal for want of jurisdiction unless appellant filed a response demonstrating this court's jurisdiction on or before September 19, 2011. *See* TEX. R. APP. P. 42.3(a). Appellant has not filed an adequate response.

Accordingly, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a), 43.2(f). We dismiss any other pending motions as moot.

PER CURIAM

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