

Opinion issued November 8, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-16-00555-CV

KERRY FIELDS, Appellant

V.

GEICO ADVANTAGE INSURANCE COMPANY, Appellee

**On Appeal from the County Civil Court at Law No. 2
Harris County, Texas
Trial Court Case No. 1064743**

MEMORANDUM OPINION

Appellant, Kerry Fields, attempts to appeal an order denying his motion for summary judgment. Generally, the denial of a motion for summary judgment is not appealable because the order is not a final judgment. *See Cincinnati Life Ins. Co. v. Cates*, 927 S.W.2d 623, 625 (Tex. 1996). We have jurisdiction to hear an

interlocutory appeal only if authorized by statute. *See* TEX. CIV. PRAC. & REM. CODE § 51.014; *Stary v. DeBord*, 967 S.W.2d 352, 352–53 (Tex. 1998). Absent certain exceptions that do not apply here, an appellate court does not have jurisdiction to hear denied motions for summary judgment on appeal. *Ackermann v. Vordenbaum*, 403 S.W.2d 362, 365 (Tex. 1966); *William Marsh Rice Univ. v. Coleman*, 291 S.W.3d 43, 45 (Tex. App—Houston [14th Dist.] 2009, pet. dism'd). On October 6, 2016, the Clerk of this Court notified appellant that this appeal was subject to dismissal for want of jurisdiction unless he demonstrated that this Court has jurisdiction over this appeal. Appellant failed to respond.

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

PER CURIAM

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