

Dismissed and Memorandum Opinion filed September 9, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00751-CV

**IN RE GUARDIANSHIP OF TROY WETSEL DORRELL,
an Incapacitated Person**

**On Appeal from the Probate Court No. 3
Harris County, Texas
Trial Court Cause No. 388,652**

MEMORANDUM OPINION

This is an attempted appeal from an interlocutory order granting discovery sanctions in the amount of \$250 signed July 19, 2010. We lack jurisdiction over the appeal.

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 permitted by statute. *Bally Total Fitness Corp. v. Jackson*, 53 S.W.3d 352, 352 (Tex. 2001); *Jack B. Anglin Co., Inc. v. Tipps*, 842 S.W.2d 266, 272 (Tex. 1992) (orig. proceeding). Sanctions orders are not included in those orders for which an interlocutory appeal is permitted.

On August 12, 2010, appellees, David K. Dorrell, Jeffrey L. Dorrell, and the proposed ward, filed a motion to dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a). Appellees also seek damages for a frivolous appeal pursuant to Texas Rule of Appellate Procedure 45. Appellant has not responded to appellees' motion. Appellant has advised the court, however, that the notice of appeal was filed prematurely because the order is interlocutory.

We grant appellees' motion to dismiss the appeal, but deny the request for Rule 45 damages.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Sullivan.