

Dismissed and Memorandum Opinion filed August 25, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00529-CV

JASON RAY BRANNON A/K/A MICHAEL EARL SHORT, Appellant

V.

HARRIS COUNTY, Appellee

**On Appeal from the 129th District Court
Harris County, Texas
Trial Court Cause No. 2011-21469**

MEMORANDUM OPINION

On February 28, 2011, appellant filed a *pro se* motion to proceed *in forma pauperis*, asserting his inability to pay filing fees and costs for service of his petition for expunction of his criminal record. On May 16, 2011, the trial court signed an order sustaining Harris County's contest to appellant's affidavit of inability to pay court costs. On June 14, 2011, appellant filed a *pro se* notice of appeal from that order.

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).

On July 21, 2011, this court advised the parties that it appeared that this court lacked jurisdiction over this attempted appeal, and we ordered a partial clerk's record so that we could determine our jurisdiction. *See* Tex. R. App. P. 42.3(a). The record was filed on August 15, 2011, and it contains no final, appealable order. The record reveals that no judgment has been signed, and the suit remains pending. The trial court's order sustaining the contest to appellant's affidavit of indigence is an interlocutory order that is not subject to appeal. Therefore, we are without jurisdiction over this appeal.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Anderson and Christopher.