

Dismissed and Memorandum Opinion filed November 15, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00725-CV

JAMES E. WHITTAKER, Appellant

V.

U.S. MAIL SERVICE, Appellee

**On Appeal from the 157th District Court
Harris County, Texas
Trial Court Cause No. 2010-79000**

MEMORANDUM OPINION

On December 3, 2010, appellant filed an original petition concerning his claim for identification theft. The record indicates that on July 1, 2011, the trial court signed an order granting appellant's pauper's oath. On August 22, 2011, appellant filed a "Motion to Appeal" in this case, and the appeal was assigned to this court. The clerk's record was filed October 20, 2011. It does not appear that appellant's case has gone to trial, and the clerk's record does not contain an appealable 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 October 21, 2011, notification was transmitted to the parties of this court's intention to dismiss the appeal for want of jurisdiction unless appellant filed a response demonstrating that this court has jurisdiction over the appeal on or before November 1, 2011. *See* Tex. R. App. P. 42.3(a). Appellant filed no response.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

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