

Motion Granted; Appeal Dismissed and Memorandum Opinion filed July 12, 2016.



**In The
Fourteenth Court of Appeals**

NO. 14-16-00468-CV

**PETROLIA GROUP, LLC AND PETROLIA CONSOLIDATED
RESOURCES, LLC, Appellants**

V.

**ZIMMERMAN, AXELRAD, MEYER, STERN & WISE, PC AND BRIAN
ZIMMERMAN, Appellees**

**On Appeal from the 80th District Court
Harris County, Texas
Trial Court Cause No. 2015-09761**

M E M O R A N D U M O P I N I O N

This is an attempted appeal from an order compelling arbitration signed May 13, 2016. On June 14, 2016, appellees filed a motion to dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3. Appellants have not filed a response.

Generally, appeals may be taken only from final judgments. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). When orders do not dispose of all pending parties and claims, the orders remain interlocutory and unappealable until final judgment is entered unless a statutory exception applies. *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). Here, the trial court's order compelling arbitration remains interlocutory and unappealable; thus, this court is without jurisdiction to consider the instant appeal. See *Elm Creek Villas Homeowners Ass'n, Inc. v. Beldon Roofing & Remodeling, Co.*, 940 S.W.2d 150 (Tex. App.—San Antonio 1996, no writ) (concluding court of appeals had no jurisdiction over interlocutory order compelling arbitration); *Bethke v. Polyco, Inc.*, 730 S.W.2d 431, 434 (Tex. App.—Dallas 1987, no writ) (holding an order compelling arbitration is not an appealable judgment); *Citizens Nat'l Bank of Beaumont v. Callaway*, 597 S.W.2d 465, 466 (Tex. App.—Beaumont 1980, writ ref'd) (holding appellate court has no jurisdiction over an order requiring the parties to arbitrate).

Accordingly, the motion is granted, and the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Busby, Donovan, and Wise.