

Reinstated, Dismissed and Memorandum Opinion filed November 2, 2017.



In The
Fourteenth Court of Appeals

NO. 14-17-00542-CV

**DAVID CANALES, JR., BOTH INDIVIDUALLY AND AS NEXT FRIEND
OF DAVID ADRIAN CANALES AND ANGIE MARIE CANALES,
Appellants**

V.

EDWARD CURTIS VANDENBERG, Appellee

**On Appeal from the 239th District Court
Brazoria County, Texas
Trial Court Cause No. 71132**

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

This is an appeal from a judgment signed April 13, 2017. The judgment does not dispose of all pending claims. On September 7, 2017, we abated the appeal for the trial court to clarify whether the judgment was intended to be interlocutory or final.

The trial court held a hearing on September 26, 2017, in which the trial court

and all parties agreed the judgment was intended to be, and is, interlocutory. The hearing was transcribed, and the transcript was filed in this court.

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).

On October 10, 2017, we notified the parties of our intent to dismiss the appeal unless any party, by October 20, 2017, demonstrated meritorious grounds for continuing the appeal. No response was filed.

The appeal is dismissed.

PER CURIAM

Panel consists of Justices Jamison, Busby, and Donovan.