

**Appeal Dismissed and Memorandum Opinion filed October 11, 2022.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-22-00215-CV**

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**JOHN F. DIETZ, Appellant**

**V.**

**4J ENERGY, LLC AND ENERGIA INER S. DE R.L. DE CV, Appellees**

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**On Appeal from the 270th District Court  
Harris County, Texas  
Trial Court Cause No. 2017-68508**

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**MEMORANDUM OPINION**

This is an appeal from an order signed December 27, 2021 dismissing appellee 4J Energy, LLC's ("4J Energy") claims against John F. Dietz without prejudice. The appellate record reflects that when that order was signed, 4J Energy's claim against appellee Energia Iner S. de R.L. de CV ("Energia") for fraud remained pending, as did appellant John F. Dietz's cross-claim against Energia for reimbursement and indemnification. That order is accordingly not an appealable final judgment, and the appellate record does not reflect that the trial court has otherwise issued an

appealable final judgment. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 200 (Tex. 2001) (“A judgment that finally disposes of all remaining parties and claims, based on the record in the case, is final, regardless of its language.”). The appealed-from order also lacks any apparent basis for being immediately appealable. *See CMH Homes v. Perez*, 340 S.W.3d 444, 447 (Tex. 2011) (acknowledging the general rule that “interlocutory orders are not immediately appealable”).

On September 15, 2022, this court informed the parties of the apparent lack of jurisdiction over this appeal and warned them that the appeal was subject to dismissal without further notice unless any party demonstrated this court had jurisdiction. The parties filed no response to the letter. Accordingly, due to the lack of any basis for exercising jurisdiction over this appeal, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Panel consists of Chief Justice Christopher and Justices Wise and Hassan.