

*Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio*



MEMORANDUM OPINION

No. 04-08-00574-CV

Darren S. **FALLIS** and Stacy D. Fallis,
Appellants

v.

RIVER MOUNTAIN RANCH PROPERTY OWNERS ASSOCIATION, INC.
Appellee

From the County Court at Law, Kendall County, Texas
Trial Court No. 07-307-CCL
Honorable Bill R. Palmer, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice
Santee Bryan Marion, Justice
Phylis J. Speedlin, Justice

Delivered and Filed: November 5, 2008

DISMISSED FOR LACK OF JURISDICTION

On September 15, 2008, noting that the trial court's May 7, 2008, order granting Appellee River Mountain Ranch Property Owners Association's motion for summary judgment did not appear to be a final order, we ordered appellants to show cause why this appeal should not be dismissed for lack of jurisdiction.

Since that time, on October 1, 2008, the trial court, upon further review, withdrew and vacated its May 7, 2008, order granting summary judgment and set the case for trial.

We, therefore, dismiss this appeal for lack of jurisdiction.

PER CURIAM

