

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



MEMORANDUM OPINION

No. 04-09-00770-CV

Barry D. **MINNFEE**,
Appellant

v.

Brad **LEXINGTON**,
Appellee

From the 131st Judicial District Court, Bexar County, Texas
Trial Court No. 2009-CI-14175
Honorable Karen Pozza, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Santee Bryan Marion, Justice

Delivered and Filed: February 3, 2010

DISMISSED FOR LACK OF JURISDICTION

Appellant has filed a notice of appeal stating that he seeks to appeal the trial court's order on a motion to rule for costs. An order that does not dispose of all parties and causes of action is not final and appealable. *See Houston Health Clubs, Inc. v. First Court of Appeals*, 722 S.W.2d 692, 693 (Tex. 1986); *Northeast Indep. Sch. Dist. v. Aldridge*, 400 S.W.2d 893, 895 (Tex. 1966). On December 30, 2009, we ordered appellant to show cause in writing why this appeal should not be dismissed for lack of jurisdiction. If appellant contended that a final judgment had been signed

disposing of all parties and causes of action, appellant was ordered to provide this court with a copy of the final judgment. Although appellant filed a response and a Writ of Injunction to Enjoin for Lack of Jurisdiction, the information contained therein does not establish that a final judgment has been signed by the trial court in the underlying cause. Appellant must pursue relief from the trial court until a final judgment is signed. Accordingly, this appeal is dismissed for lack of jurisdiction.

PER CURIAM