

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



MEMORANDUM OPINION

No. 04-12-00061-CV

Herbert Lawrence **POLINARD**,
Appellant

v.

E.M. **GILMORE**, Jr., Individually and D/B/A Alamo Bail Bonds,
and R.J. Hayes, Individually and D/B/A Alamo Bail Bonds,
Appellees

From the County Court at Law No. 10, Bexar County, Texas
Trial Court No. 288,485
Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Marialyn Barnard, Justice

Delivered and Filed: September 26, 2012

DISMISSED IN PART; RETAINED IN PART

This appeal arises from trial court cause number 288,485. The trial court granted two severance orders in trial court cause number 288,485, and the claims severed in those orders were assigned trial court cause numbers 288,485-A and 288,485-B. Appellees have filed a motion requesting that this court dismiss this appeal as to trial court cause numbers 288,485-A and 288,485-B.

The notice of appeal filed by appellant references both trial court cause numbers 288,485 and 288,485-A; however, the notice of appeal does not reference trial court cause number 288,485-B. Having reviewed the record, this court concludes that only trial court cause number 288,485 contains the orders and judgments that are the subject of this appeal. Accordingly, to the extent the notice of appeal or other documents filed with this court can be construed as appealing either trial court cause number 288,485-A or trial court cause number 288,485-B, this appeal is dismissed as to those trial court cause numbers. The appeal of trial court cause number 288,485 is retained on the docket of the court, and the clerk of this court is instructed to update case management to reflect that only trial court cause number 288,485 is pending in this appeal. Costs of the appeal will be assessed upon the final disposition of the appeal.

PER CURIAM