

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



**MEMORANDUM OPINION**

No. 04-12-00578-CV

Roberto **SALINAS**,  
Appellant

v.

Simona **DOMINGUEZ-GARCIA**,  
Appellee

From the 79th Judicial District Court, Brooks County, Texas  
Trial Court No. 4967  
Honorable Richard C. Terrell, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice  
Phylis J. Speedlin, Justice  
Rebecca Simmons, Justice

Delivered and Filed: October 3, 2012

DISMISSED FOR LACK OF JURISDICTION

On September 10, 2012, appellant filed a “Writ of Error Out-of-Time Appeal,” in which appellant states he “continues to await for the Brooks County District Court to release a copy of the default judgment . . . .” On September 11, 2012, the district clerk filed a letter, in which the district clerk states “there is no final judgment on file for this case.” The district clerk also attached a copy of the docket sheet, which also indicates no final judgment or any settings for hearings or trial. Accordingly, on September 12, 2012, this court ordered appellant to show

cause in writing why this appeal should not be dismissed for lack of jurisdiction. On September 24, 2012, appellant responded but he did not provide proof of any final judgment.

Because there is no final judgment in this case, this court does not have jurisdiction over this appeal. Accordingly, the appeal is dismissed.

PER CURIAM