



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00347-CV

Chris **RODRIGUEZ**,
Appellant

v.

US HOME OWNERSHIP LLC,
Appellee

From the 57th Judicial District Court, Bexar County, Texas
Trial Court No. 2015CI01511
Honorable Peter A. Sakai, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice
Marialyn Barnard, Justice
Rebeca C. Martinez, Justice

Delivered and Filed: July 22, 2015

DISMISSED FOR LACK OF JURISDICTION

On May 6, 2015, the trial court signed a default order granting an application to proceed with an expedited foreclosure under Texas Rule of Civil Procedure 736. *See* TEX. R. CIV. P. 736. On June 4, 2015, the appellant filed a notice of appeal challenging the trial court's order. On June 23, 2015, the appellee filed a motion to dismiss this appeal for lack of jurisdiction. Thereafter, on June 29, 2015, we ordered the appellant to show cause by July 14, 2015, why this appeal should not be dismissed for lack of jurisdiction. No response has been filed.

An order granting an application under Rule 736 is not subject to appeal. TEX. R. CIV. P. 736.8(c); *Hunter v. Bank of New York Mellon*, No. 14-15-00043-CV, 2015 WL 1736341, at *1 (Tex. App.—Houston [14th Dist.] April 14, 2015, no pet.). Instead, any challenge to a Rule 736 order must be made in a separate suit in a court of competent jurisdiction. TEX. R. CIV. P. 736.8(c); *Hunter*, 2015 WL 1736341, at *1. Because a Rule 736 order is not appealable, we lack jurisdiction over this appeal. *See Hunter*, 2015 WL 1736341, at *1 (dismissing an attempted appeal from a Rule 736 order for lack of jurisdiction); *Bondyopadhyay v. Bank of New York Mellon*, No. 01-14-00478-CV, 2014 WL 6680368, at *1 (Tex. App.—Houston [1st Dist.] Nov. 25, 2014, no pet.) (same).

Appellee’s motion to dismiss this appeal is granted. This appeal is dismissed for lack of jurisdiction.

PER CURIAM