



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00617-CV

IN THE INTEREST OF K.R.C., a Child

From the 25th Judicial District Court, Guadalupe County, Texas
Trial Court No. 16-1487-CV
Honorable James Rausch, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Karen Angelini, Justice
Irene Rios, Justice

Delivered and Filed: December 20, 2017

DISMISSED

Appellant, who is pro se, filed what he designated as a notice of restricted appeal in the trial court on September 21, 2017. The document was filed in this court on September 25, 2017. Appellant purported to appeal a final judgment granting a default judgment entered by the trial court on April 11, 2017. However, the trial court clerk's record, which was filed on November 14, 2017, did not indicate a default judgment was taken against appellant. Rather, the trial court clerk's record reflected a hearing was set for December 19, 2017.

Generally, an appeal may be taken only from a final judgment. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 196 (Tex. 2001). A judgment is final for appellate purposes if it disposes of all pending parties and claims in the record. *Id.* Therefore, as it appeared that we did not have jurisdiction over this appeal, we ordered appellant to show cause in writing why this appeal should

not be dismissed for lack of jurisdiction. Appellant's response contained only a reset order. Appellant's response does not include any indication default judgment was taken against him. Further, the trial court clerk filed a supplemental clerk's record containing an order reflecting the December 19, 2017 hearing was reset for January 23, 2018. The supplemental record also did not include any indication default judgment was taken against appellant.

Accordingly, we dismiss this appeal for lack of jurisdiction.

PER CURIAM