



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-21-00462-CV

Genaro Rene **PERALES**,
Appellant

v.

LUX LAND LLC,
Appellee

From the County Court at Law No. 3, Bexar County, Texas
Trial Court No. 2021CV03390
Honorable David J. Rodriguez, Judge Presiding

PER CURIAM

Sitting: Luz Elena D. Chapa, Justice
Irene Rios, Justice
Beth Watkins, Justice

Delivered and Filed: December 15, 2021

DISMISSED FOR LACK OF JURISDICTION

Genaro Rene Perales filed a notice October 22, 2021, stating his desire to appeal the trial court's judgment.

The clerk's record reflects appellee Lux Land LLC obtained a judgment for eviction against Perales in the justice court. The judgment was appealed to the county court at law, and the case was set for a non-jury trial on October 21, 2021. However, the clerk's record does not contain a signed judgment. Instead, it contains a proposed judgment that has been stricken through and

judge's notes and a docket entry, both of which state "default judgment denied." In addition, the record reflects the case has been reset for a non-jury trial on January 14, 2022.

A written and signed judgment is necessary for an appeal. *See* TEX. R. APP. P. 26.1 (appellate timetable runs from the date the judgment or order is signed); *Garza v. Texas Alcoholic Beverage Comm'n*, 89 S.W.3d 1, 8–9 (Tex. 2002); *Farmer v. Ben E. Keith Co.*, 907 S.W.2d 495, 496 (Tex. 1995) (per curiam).

We ordered Perales to file a response by December 2, 2021, showing why this appeal should not be dismissed for lack of jurisdiction. No response has been filed. We therefore dismiss the appeal.

PER CURIAM