

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00593-CV

CHRISONDATH BADALL, Appellant

V.

**RUKMIN DURGAPERSAD, SUSAN DURGAPERSAD, RESHMA
DURGAPERSAD AND REKHA DURGAPERSAD, Appellees**

**On Appeal from the 75th District Court
Liberty County, Texas
Trial Cause No. CV70552**

MEMORANDUM OPINION

Chrisondath Badall filed a notice of appeal from an order denying a motion for summary judgment. We questioned our jurisdiction over the appeal and instructed the parties to file written responses by January 21, 2011. Appellant did not file a response.

Claims remain unresolved in the trial court. Thus, the trial court's order is not appealable as a final judgment. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). Although we gave notice that the appeal was subject to dismissal, Badall failed to file a response that showed grounds for continuing the appeal. *See Tex. R. App.*

P. 42.3. Badall supplied no authority that supports the exercise of appellate jurisdiction at this time. Accordingly, we dismiss the appeal for lack of jurisdiction.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Opinion Delivered February 3, 2011
Before McKeithen, C.J., Gaultney and Horton, JJ.