

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-11-00192-CV**

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**IN THE INTEREST OF S.D.**

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**On Appeal from the 410th District Court**  
**Montgomery County, Texas**  
**Trial Cause No. 11-03-03378-CV**

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**MEMORANDUM OPINION**

The parents of S.D. filed a notice of appeal from an Order In Aid Of Investigation Of Child Abuse Or Neglect. We questioned our jurisdiction over the appeal and instructed the parties to file written responses by May 20, 2011. Appellants filed a response that explained that they were proceeding *pro se* and are unfamiliar with the legal system.

Temporary orders under the Family Code are not immediately appealable. *See* Tex. Fam. Code Ann. § 105.001(e) (West 2008); *see In re Tex. Dep't of Family & Protective Servs.*, 255 S.W.3d 613, 615 (Tex. 2008) (describing order entered pursuant to Section 261.303 of the Family Code as a temporary order). Relief from a temporary order

in a case filed under the Family Code may be available through mandamus. *See In re Derzapf*, 219 S.W.3d 327, 335 (Tex. 2007); *Dancy v. Daggett*, 815 S.W.2d 548, 549 (Tex. 1991). Although we gave notice that the appeal was subject to dismissal, appellants failed to file a response that showed grounds for continuing the appeal. *See* Tex. R. App. P. 42.3. Appellants supplied no authority that supports the exercise of appellate jurisdiction at this time. Accordingly, we dismiss the appeal for lack of jurisdiction.

APPEAL DISMISSED.

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DAVID GAULTNEY  
Justice

Opinion Delivered June 30, 2011

Before Gaultney, Kreger, and Horton, JJ.