

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

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**NO. 09-16-00092-CV**

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**ALLEN F. CALTON, Appellant**

**V.**

**G. EKEKE, Appellee**

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**On Appeal from the 58th District Court**  
**Jefferson County, Texas**  
**Trial Cause No. A-198,064**

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**MEMORANDUM OPINION**

Appellant Allen F. Calton filed a notice of appeal of the trial court’s denial of his “Motion for Preliminary Injunction.” The clerk’s record demonstrates that the initial relief requested was a temporary restraining order pending subsequent hearings on a temporary injunction and permanent mandatory injunctive relief, and the trial court treated the motion as an application for a temporary restraining order. On April 6, 2016, we notified Calton that his appeal was subject to dismissal because the notice of appeal neither stated that a final order had been signed nor

identified an interlocutory order for which an appeal was available. In his response, Calton concedes he is appealing the denial of a temporary restraining order, but he argues the appeal may proceed as an appeal from the denial of a temporary injunction.

A temporary restraining order directs the conduct of a party pending imminent disposition of a request for a temporary injunction. *See In re Tex. Nat. Res. Conservation Comm'n*, 85 S.W.3d 201, 205 (Tex. 2002). An interlocutory order on an application for a temporary restraining order is generally not an appealable order. *Rakowitz v. Bexar Cty. Sheriffs Dep't*, No. 04-13-00093-CV, 2013 WL 2446725, at \*1 (Tex. App—San Antonio June 5, 2013, no pet.) (mem. op.). Calton's response does not show grounds for continuing the appeal. This appeal is, therefore, dismissed for want of jurisdiction. *See Tex. R. App. P. 42.3(a)*.

APPEAL DISMISSED.

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CHARLES KREGER  
Justice

Submitted on May 11, 2016  
Opinion Delivered May 12, 2016

Before McKeithen, C.J., Kreger and Johnson, JJ.