

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00231-CV

IN RE COMMITMENT OF ISRAEL ESCOBAR

On Appeal from the 435th District Court
Montgomery County, Texas
Trial Cause No. 06-10-09712-CV

MEMORANDUM OPINION

On June 23, 2016, Israel Escobar filed a notice of appeal and a motion for extension of time concerning orders the trial court signed in a sexually violent predator commitment case. We questioned our jurisdiction and the parties filed responses. After considering the parties' responses, we dismiss the appeal for lack of jurisdiction.

On May 9, 2016, the trial court signed an order sustaining the State's objection to an oral hearing, an order granting the State's motion to reconsider whether Escobar would be personally present for a biennial review hearing, and a

biennial review order that required Escobar to remain civilly committed pursuant to an order of civil commitment signed on May 31, 2007. The State contends the orders are interlocutory and no accelerated appeal is provided by statute. *See In re Commitment of Richards*, 395 S.W.3d 905, 910 (Tex. App.—Beaumont 2013, pet. denied). Escobar concedes that the orders from which Escobar seeks to appeal do not arise from a hearing after a trial on the merits, and we note that the orders lack any language that the trial court intended the orders to be final. *See id.* We conclude that the orders at issue are not appealable at this time. *Id.* Accordingly, the appeal is dismissed. The motion for extension of time to file a notice of appeal is denied as moot.

APPEAL DISMISSED.

LEANNE JOHNSON
Justice

Submitted on July 27, 2016
Opinion Delivered July 28, 2016

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