

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

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**NO. 09-17-00090-CV**

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**\$12,370.00 U.S. CURRENCY AND ASSORTED PROPERTY (DESTINY  
DAWNSHEREE BATISTE), Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 172nd District Court  
Jefferson County, Texas  
Trial Cause No. E-198,429**

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**MEMORANDUM OPINION**

On March 28, 2017, appellant Destiny DawnSheree Batiste filed a notice of appeal from the trial court's order denying her motion to dismiss the case for lack of jurisdiction. Appellee filed a motion to dismiss the appeal for lack of jurisdiction, arguing that the trial court's order was not a final judgment because it did not dispose of all of the live claims before the trial court.

“[W]hen there has not been a conventional trial on the merits, an order or judgment is not final for purposes of appeal unless it actually disposes of every pending claim and party or unless it clearly and unequivocally states that it finally disposes of all claims and all parties.” *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 205 (Tex. 2001). The trial court lacks jurisdiction over an interlocutory order unless a statute provides for an appeal. *SJ Med. Ctr., L.L.C. v. Estahbanati*, 418 S.W.3d 867, 871 (Tex. App.—Houston [14th Dist.] 2013, no pet.). According to the record, the trial court did not sign the order after a conventional trial on the merits, and the record does not clearly indicate that the trial court intended the order to dispose of the entire case. *See id.* The record indicates that the order is interlocutory. We conclude that the trial court’s order of March 21, 2017, is an interlocutory order. Therefore, we grant the motion and dismiss the appeal for lack of jurisdiction.

APPEAL DISMISSED.

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STEVE McKEITHEN  
Chief Justice

Submitted on May 31, 2017  
Opinion Delivered June 1, 2017

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