



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 2-08-288-CV

THE ESTATE OF JOHN AROON
SOOKMA, DECEASED

FROM PROBATE COURT NO. 1 OF TARRANT COUNTY

MEMORANDUM OPINION¹

Appellant Julia A. Sookma attempts to appeal from the trial court's orders signed on January 8, 2008; January 17, 2008; February 1, 2008; and February 5, 2008. According to the trial court clerk, the trial court did not sign any orders on January 17, 2008 or February 5, 2008. The trial court's January 8 and February 1 orders authorized the county clerk to invest disputed funds on deposit with the county clerk in interest-bearing accounts and thus do not appear to be final appealable orders. *See* TEX. PROB. CODE ANN. § 5(g) (Vernon Supp. 2008); *Crowson v. Wakeham*, 897 S.W.2d 779, 783 (Tex. 1995)

¹  *See* TEX. R. APP. P. 47.4.

(stating that if there is an express statute declaring the phase of the probate proceedings to be final and appealable, that statute controls; otherwise, if there is a proceeding of which the order may logically be considered a part, but one or more pleadings also part of that proceeding raise issues or parties not disposed of, then the probate order is interlocutory).

On July 11, 2008, we notified Sookma of our concern that we lacked jurisdiction over this appeal and stated that we would dismiss the appeal unless Sookma or any party desiring to continue the appeal filed on or before July 21, 2008 a response showing grounds for continuing the appeal. *See* TEX. R. APP. P. 42.3. We received no response.

Accordingly, because the trial court's January 8 and February 1 orders are not final, appealable orders, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a), 43.2(f).

PER CURIAM

PANEL: WALKER, GARDNER, and MCCOY, JJ.

DELIVERED: August 7, 2008