



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

**NO. 02-17-00070-CV**

EX PARTE M.B.

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FROM THE 355TH DISTRICT COURT OF HOOD COUNTY  
TRIAL COURT NO. C2016374

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**MEMORANDUM OPINION<sup>1</sup>**

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On February 27, 2017, we received a docketing statement from Appellant M.B., which we treated as a notice of appeal.<sup>2</sup> After we received the clerk's record, we noted that Appellant was attempting to appeal from the trial court's

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<sup>1</sup>See Tex. R. App. P. 47.4.

<sup>2</sup>In the docketing statement, Appellant noted that he had mailed a notice of appeal to the trial court clerk "about 3 or 4 weeks ago"; however, the trial court clerk informed this court that she had not received a notice of appeal in this case. Because we are holding that Appellant is attempting to appeal a nonappealable interlocutory order, the timeliness of his notice of appeal is mooted.

January 13, 2017 order denying a hearing on his “Motion for Bench Warrant or in the Alternative Motion for Hearing by Conference Call.” On May 16, 2017, we sent a letter to Appellant, expressing our concern that we may not have jurisdiction over this appeal because it does not appear to be from a final judgment or appealable interlocutory order. See *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (explaining that “the general rule, with a few mostly statutory exceptions, is that an appeal may be taken only from a final judgment”). We stated that unless Appellant or any party desiring to continue the appeal filed a response showing grounds for continuing the appeal by May 26, 2017, the appeal could be dismissed for want of jurisdiction. See Tex. R. App. P. 42.3(a), 44.3. Appellant filed a response, which does not show grounds for continuing the appeal. Accordingly, we dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2(f).

PER CURIAM

PANEL: WALKER, MEIER, and GABRIEL, JJ.

DELIVERED: June 29, 2017