



IN THE
TENTH COURT OF APPEALS

No. 10-10-00192-CV

WILLIE SMITH,

Appellant

v.

**MIDFIRST BANK, ETC ETC,
JUSTICE OF THE PEACE PRECINCT 1, PLACE 1, ETC.,
Appellees**

**From the 40th District Court
Ellis County, Texas
Trial Court No. 80726**

MEMORANDUM OPINION

Appellant Willie Smith is appealing the trial court's denial of a temporary restraining order. A court of appeals generally does not have jurisdiction of an appeal from a denial of a temporary restraining order. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.014 (Vernon 2008) (listing appealable interlocutory orders); *McCullough v. Devon Energy Prod. Co., L.P.*, No. 10-08-00005-CV, 2008 WL 2930602 (Tex. App.—Waco July 30, 2008, pet. dismissed w.o.j.) (dismissing appeal of temporary restraining order because it is generally not appealable) (citing *In re Nat. Resources Conservation Comm'n*, 85 S.W.3d

201, 205 (Tex. 2002)).

We notified Appellant that his appeal might be dismissed for want of jurisdiction unless he filed a response within 21 days showing grounds for continuing the appeal.

Appellant has not responded. This appeal is dismissed for want of jurisdiction.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Dismissed

Opinion delivered and filed June 30, 2010

[CV06]