

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-01-00725-CV

Charles W. Bishop II, Appellant

v.

**Margo Frasier, Sheriff of Travis County; and Woody Simmons,
Director of Inmate Health Services, Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 98TH JUDICIAL DISTRICT
NO. GN103562, HONORABLE JOHN K. DIETZ, JUDGE PRESIDING**

Appellant Charles Bishop, an inmate proceeding *pro se* and *in forma pauperis*, filed a notice of appeal on December 3, 2001. After reviewing the clerk's record, this Court questioned whether it had jurisdiction over the dismissal order about which appellant complains. It appeared from the record that claims against other defendants remained pending and the trial court had not rendered a severance addressing the other defendants and claims. Because the complained-of order appeared to not be a final appealable order, on January 28, 2002, the clerk's office sent a letter to the parties requesting that appellant explain to the Court why the appeal should not be dismissed for lack of jurisdiction. The letter requested that appellant respond by February 15, 2002, showing grounds for continuing the appeal. *See* Tex. R. App. P. 42.3. The clerk's office has received no response from appellant.

As appellant has not responded as directed and as the record does not contain a final appealable order, the appeal is dismissed for lack of jurisdiction. Tex. R. App. P. 42.3(a), (c).

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Lee Yeakel, Justice

Before Chief Justice Aboussie, Justices B. A. Smith and Yeakel

Dismissed for Want of Jurisdiction

Filed: March 21, 2002

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