

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

=====  
**NO. 03-05-00713-CV**  
=====

**Barry C. Dockery, Appellant**

**v.**

**State of Texas, Appellee**

=====  
**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 126TH JUDICIAL DISTRICT  
NO. FM204655, HONORABLE W. JEANNE MEURER, JUDGE PRESIDING**  
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**MEMORANDUM OPINION**

Because the clerk's record does not contain a final judgment from the trial court's hearing on September 14, 2005, and the trial court's decision is not final and appealable, this Court is without jurisdiction. In the absence of a final judgment or otherwise appealable order, we may not exercise appellate jurisdiction. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001).

Accordingly, we dismiss this appeal for lack of jurisdiction.

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Jan P. Patterson, Justice

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Before Chief Justice Law, Justices Patterson and Pemberton

Dismissed for Want of Jurisdiction

Filed: May 19, 2006