

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-15-00542-CV

Blaine Martin Standiford and Sheryl Elizabeth Standiford, Appellants

v.

CitiMortgage, Inc., Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF TRAVIS COUNTY,
NO. C-1-CV-15-002447, HONORABLE ERIC SHEPHERD, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellants Blaine Martin Standiford and Sheryl Elizabeth Standiford filed a motion seeking review of the county court’s order setting supersedeas bond. *See* Tex. R. App. P 24.4 We dismiss the motion for lack of jurisdiction.

“A party may seek review of a trial court’s ruling [on a supersedeas bond] by motion filed in the court of appeals with jurisdiction or potential jurisdiction *over the appeal from the judgment in the case.*” *Id.* R. 24.4(a) (emphasis added). Thus, the rules provide for review of the trial court’s ruling on the bond as part of the appeal from the final judgment in the case. *See Transcontinental Realty Investors, Inc. v. Orix Capital Mkts. LLC*, ___ S.W.3d ___, No. 05-15-00435-CV, 2015 Tex. App. LEXIS 8015, at *6-7 (Tex. App.—Dallas July 30, 2015, no pet h.); *Gailey v. Gutierrez*, No. 01-12-00491-CV, 2013 Tex. App. LEXIS 179, at *2 (Tex. App.—Houston [1st Dist.] Jan. 10, 2013, no pet.) (mem. op.) (per curiam). Rule 24.4

does not provide an independent basis for jurisdiction. *See Transcontinental Realty*, 2015 Tex. App. LEXIS 8015, at *7.

The record before us in this matter indicates that the county court signed a judgment on July 7, 2015. Appellants have not appealed this judgment. Because there is not a pending appeal from the judgment in this case, we do not have jurisdiction to review the county court's order setting supersedeas bond. *See Transcontinental Realty*, 2015 Tex. App. LEXIS 8015, at *7; *Gailey*, 2013 Tex. App. LEXIS 179, at *2. Accordingly, we dismiss the motion for lack of jurisdiction.

Melissa Goodwin, Justice

Before Justices Puryear, Goodwin, and Bourland

Dismissed for Want of Jurisdiction

Filed: August 28, 2015