

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-16-00652-CV

Stephan Ricks, Appellant

v.

Veronica Dorsey, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 419TH JUDICIAL DISTRICT
NO. D-1-GN-16-004197, HONORABLE GUS J. STRAUSS JR., JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Stephan Ricks filed a notice of appeal challenging the district court's denial of his petition for writ of mandamus. However, the district court clerk informed this Court that no order was signed, and Ricks has not provided any order reflecting the district court's ruling. Without a final judgment or otherwise appealable order, we may not exercise appellate jurisdiction. *See* Tex. Civ. Prac. & Rem. Code § 51.014; *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001).

On November 2, 2016, this Court requested that Ricks file a response demonstrating our jurisdiction over his appeal. Ricks's response states that he filed a motion for reconsideration of the mandamus ruling and that a different district court judge denied the motion to reconsider on October 13, 2016. Ricks attached a copy of an order signed on October 13, 2016 directing a

court reporter to provide Ricks with a copy of an audio recording of a hearing.¹ But Ricks has not provided the written order from which he appeals. *See* Tex. Civ. Prac. & Rem. Code § 51.014; *see also McIntyre v. Lexis Nexis*, No. 05-11-00809-CV, 2011 Tex. App. LEXIS 8402, at *2-3 (Tex. App.—Dallas Oct. 21, 2011, no pet.) (mem. op.) (dismissing appeal for want of jurisdiction because appellant failed to provide written order reflecting court’s ruling and “[a] record of the court’s ruling by the court reporter is not an acceptable substitute for a written order”).

We dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a).

Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Goodwin and Bourland

Dismissed for Want of Jurisdiction

Filed: November 18, 2016

¹ Presumably, this is a recording from the hearing on Ricks’s motion to reconsider, but the order does not specify what the recording contains or when it was to be delivered to Ricks.