

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

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**NO. 03-17-00500-CV**

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**Solomon Lemuel Perry, Appellant**

**v.**

**New Penn Financial; Austin Police Department; Constable Precinct 5;  
Bharath Vasudevan; and Hill Country Property Management, Appellees**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 250TH JUDICIAL DISTRICT  
NO. D-1-GN-17-002498, HONORABLE TIM SULAK, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Solomon Lemuel Perry has filed a pro se notice of appeal from an order granting a temporary restraining order signed by the district court on July 17, 2017. On August 17, 2017, this Court requested appellant to inform it of the basis on which this Court may exercise jurisdiction over the appeal. The Court requested that appellant respond by August 28, 2017, and appellant was warned that a failure to respond would result in the dismissal of this appeal.<sup>1</sup> As of this date, the Court has received no response from appellant.

Generally, appellate courts have jurisdiction over appeals taken from final judgments and interlocutory orders the Texas Legislature has deemed appealable.<sup>2</sup> A judgment is final if it

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<sup>1</sup> See Tex. R. App. P. 42.3(a), (c).

<sup>2</sup> *City of Watauga v. Gordon*, 434 S.W.3d 586, 588 (Tex. 2014); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001).

finally disposes of all remaining parties and claims based on the record of the case.<sup>3</sup> A temporary restraining order, however, is generally not an appealable judgment.<sup>4</sup> No statute authorizes litigants to take an interlocutory appeal from an order granting or denying a temporary restraining order.<sup>5</sup> After a thorough review of the record, we find no basis for exercising jurisdiction. Accordingly, we dismiss the appeal.<sup>6</sup>

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Bob Pemberton, Justice

Before Chief Justice Rose, Justices Pemberton and Goodwin

Dismissed for Want of Jurisdiction

Filed: November 2, 2017

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<sup>3</sup> *Lehmann*, 39 S.W.3d at 200.

<sup>4</sup> *In re Office of Attorney Gen.*, 257 S.W.3d 695, 698 (Tex. 2008) (orig. proceeding); *In re Texas Nat. Res. Conservation Comm'n*, 85 S.W.3d 201, 205 (Tex. 2002) (orig. proceeding).

<sup>5</sup> See Tex. Civ. Prac. & Rem. Code § 51.014 (listing appealable interlocutory orders).

<sup>6</sup> See Tex. R. App. P. 42.3(a), (c).