

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-22-00243-CV

Author Manning II, Appellant

v.

Merrill Lynch, Appellee

**FROM THE 345TH DISTRICT COURT OF TRAVIS COUNTY
NO. D-1-GN-21-002691, THE HONORABLE JAN SOIFER, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Author Manning II has filed a notice of appeal seeking review of the denial of his “motion to dismiss,” which Manning filed in his suit against appellee Merrill Lynch.

On July 28, 2022, the Clerk of this Court sent a letter to Manning informing him that it appeared that this Court lacked jurisdiction over this matter because this Court’s jurisdiction is limited to appeals in which there exists a final and appealable judgment or order that has been signed the trial court. *See* Tex. Civ. Prac. & Rem. Code § 51.014(a) (appeal from interlocutory order); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (“[T]he general rule, with a few mostly statutory exceptions, is that an appeal may be taken only from a final judgment.”); *see also* Tex. R. App. P. 23.1 (notice of appeal deadline calculated from date judgment or order is signed). Although Manning timely responded to the Court’s letter, he failed

to address the issue of whether the appeal was from a final and appealable judgment or order.

Accordingly, we dismiss this cause for want of jurisdiction. *See* Tex. R. App. P. 43.2(f).

Chari L. Kelly, Justice

Before Justices Goodwin, Baker, and Kelly

Dismissed for Want of Jurisdiction

Filed: August 26, 2022