



NUMBER 13-16-00444-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

EUGENIO E. MARTINEZ,

Appellant,

v.

DIANA G. ORDONEZ, ET AL.,

Appellees.

**On appeal from the Small Claims Court, Precinct 1
of DeWitt County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Benavides
Memorandum Opinion Per Curiam**

Appellant, Eugenio E. Martinez, attempted to perfect an appeal from a dismissal of Cause No. SC15-0026 entered by the small claims court, Precinct 1 Cuero, County of De Witt, Texas. Upon review of the documents before the Court, it appeared there was no final, appealable order. On August 10, 2016, the Clerk of this Court notified appellant of this defect so that steps could be taken to correct the defect, if it could be done. See

TEX. R. APP. P. 37.1, 42.3. Appellant was advised that, if the defect was not corrected within ten days from the date of receipt of the notice, the appeal would be dismissed for want of jurisdiction. Appellant failed to respond to the Court's notice.

In terms of appellate jurisdiction, appellate courts only have jurisdiction to review final judgments and certain interlocutory orders identified by statute. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). In a civil case, an appeal to the Court of Appeals may be taken "from a final judgment of the district or county court." See TEX. CIV. PRAC. & REM. CODE ANN. §51.012 (West, Westlaw through 2013 3d C.S.).

The Court, having considered the documents on file and appellant's failure to correct the defect in this matter, is of the opinion that the appeal should be dismissed for want of jurisdiction. Accordingly, the appeal is DISMISSED FOR WANT OF JURISDICTION. See TEX. R. APP. P. 42.3(a),(c).

PER CURIAM

Delivered and filed the
22nd day of September, 2016.