



**NUMBER 13-19-00515-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**DANIEL CAMPOS AND IVONNE C. MUNOZ,**

**Appellants,**

**v.**

**JAIME GARZA ELIZONDO AND MARIA DE  
LOURDES MONTEMAYOR SALINAS,**

**Appellees.**

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**On appeal from the 398th District Court  
of Hidalgo County, Texas.**

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**MEMORANDUM OPINION**

**Before Chief Justice Contreras and Justices Hinojosa and Tijerina  
Memorandum Opinion by Justice Hinojosa**

Appellants, Daniel Campos and Ivonne C. Munoz, attempted to perfect an appeal from an order signed on September 17, 2019 granting partial summary judgment on appellees' cause of action for trespass to try title. Upon review of the documents before the Court, it appeared that there was no final, appealable judgment. On November 14,

2019, the Clerk of this Court notified appellants 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. Appellants were 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. Appellants failed to respond to the Court's notice. On November 14, 2019, appellees filed a motion to dismiss the appeal for lack of jurisdiction on grounds there is no final judgment because there is a pending, unresolved counter claim.

Upon review of the documents before the Court, it appears that the order from which this appeal was taken was not a final, appealable order. 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).

The Court, having considered the clerk's record, appellees' motion to dismiss, 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, we GRANT appellees' motion to dismiss. The appeal is DISMISSED FOR WANT OF JURISDICTION. See TEX. R. APP. P. 42.3(a), (c).

LETICIA HINOJOSA  
Justice

Delivered and filed the  
5th day of December, 2019.