

NO. 12-17-00112-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

**LARRY JOHNSON,
APPELLANT**

§ **APPEAL FROM THE 7TH**

V.

§ **JUDICIAL DISTRICT COURT**

**JAMES W. VOLBERDING,
APPELLEE**

§ **SMITH COUNTY, TEXAS**

**MEMORANDUM OPINION
PER CURIAM**

Larry Johnson, acting pro se, attempts to appeal from the trial court's order denying his Rule 215 motion to impose sanctions on James W. Volberding. On April 10, 2017, this Court notified Johnson that his notice of appeal failed to show the jurisdiction of the Court, namely, the order being appealed is not an appealable order. *See* TEX. R. APP. P. 37.2. We further notified Johnson that his appeal would be dismissed unless the information was amended on or before May 10, 2017 to show the jurisdiction of this Court. *See* TEX. R. APP. P. 37.2, 42.3, 44.3.

Johnson responded to our letter, stating that there exists subject matter jurisdiction, in personam jurisdiction, and geographical jurisdiction. However, unless one of the sources of our authority specifically authorizes an interlocutory appeal, we only have jurisdiction over an appeal taken from a final judgment. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). The order denying Johnson's motion for sanctions is not a final judgment or appealable interlocutory order. *See Manning v. Enbridge Pipelines, L.P.*, 345 S.W.3d 718, 729 (Tex. App.—Beaumont 2011, pet. denied); *see also Byrd v. Byrd*, No. 02-07-00404-CV, 2008 WL 204511, at *1 (Tex. App.—Fort Worth Jan. 24, 2008, no pet.) (mem. op.); TEX. CIV. PRAC. &

REM. CODE ANN. § 51.014 (West Supp. 2016). Accordingly, we *dismiss* this appeal for *want of jurisdiction*. See TEX. R. APP. P. 42.3(a).

Opinion delivered May 24, 2017.

Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

MAY 24, 2017

NO. 12-17-00112-CV

LARRY JOHNSON,
Appellant
V.
JAMES W. VOLBERDING,
Appellee

Appeal from the 7th District Court
of Smith County, Texas (Tr.Ct.No. 16-1452-A)

THIS CAUSE came on to be heard on the appellate record, and the same being considered, it is the opinion of this Court that it is without jurisdiction of the appeal, and that the appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this Court that this appeal be, and the same is, hereby **dismissed for want of jurisdiction**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.
Panel consisted of Worthen, C.J., Hoyle, J. and Neeley, J.