

FOURTH COURT OF APPEALS OF TEXAS

In the Interest of J.O.H., R.F.B., H.R., J.J.R., and M.L.D.L., Children

No. 04-20-00135-CV · No. 04-20-00135-CV · Decided April 29, 2020

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas MEMORANDUM OPINION No. 04-20-00135-CV IN THE INTEREST OF J.O.H., R.F.B., H.R., J.J.R., and M.L.D.L., Children From the 131st Judicial District Court, Bexar County, Texas Trial Court No. 2019-PA-00260 Honorable Charles E. Montemayor, Judge Presiding PER CURIAM Sitting: Patricia O. Alvarez, Justice Luz Elena D. Chapa, Justice Irene Rios, Justice Delivered and Filed: April 29, 2020 DISMISSED FOR WANT OF JURISDICTION On February 27, 2020, the trial court signed an interlocutory order terminating Appellant's rights to her children.

On March 3, 2020, Appellant Mom 1 filed a notice of appeal. The Texas Family Code authorizes appeal of a final order terminating a parent's rights to their child in accordance with "the procedures for accelerated appeals in civil cases under the Texas Rules of Appellate Procedure." TEX. FAM. CODE ANN. § 263.405(a); accord *In re D.M.B.*, 467 S.W.3d 100, 102 (Tex.

App.—San Antonio 2015, pet. denied). Generally, "an appeal may be taken only from a final judgment. A judgment is final for purposes of appeal if it disposes of all pending parties and claims in the record, except as necessary to carry out the decree." *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). 1 We use aliases for Appellant and the children.

See TEX. FAM. CODE ANN. § 109.002(d); TEX. R. APP. P. 9.8(b). 04-20-00135-CV On March 19, 2020, we advised Appellant that "[t]here is no provision for interlocutory appeal of an order denying a termination petition; we do not have jurisdiction over such interlocutory orders." In re C.M., No. 01-15-00830-CV, 2016 WL 1054589, at *5 (Tex. App.—Houston [1st Dist.]

Mar. 17, 2016, no pet.) (mem. op.) (citing TEX. CIV. PRAC. & REM. CODE ANN. § 51.014). We ordered Appellant to show cause in writing by March 30, 2020, why this appeal should not be dismissed for want of jurisdiction. See TEX. R. APP. P. 42.3(a).

We warned Appellant that if she did not timely file written proof as ordered, this appeal would be dismissed without further notice. See *id.* To date, Appellant has not filed any response to our March 19, 2020 order.

Because the trial court's February 27, 2020 order is not a final, appealable order, we dismiss this appeal for want of jurisdiction. PER CURIAM -2-

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/texas-fourth-court-of-appeals-of-texas/2020/in-the-interest-of-j-o-h-r-f-b-h-r-j-j-r-and-m-l-d-l-5yj5rhvg>