

**COURT OF APPEALS OF TEXAS, SECOND DISTRICT OF TEXAS, FORT
WORTH**

The Estate of John Aroon Sookma, Deceased

No. 2-08-288-CV · No. No. 2-08-288-CV · Decided August 7, 2008

SUMMARY

The Texas Court of Appeals for the Second District dismissed Julia A. Sookma's appeal for want of jurisdiction. The trial court orders concerning investment of disputed probate funds were not final, appealable orders, and no response was filed after the court notified the parties of its jurisdictional concern.

OPINION

PER CURIAM.

COURT OF APPEALS SECOND DISTRICT OF TEXAS FORT WORTH NO. 2-08-288-CV
THE ESTATE OF JOHN AROON SOOKMA, DECEASED FROM PROBATE COURT NO. 1
OF TARRANT COUNTY MEMORANDUM OPINION 1 Appellant Julia A. Sookma attempts to
appeal from the trial court's orders signed on January 8, 2008; January 17, 2008; February 1,
2008; and February 5, 2008. According to the trial court clerk, the trial court did not sign any
orders on January 17, 2008 or February 5, 2008.

The trial court's January 8 and February 1 orders authorized the county clerk to invest disputed
funds on deposit with the county clerk in interest-bearing accounts and thus do not appear to be
final appealable orders. See T EX. P ROB. C ODE A NN. § 5(g) (Vernon Supp. 2008); Crowson v.
Wakeham, 897 S.W.2d 779, 783 (Tex. 1995) 1 ... See T EX. R. A PP. P. 47.4. (stating that if there
is an express statute declaring the phase of the probate proceedings to be final and appealable, that
statute controls; otherwise, if there is a proceeding of which the order may logically be considered
a part, but one or more pleadings also part of that proceeding raise issues or parties not disposed
of, then the probate order is interlocutory).

On July 11, 2008, we notified Sookma of our concern that we lacked jurisdiction over this appeal
and stated that we would dismiss the appeal unless Sookma or any party desiring to continue the
appeal filed on or before July 21, 2008 a response showing grounds for continuing the appeal. See
T EX. R. A PP. P. 42.3.

We received no response. Accordingly, because the trial court's January 8 and February 1 orders
are not final, appealable orders, we dismiss this appeal for want of jurisdiction. See T EX. R. A PP.

P. 42.3(a), 43.2(f). PER CURIAM PANEL: WALKER, GARDNER, and MCCOY, JJ.
DELIVERED: August 7, 2008 2

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