

Dismissed and Opinion filed March 23, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-00210-CV

DAWNETTE NARDINI, Appellant

V.

**ROBERT TODD WELSH A/K/A TODD WELSH AND CONTINENTAL AIRLINES, INC.,
Appellees**

**On Appeal from the 165th District Court
Harris County, Texas
Trial Court Cause No. 98-41262**

O P I N I O N

This is an attempted appeal from a summary judgment order signed December 10, 1999. Appellant's notice of appeal was filed February 17, 2000.

The summary judgment order signed by the trial court on December 10, 1999, grants summary judgment in favor of appellant Continental Airlines Inc.. This judgment is not final because it neither disposes of all the parties nor contains a Mother Hubbard clause. In her notice of appeal, appellant states the judgment is final because she has filed a notice of nonsuit as to the only remaining party, Robert Todd

Welsh a/k/a Todd Welsh. However, neither our records nor those of the district clerk show that the order of nonsuit has been signed. Appellate timetables do not run from the date a nonsuit is filed; rather, they run from the date the trial court signed an order of dismissal. *See In re Bennett*, 960 S.W.2d 35, 38 (Tex. 1997). Accordingly, there is no final judgment in this case.

On March 2, 2000, notification was transmitted to all parties of the court's intent to dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a). A supplemental clerk's record was filed on March 13, 2000, but it does not contain any order relevant to appellant's nonsuit. Appellant filed no response.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed on March 23, 2000.

Panel consists of Justices Amidei, Anderson, and Frost.

Do Not Publish — *See* TEX. R. APP. P. 47.3(b).