

**Dismissed and Opinion filed July 13, 2000.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-00-00670-CV**  
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**JOSE F. GONZALEZ, ALMA GONZALEZ and  
POLO'S AUTO SALES, Appellants**

**V.**

**CITY OF HOUSTON, Appellee**

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**On Appeal from the 133rd District Court  
Harris County, Texas  
Trial Court Cause No. 99-43247**

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**OPINION**

This is an attempted appeal from an order granting in part appellee's motion for summary judgment, signed February 14, 2000. Appellants filed a motion for new trial on March 13, 2000. Appellants' notice of appeal was filed May 2, 2000.

The clerk's record was filed on June 12, 2000. The record before this Court does not contain a final judgment. Specifically, the record does not contain an order of non-suit or severance as to the remaining claims which were not disposed of by the partial summary

judgment. In order to be a final, appealable summary judgment, the order granting the motion must dispose of all parties and all issues before the court. *See Mafrige v. Ross*, 866 S.W.2d 590, 592 (Tex. 1993). The partial summary judgment order does not contain a “Mother Hubbard” clause or other indicia of finality. *Id.* at 592.

On June 20, 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). On July 3, 2000, appellant filed a response to the Court’s notice stating that they do not oppose the Court’s motion to dismiss the appeal for want of jurisdiction.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed July 13, 2000.

Panel consists of Chief Justice Murphy, Justices Hudson and Wittig.

Do Not Publish — TEX.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