



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-20-00006-CV

IN THE INTEREST OF W.G.H. AND M.P.H., CHILDREN

On Appeal from the County Court at Law
Anderson County, Texas
Trial Court No. CCL-19-16364

Before Morriss, C.J., Burgess and Stevens, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

Laura Annette Jones has filed a notice of appeal, attempting to appeal the trial court's December 31, 2019, order granting appellee Wesley Frank Hart's petition for bill of review.¹ The trial court's December 31, 2019, order does not appear to be a final order. As the Tyler Court of Appeals has stated,

It is settled that in a suit brought by bill of review, the court must try and determine not only the question of whether the judgment may be reopened, but also the issues presented in the original action, and that an order which merely vacates the former judgment without disposing of the merits of the controversy between the parties is not a final judgment from which an appeal will lie.

Crook v. Williams, 526 S.W.2d 547, 547 (Tex. App.—Tyler 1975, no pet.); *see also Quintero v. Quintero*, No. 12-03-00261-CV, 2004 WL 2158022 (Tex. App.—Tyler Sept. 22, 2004, no pet.) (mem. op.) (“A bill of review that sets said case on the merits is interlocutory and not appealable.”)

Our jurisdiction, as an appellate court, is constitutional and statutory in nature. *See* TEX. CONST. art. V, § 6; TEX. GOV'T CODE ANN. § 22.220 (Supp.). Unless we are given specific authority over an appeal from a particular type of order, we have jurisdiction only over timely appeals from final judgments. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001).

By letter dated May 1, 2020, we informed Jones of this potential defect in our jurisdiction and afforded her the opportunity to demonstrate proper grounds for our retention of the appeal. Jones did not file a response to our letter.

¹Originally appealed to the Twelfth Court of Appeals in Tyler, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. *See* TEX. GOV'T CODE ANN. § 73.001. We are unaware of any conflict between precedent of the Twelfth Court of Appeals and that of this Court on any relevant issue. *See* TEX. R. APP. P. 41.3.

In light of the foregoing, we dismiss this appeal for want of jurisdiction.

Josh R. Morriss, III
Chief Justice

Date Submitted: June 17, 2020
Date Decided: June 18, 2020