

Dismissed and Opinion filed September 28, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-01090-CV

ST. SAMEUL RANGEL, Appellant

V.

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE—INSTITUTIONAL DIVISION, ET
AL., Appellees**

**On Appeal from the 12th District Court
Walker County, Texas
Trial Court Cause No. 19,402**

OPINION

This is an attempted appeal from an order dismissing appellant's suit. Appellant's notice of appeal was filed August 21, 2000, and states appellant is appealing "the order dismissing this cause of action entered on this 21st day of August, 2000." The clerk's record was filed on September 1, 2000. The record filed with this court does not contain an order of dismissal signed August 21, 2000. The record does contain an order dismissing the case for want of prosecution on June 24, 1999. On July 2, 1999, appellant filed a motion to reinstate. It appears from a docket entry in the record that the trial court denied the motion to reinstate.

A trial court's notation on a docket sheet does not constitute a signed order. *See Grant v. American Nat. Ins. Co.*, 808 S.W.2d 181, 184 (Tex. App.—Houston [14th Dist.] 1991, no writ).

An appeal from an order dismissing a cause for want of prosecution is taken from the order of dismissal, not from the court's ruling on the motion to reinstate. *See Estate of Bolton v. Coats*, 608 S.W.2d 722, 725 (Tex. Civ. App.—Tyler 1980, writ ref'd n.r.e.). A motion to reinstate is analogous to a motion for new trial. *See Hosey v. County of Victoria*, 832 S.W.2d 701, 703 (Tex. App.—Corpus Christi 1992, no writ). Thus, the time for perfecting this appeal ran from the signing of the order of dismissal. *See id.* at 704.

Appellant did not appeal from the dismissal order signed June 24, 1999. We find no order of dismissal signed on August 21, 2000. Therefore, we are without jurisdiction to consider this appeal.

On September 8, 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). Appellant filed no response.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed September 28, 2000.

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

Do Not Publish — TEX.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