

NOT DESIGNATED FOR PUBLICATION

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

07-48

**FRANK L. MCCALL, JR.
VERSUS
THE CITY OF HARRISONBURG, ET AL.**

**APPEAL FROM THE
SEVENTH JUDICIAL DISTRICT COURT
PARISH OF CATAHOULA, NO. 24,369
HONORABLE LEO BOOTHE, DISTRICT JUDGE**

**GLENN B. GREMILLION
JUDGE**

Court composed of Michael G. Sullivan, Glenn B. Gremillion, and James T. Genovese Judges.

APPEAL DISMISSED.

**Frank L. McCall, Jr.
Winnfield C.C., Elm-B2-36
Post Office Box 1260, Hwy 560
Winnfield, LA 71483-1260
(000) 000-0000
Pro se Plaintiff/Appellant:
Frank L. McCall, Jr.**

GREMILLION, Judge.

This court on its own motion issued a rule for the plaintiff-appellant, Frank L. McCall, Jr., to show cause, by brief only, why the appeal in the above captioned case should not be dismissed as premature. For the reasons which follow, we dismiss the appeal.

The plaintiff filed suit against various parties. The plaintiff filed a motion and order for appeal in the trial court on December 15, 2006. The order of appeal was signed by the trial court on December 19, 2006.

Upon the lodging of the appeal, this court issued, *sua sponte*, a rule for the plaintiff to show cause, by brief only, why the appeal should not be dismissed as having been taken prematurely. A review of the record reveals that no appealable judgment has been rendered in this case. Subsequent to the issuance of this court's rule, the plaintiff filed a brief in this court. The sole argument advanced in the brief is that the trial court has violated the plaintiff's rights by denying him the right to proceed in this litigation as a pauper.

The record clearly shows that the trial court granted the plaintiff pauper status by judgment signed on December 4, 2006. However, even were this court to find that the plaintiff has been denied this status, such a ruling is not appealable as it does not dispose of any merits of the suit, and no law authorizes an appeal from such a ruling. La.Code Civ.P. arts. 1841 and 1911. Accordingly, we hereby dismiss the instant appeal at plaintiff's cost.

APPEAL DISMISSED.