

DISMISS and Opinion Filed October 7, 2019



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-19-00992-CV

KODI MCCUIN, Appellant

V.

VINYARD AT THE RANCH, Appellee

On Appeal from the Justice Court
Dallas County, Texas
Trial Court Cause No. JE-1903335

MEMORANDUM OPINION

Before Justices Bridges, Molberg, and Partida-Kipness
Opinion by Justice Bridges

Appellant attempts to appeal a judgment from a justice court. By letter dated August 26, 2019, the Court questioned its jurisdiction over this appeal and instructed appellant to file, by September 5, 2019, a letter brief addressing the Court's concern. We cautioned appellant that failure to comply may result in dismissal of the appeal without further notice. To date, appellant has not complied.

Appeals from justice courts generally lie either in the county or the district court. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.001(a). Consequently, a justice court judgment cannot be appealed directly to the court of appeals. *See* TEX. GOV'T CODE ANN. § 22.220(a); *Tejas Elevator Co. v. Concord Elevator, Inc.*, 982 S.W.2d 578, 579 (Tex. App.—Dallas 1998, no pet.) (mem.op.).

Because this Court lacks jurisdiction to hear appeals from justice courts, we dismiss this appeal and appellant's pending motion for stay. *See* TEX. R. APP. P. 42.3(a).

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE

190992F.P05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

KODI MCCUIN, Appellant

No. 05-19-00992-CV V.

VINYARD AT THE RANCH, Appellee

On Appeal from the Justice Court, Dallas
County, Texas

Trial Court Cause No. JE-1903335.

Opinion delivered by Justice Bridges.

Justices Molberg and Partida-Kipness
participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee VINYARD AT THE RANCH recover its costs of this appeal from appellant KODI MCCUIN.

Judgment entered October 7, 2019