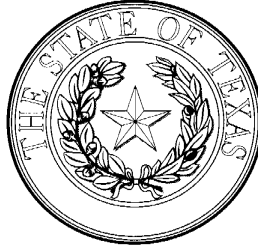


Opinion issued June 22, 2023



In The  
**Court of Appeals**  
For The  
**First District of Texas**

---

NO. 01-21-00673-CV

---

**BRYCE ELLIOTT, Appellant**

**V.**

**ANDREW R. DAVIS AND CARRIE MICHELE CANNON-DAVIS,  
Appellees**

---

---

**On Appeal from the 55th District Court  
Harris County, Texas  
Trial Court Case No. 2020-83028**

---

---

**MEMORANDUM OPINION**

Appellant Bryce Elliott filed a notice of appeal from the trial court's summary judgment. Neither of the trial court's summary-judgment orders disposes of appellee Carrie Michele Cannon-Davis's claim for attorney's fees, and neither order includes finality language. *See, e.g., Lehmann v. Har-Con Corp.*, 39 S.W.3d

191, 206 (Tex. 2001) (“A statement like, ‘This judgment finally disposes of all parties and all claims and is appealable,’ would leave no doubt about the court’s intention.”).

This Court has jurisdiction only over appeals from final judgments and those interlocutory orders specifically authorized by statute. *See CMH Homes v. Perez*, 340 S.W.3d 444, 447–48 (Tex. 2011). “A judgment is final for purposes of appeal if it disposes of all pending parties and claims in the record, except as necessary to carry out the decree.” *Lehmann*, 39 S.W.3d at 195. An order may not constitute a final judgment for these purposes if it fails to resolve a request for attorney’s fees. *E.g., Farm Bureau Cty. Mut. Ins. Co. v. Rogers*, 455 S.W.3d 161, 162 (Tex. 2015) (per curiam).

We notified appellant that the appeal could be dismissed if the appellant did not timely file a response demonstrating this Court’s jurisdiction over the appeal. *See* TEX. R. APP. P. 42.3(a). Appellant did not respond.<sup>1</sup>

---

<sup>1</sup> Counsel for appellee Andrew R. Davis responded with a suggestion of death of Robert Sobel, the attorney representing appellee Carrie Michele Cannon-Davis. Counsel for Bryce Elliott, the only party who filed a notice of appeal, did not respond.

## Conclusion

Because the appealed judgment is not final, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a), 43.2(f).

Peter Kelly  
Justice

Panel consists of Justices Kelly, Farris, and Radack.<sup>2</sup>

---

<sup>2</sup> The Honorable Sherry Radack, Senior Justice, Court of Appeals, First District of Texas at Houston, sitting by assignment.