



In The

Fourteenth Court of Appeals

NO. 14-23-00366-CV

CINDY NICHOLE KROTH AND BENJAMIN J. CORBIN, Appellants

V.

**THE COMMONS OF LAKE HOUSTON PROPERTY OWNERS
ASSOCIATION, INC., Appellee**

**On Appeal from the 127th District Court
Harris County, Texas
Trial Court Cause No. 2022-70631**

MEMORANDUM OPINION

Appellants petition this court to allow a permissive interlocutory appeal of the trial court's May 8, 2023 order granting defendant's traditional motion for partial summary judgment and denying plaintiffs' traditional motion for partial summary judgment.

To be entitled to a permissive appeal from an interlocutory order that would not otherwise be appealable, the requesting party must establish that (1) the order

to be appealed involves a “controlling question of law as to which there is a substantial ground for difference of opinion” and (2) an immediate appeal from the order “may materially advance the ultimate termination of the litigation.” Tex. Civ. Prac. & Rem. Code Ann. § 51.014(d); *see also* Tex. R. App. P. 28.3(a), (e)(4); Tex. R. Civ. P. 168. After reviewing the petition and the record, we conclude that the petition does not meet the requirements for a permissive interlocutory appeal.

Accordingly, we deny the petition for a permissive interlocutory appeal.

PER CURIAM

Panel consists of Justices Wise, Bourliot, and Spain.