



**IN THE
TENTH COURT OF APPEALS**

No. 10-15-00380-CV

KATHY HAIGHT,

Appellant

v.

**TINA LEA HAIGHT, INDIVIDUALLY
& AS INDEPENDENT EXECUTOR OF THE
ESTATE OF GRADY MARTIN HAIGHT, DECEASED,**

Appellees

**From the 40th District Court
Ellis County, Texas
Trial Court No. 90178**

MEMORANDUM OPINION

On September 25, 2015, the trial court granted a motion for traditional summary judgment filed by Appellee Tina Lea Haight, Individually and as Independent Executor of the Estate of Grady Martin Haight, Deceased. The trial court further ordered that Appellant Kathy Haight take nothing by her claims against Tina and that all claims and causes of action filed by Kathy against Tina be “hereby forever dismissed with prejudice.”

Kathy filed a notice of appeal, stating that she desires to appeal the order granting Tina's motion for summary judgment signed on September 25, 2015. Tina filed a motion to dismiss the appeal for want of jurisdiction, explaining that there is still a claim for attorney's fees and expenses pending in the trial court and that the order granting Tina's motion for summary judgment is therefore not a final, appealable order. Kathy has not responded to the motion.

This Court has no jurisdiction to hear an appeal from a judgment that is not final, unless there is specific statutory authority permitting an appeal before final judgment. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.012 (West 2015). None of the exceptions to the rule that only final judgments can be appealed applies in this case. *See id.* § 51.014 (West Supp. 2015) (listing interlocutory judgments that may be appealed before final judgment is rendered in the case). Tina's motion to dismiss the appeal for want of jurisdiction is therefore granted, and this appeal is dismissed for want of jurisdiction. TEX. R. APP. P. 42.3(a).

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Motion granted, appeal dismissed
Opinion delivered and filed December 17, 2015
[CV06]

