



**NUMBER 13-16-00454-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI—EDINBURG**

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**SHAHIN ZARAIENH,**

**Appellant,**

**V.**

**FERNANDO MANCIAS, KATIE KLEIN,  
AND DALE & KLEIN, L.L.P.,**

**Appellees.**

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**On appeal from the 92nd District Court  
of Hidalgo County, Texas.**

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## **MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Contreras and Longoria  
Memorandum Opinion Per Curiam**

Appellant Shahin Zaraienh filed a notice of appeal from several rulings in favor of appellees, Fernando Mancias, Katie Klein, and Dale & Klein, L.L.P. which were placed into a severed cause number. Specifically, Zaraienh appeals (1) the "Order on

Plaintiff/Counter-Defendant Dale & Klein, L.L.P. and Third-Party Defendant Katie Pearson Klein's Joint Traditional and No-Evidence Motion for Summary Judgment on Defendant/Counter-Plaintiff/Third-Party Plaintiff Shahin Zaraienh's Counterclaims and Third-Party Action and Plaintiff/Counter-Defendant Dale & Klein, L.L.P. and Third-Party Defendant Katie Pearson Klein's Objections to Respondent Shahin Zaraienh's Summary Judgment Evidence," signed by the trial court on October 9, 2015; (2) the trial court's ruling on Fernando Mancias's motion for directed verdict entered by the trial court on October 30, 2015; and (3) the trial court's "Order Granting Third-Party Defendant Fernando Mancias's Motion for Severance," signed by the trial court on July 12, 2016. These rulings were originally entered in trial court cause number C-1384-14-A in the 92nd District Court of Hidalgo County, Texas, but were severed into cause number C-1384-14-A(1) by the order of severance at issue in this appeal.

This appeal joins several other matters pending in this Court arising from the original trial court cause number and the severed cause number. See *In re Zaraienh*, No. 13-16-00465-CV, 2018 WL \_\_\_\_\_, at \* \_ (Tex. App.—Corpus Christi June 6, 2018, orig. proceeding) (mem. op., per curiam); *In re Zaraienh*, No. 13-16-00606-CV, 2018 WL \_\_\_\_\_, at \* \_ (Tex. App.—Corpus Christi June 6, 2018, orig. proceeding) (mem. op., per curiam); *Zaraienh v. Dale & Klein L.L.P. et al.*, No. 13-16-00223-CV, 2016 WL 4145967, at \*1 (Tex. App.—Corpus Christi Aug. 4, 2016, no pet.) (mem. op., per curiam). Because of the Court's disposition of the petition for writ of mandamus in our cause number 13-16-00465-CV, the rulings at issue in this appeal are interlocutory.

Generally, appeals may be taken only from final judgments. *City of Watauga v. Gordon*, 434 S.W.3d 586, 588 (Tex. 2014); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). A judgment is final if it disposes of all pending parties and claims.

*Lehmann*, 39 S.W.3d at 195. When a judgment does not dispose of all pending parties and claims, it remains interlocutory and unappealable until a final judgment is rendered. *Bally Total Fitness Corp. v. Jackson*, 53 S.W.3d 352, 352 (Tex. 2001); *Jack B. Anglin Co., Inc. v. Tipps*, 842 S.W.2d 266, 272 (Tex. 1992) (orig. proceeding). Certain statutes provide for interlocutory review. See *City of Watauga*, 434 S.W.3d at 588; see, e.g., TEX. CIV. PRAC. & REM. CODE ANN. § 51.014 (West, Westlaw through 2017 1st C.S.) (listing several interlocutory orders that may be appealed).

The Court, having examined and fully considered the notice of appeal, the record, and the applicable law, is of the opinion that we lack jurisdiction to consider the matters raised here. Accordingly, we dismiss this appeal for want of jurisdiction. See TEX. R. APP. P. 42.3(a). All pending motions are dismissed as moot.

PER CURIAM

Delivered and filed the  
6th day of June, 2018.