



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

JACOB HINOJOS,	§	
	Appellant,	§ No. 08-21-00091-CV
v.	§	Appeal from the
RICHARD D. CHENAUSKY;	§	County Court at Law No. 6
ANTHONY CHENAUSKY; WILLIAM	§	
C. CHENAUSKY; EL PASO AERO INC.;	§	of El Paso County, Texas
JOHN DOE REPRESENTATIVE OF	§	
THE ESTATE; JOHN DOE	§	(TC# 2020DCV2292)
RESPONSIBLE PARTY; and L.D.	§	
SUPPLY COMPANY,	§	
	Appellees.	§

MEMORANDUM OPINION

Jacob Hinojos is appealing from an order granting summary judgment in favor of Appellees Richard D. Chenausky, Anthony Chenausky, William C. Chenausky, and El Paso Aero, Inc. (collectively, the “El Paso Aero Appellees”). Pending before the Court is the El Paso Aero Appellees’ motion to dismiss the appeal for lack of jurisdiction. We dismiss the appeal for lack of jurisdiction because the order being appealed is neither a final judgment nor an appealable interlocutory order.

It is well settled that appellate courts have jurisdiction over final judgments and interlocutory orders made appealable by statute. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195

(Tex. 2001); TEX.CIV.PRAC.&REM.CODE ANN. § 51.014 (authorizing appeals from certain interlocutory orders). Section 51.014 of the Civil Practice and Remedies Code does not authorize an interlocutory appeal of an order granting a motion for summary judgment. TEX.CIV.PRAC.&REM.CODE ANN. § 51.014(a). Consequently, we do not have jurisdiction to review an interlocutory order granting summary judgment.

Along with Appellant's claims against the El Paso Aero Appellees, Appellant's lawsuit asserts claims against three additional defendants: L.D. Supply Co., Inc.; John Doe Representative of the Estate; and John Doe Responsible Party. The El Paso Aero Appellees have also asserted a counterclaim against Appellant. The summary-judgment order from which Appellant has appealed only disposes of his claims against the El Paso Aero Appellees. Although the trial court subsequently granted summary judgment on Appellant's claim against L.D. Supply Co., Inc., the record before us does not reflect that Appellant's claims against John Doe Representative of the Estate and John Doe Responsible Party, nor Appellees' counterclaims against Appellant, have been disposed of by the trial court. In his docketing statement, Appellant admits that all of these claims remain pending. Therefore, the trial court's order granting summary judgment in favor of the El Paso Aero Appellees is not a final judgment.

Finding that the summary-judgment order being appealed is neither a final judgment nor an appealable interlocutory order, we grant the El Paso Aero Appellees' motion and dismiss the appeal. Costs are taxed against the parties incurring same.

July 23, 2021

YVONNE T. RODRIGUEZ, Chief Justice

Before Rodriguez, C.J., Palafox, and Alley, JJ.