



COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

HERIBERTO ARMENDARIZ,	§	No. 08-21-00100-CV
Appellant,	§	Appeal from the
v.	§	383rd District Court
MARIA C. FLORES,	§	of El Paso County, Texas
Appellee.	§	(TC# 2021DCV0897)

**MEMORANDUM OPINION**

Appellant, Heriberto Armendariz, appeals the trial court's order granting bill of review. We dismiss for lack of jurisdiction.

Armendariz obtained a default divorce from Maria C. Flores, Appellee, on November 24, 2020. Flores petitioned for bill of review on March 16, 2021, alleging she was not notified of the final divorce hearing, accusing Armendariz of committing fraud against her, asking the court to set aside the divorce decree, and requesting a new trial.

After a hearing, the trial court entered an order granting bill of review on May 28, 2021. The order set aside and vacated the judgment entered on November 24, 2020.

On June 1, 2021, Armendariz filed a notice of appeal, appealing from the order granting bill of review. There is nothing in the record to indicate the trial court acted on finalizing the

underlying divorce action after granting the bill of review, although the bill of review hearing transcript indicates the court set a hearing for temporary orders before concluding the proceedings.

Although the trial court's order set aside and vacated the judgment granting divorce, it did not dispose of all the issues in the case on the merits. As such, it is an interlocutory order and not appealable. *Kiefer v. Touris*, 197 S.W.3d 300, 303 (Tex. 2006) (per curiam); *Flores v. Flores*, 353 S.W.3d 302, 303 (Tex. App.—El Paso 2011, no pet.). Consequently, we lack jurisdiction and must dismiss this appeal. *Flores*, 353 S.W.3d at 303.

We dismiss the appeal for lack of jurisdiction.

SANDEE B. MARION, Chief Justice (Ret.)

November 10, 2022

Before Rodriguez, C.J., Alley, J., and Marion, C.J. (Ret.)  
Marion, C.J. (Ret.) (Sitting by Assignment)