

DISMISS and Opinion Filed January 10, 2014.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-01217-CV

**BLANCA CANTU, Appellant
V.
WILLIAM HUNTER, Appellee**

**On Appeal from the County Court at Law No. 4
Dallas County, Texas
Trial Court Cause No. CC-13-04588-D**

MEMORANDUM OPINION

Before Justices Moseley, Bridges, and Evans
Opinion by Justice Moseley

In a letter dated November 27, 2013, the Court questioned its jurisdiction over this appeal. Specifically, it appeared the trial court's judgment did not injure appellant. We instructed appellant to file a letter brief addressing our concern. As of today's date, appellant has not filed a response.

Generally, an appeal may be brought only by parties who have been injured by the trial court's judgment. *See Jack Jones Hearing Ctrs., Inc. v. State Comm. of Exam'rs in Fitting and Dispensing of Hearing Instruments*, 363 S.W.3d 911, 914 (Tex. App.—Austin 2012, no pet.). An appellant does not have standing and this Court does not have jurisdiction over an appeal of a judgment that does not injure an appellant. *See Texas Ass'n of Bus. v. Texas Air Control Bd.*, 852

S.W.2d 440, 443 (Tex.1993) (standing is implicit in the concept of subject matter jurisdiction which is essential to a court's authority to decide a case).

In this case, appellant was the defendant in the trial court. The trial court signed a judgment that the plaintiff/appellee take nothing and awarded the property and costs to appellant. Thus, the judgment appealed did not injure appellant. Accordingly, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Jim Moseley/
JIM MOSELEY
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

BLANCA CANTU, Appellant

No. 05-13-01217-CV V.

WILLIAM HUNTER, Appellee

On Appeal from the County Court at Law
No. 4, Dallas County, Texas.

Trial Court Cause No. CC-13-04588-D.

Opinion delivered by Justice Moseley.

Justices Bridges and Evans, participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee, WILLIAM HUNTER, recover his costs of this appeal from appellant, BLANCA CANTU.

Judgment entered this 10th day of January, 2014.

/Jim Moseley/

JIM MOSELEY

JUSTICE