

DISMISS and Opinion Filed June 1, 2016



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

No. 05-16-00304-CV

IVORY HARRIS, Appellant

V.

SUPERSHUTTLE DFW, INC. AND THERESA GRANBERRY, Appellees

**On Appeal from the 116th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-02931**

MEMORANDUM OPINION

Before Justices Myers, Stoddart, and Whitehill
Opinion by Justice Whitehill

In a letter dated April 22, 2016, the Court questioned its jurisdiction over the appeal because there did not appear to be a final judgment. We instructed appellant to file a letter brief addressing the jurisdictional issue and gave Supershuttle DFW, Inc. and Theresa Granberry (collectively “appellees”) an opportunity to respond.

Generally, this Court has jurisdiction only over appeals from final judgments and certain interlocutory orders as permitted by statute. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). A final judgment is one that disposes of all pending parties and claims. *See id.*

Harris filed a lawsuit asserting claims against appellees. Granberry filed a motion for summary judgment on the ground that she was not served until after the statute of limitations had run. On February 11, 2016, the trial court granted Granberry’s motion and ordered that Harris

take nothing on her claims against Granberry. Harris is appealing this order. However, Harris's claims against Supershuttle DFW, Inc. remain pending.

In her letter brief, Harris fails to address the jurisdictional issue raised in this Court's letter. Rather, she addresses the merits of the summary judgment granted in favor of Granberry and she herself questions what effect the summary judgment has "on the remaining derivative claims against Supershuttle." Harris has admitted that claims remain pending in the trial court and she has failed to cite to any statutory authority allowing an interlocutory appeal of the trial court's order.

Because Harris's claims against Supershuttle DFW, Inc. remain pending, the judgment is not final. *See Lehmann*, 39 S.W.3d at 195. Accordingly, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Bill Whitehill/
BILL WHITEHILL
JUSTICE

160304F.P05



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

JUDGMENT

IVORY HARRIS, Appellant

No. 05-16-00304-CV V.

SUPERSHUTTLE DFW, INC. AND
THERESA GRANBERRY, Appellees

On Appeal from the 116th Judicial District
Court, Dallas County, Texas.

Trial Court Cause No. DC-15-02931.

Opinion delivered by Justice Whitehill.

Justices Myers and Stoddart participating.

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

It is **ORDERED** that appellees SUPERSHUTTLE DFW, INC. AND THERESA GRANBERRY recover their costs of this appeal from appellant IVORY HARRIS.

Judgment entered June 1, 2016.