

DISMISS and Opinion Filed March 22, 2017.



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

No. 05-16-01164-CV

ANGELICA M. LEAL, Appellant

V.

**DALLAS COUNTY, CITY OF DALLAS,
DALLAS INDEPENDENT SCHOOL DISTRICT,
DALLAS COUNTY SCHOOL EQUALIZATION FUND,
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT,
AND PARKLAND HOSPITAL DISTRICT, Appellees**

**On Appeal from the 160th Judicial District Court
Dallas County, Texas
Trial Court Cause No. TX-13-30699**

MEMORANDUM OPINION

Before Justices Bridges, Myers, and Brown
Opinion by Justice Myers

By letter, this Court questioned its jurisdiction over this appeal because there did not appear to be an appealable order. We instructed appellant to file a letter brief addressing our jurisdictional concern with an opportunity for appellees to respond.

A default judgment was entered against appellant in a tax delinquency lawsuit on January 22, 2014. On December 21, 2015, a deputy district clerk signed an “Order of Sale of Real Estate - Delinquent Tax.” In the notice of appeal filed on September 29, 2016, appellant states she is appealing from the judgment signed on September 29, 2016 and that she appeals the “tax delinquent sale.” The clerk’s record does not contain a judgment signed on September 29, 2016

nor does the docket sheet reflect a judgment on that date. Thus, it appears appellant is appealing from the order of sale.

A person may challenge the validity of a tax sale by following the procedures set forth in the tax code. *See* TEX. TAX CODE ANN. § 34/08 (West 2015). An order of sale, however, is not an appealable order. *See* TEX. TAX CODE ANN. § 33.53 (West 2015); *Wolter v. Donaldson*, 79 S.W.3d 160, 162 (Tex. App.—Texarkana 2002, no pet.). Appellant filed a letter brief. Although she complains that the property was sold without prior notification, she fails to address this Court’s jurisdictional concern in her brief.

Because the order of sale is not an appealable order, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Lana Myers/

LANA MYERS
JUSTICE

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

JUDGMENT

ANGELICA M. LEAL, Appellant

No. 05-16-01164-CV V.

DALLAS COUNTY, CITY OF DALLAS,
DALLAS INDEPENDENT SCHOOL
DISTRICT, DALLAS COUNTY SCHOOL
EQUALIZATION FUND, DALLAS
COUNTY COMMUNITY COLLEGE
DISTRICT, AND PARKLAND HOSPITAL
DISTRICT, Appellees

On Appeal from the 160th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. TX-13-30699.

Opinion delivered by Justice Myers. Justices
Bridges and Brown participating.

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

It is **ORDERED** that appellees DALLAS COUNTY, CITY OF DALLAS, DALLAS INDEPENDENT SCHOOL DISTRICT, DALLAS COUNTY SCHOOL EQUALIZATION FUND, DALLAS COUNTY COMMUNITY COLLEGE DISTRICT, AND PARKLAND HOSPITAL DISTRICT recover their costs of this appeal from appellant ANGELICA M. LEAL.

Judgment entered this 22nd day of March, 2017.