

DISMISS; and Opinion Filed February 26, 2018.



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

No. 05-18-00014-CV

TE LUN WANG, Appellant

V.

XIANGYU CAO, SI HAN, RUOTIAN LI, AND LINGCHAO CHEN, Appellees

**On Appeal from the 429th Judicial District Court
Collin County, Texas
Trial Court Cause No. 429-04995-2017**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Evans, and Justice Brown
Opinion by Justice Brown

Appellant appeals from an interlocutory order granting appellees' motions to dismiss under chapter 27 of the Texas Civil Practice and Remedies Code. *See* TEX. CIV. PRAC. & REM. 27.003 (West 2017). Before the Court is appellee Lingchao Chen's February 2, 2018 motion to dismiss the appeal for want of jurisdiction. Appellee asserts in the motion that the appealed order is not subject to an interlocutory appeal. Appellant did not file a response to the motion.

Generally, this Court has jurisdiction only over 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 parties and all claims. *See id.* Additionally, only interlocutory orders *denying* a chapter 27 motion to dismiss are appealable. *See* TEX. CIV. PRAC. & REM. 51.014(a)(12) (West 2017).

In the notice of appeal, appellant states she is appealing the “final order” granting appellees’ motions to dismiss. In the motion to dismiss, appellee explains that he has counterclaims that remain pending. Accordingly, the order granting the chapter 27 motions to dismiss is interlocutory as it did not dispose of all pending claims. *See Lehmann*, 39 S.W.3d at 195. Moreover, the order is not subject to an interlocutory appeal. *See TEX. CIV. PRAC. & REM.* 51.014(a)(12) (West 2017).

Because the appealed order is neither final nor an appealable interlocutory order, we grant appellee’s motion and dismiss the appeal for want of jurisdiction. *See TEX. R. APP. P.* 42.3(a).

/Ada Brown/

ADA BROWN
JUSTICE

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

JUDGMENT

TE LUN WANG, Appellant

No. 05-18-00014-CV V.

XIANGYU CAO, SI HAN, RUOTIAN LI,
AND LINGCHAO CHEN, Appellees

On Appeal from the 429th Judicial District
Court, Collin County, Texas

Trial Court Cause No. 429-04995-2017.

Opinion delivered by Justice Brown. Chief
Justice Wright and Justice Evans
participating.

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

It is **ORDERED** that appellees XIANGYU CAO, SI HAN, RUOTIAN LI, AND LINGCHAO CHEN recover their costs of this appeal from appellant TE LUN WANG.

Judgment entered this 26th day of February, 2018.