

**DISMISS and Opinion Filed September 19, 2018**



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

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**No. 05-18-00480-CV**

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**IN THE INTEREST OF S.L.D., A CHILD**

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**On Appeal from the 254th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. 89-15333-R**

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**MEMORANDUM OPINION**

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

After reviewing the clerk's record, this Court questioned its jurisdiction over this appeal because there did not appear to be a final judgment or other appealable order. We instructed appellant to file a letter brief addressing the jurisdictional issue and gave appellee 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.*

In the notice of appeal, appellant states he is appealing the "ruling handed down regarding the Demand To Vacate Ab Initio/Jurisdiction/Fraud on April 16, 2018." The clerk's record does not contain an order or judgment signed on that date. In his letter brief, appellant acknowledges that the trial court has not signed a judgment. He states that the trial judge had him removed from the courtroom "thus avoiding having to issue a judgment which in fact was a judgment by

DEFAULT.” He also argues that *Lehmann* is inapplicable because this case is not a judicial setting, but rather “an administrative setting under private contract.”

This Court is bound by the Texas Supreme Court’s holding in *Lehmann*. Because the record before the Court does not contain a signed judgment or appealable order, this Court lacks jurisdiction over the appeal. *See Lehmann*, 39 S.W.3d at 195. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

/Carolyn Wright/  
CAROLYN WRIGHT  
CHIEF JUSTICE

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

**JUDGMENT**

IN THE INTEREST OF S.L.D., A CHILD

No. 05-18-00480-CV

On Appeal from the 254th Judicial District  
Court, Dallas County, Texas

Trial Court Cause No. 89-15333-R.

Opinion delivered by Chief Justice Wright.

Justices Evans and Brown participating.

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

It is **ORDERED** that appellee Janice Davis recover her costs of this appeal from appellant Mayford Davis, Jr.

Judgment entered September 19, 2018.