



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

No. 05-19-00551-CV

**THOMAS G. BROWN D/B/A B & B CONSTRUCTION COMPANY, Appellant**  
**V.**  
**RICHARD CROW AND FIRST STATE BANK OF TEXAS, Appellees**

**On Appeal from the 86th Judicial District Court**  
**Kaufman County, Texas**  
**Trial Court Cause No. 56,631**

**MEMORANDUM OPINION**

Before Justices Schenck, Osborne, and Reichek  
Opinion by Justice Reichek

By this appeal, Thomas G. Brown d/b/a B & B Construction Company challenges the trial court's April 22, 2019 order granting in part and denying in part First State Bank of Texas's motion for summary judgment. Because the order did not dispose of all of Brown's claims against the Bank and did not address Brown's claims against Richard Crow, we questioned our jurisdiction over the appeal. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (subject to mostly statutory exceptions, appeals may only be taken from final judgments that dispose of all parties and claims). Both Brown and the Bank filed jurisdictional letter briefs, and neither disputes claims remain pending. Accordingly, because claims remain pending, we lack jurisdiction and dismiss the appeal. *See* TEX. R. APP. P. 42.3(a); *Lehmann*, 39 S.W.3d at 195.



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

**JUDGMENT**

THOMAS G. BROWN D/B/A B & B  
CONSTRUCTION COMPANY, Appellant

No. 05-19-00551-CV      V.

RICHARD CROW AND FIRST STATE  
BANK OF TEXAS, Appellees

On Appeal from the 86th Judicial District  
Court, Kaufman County, Texas  
Trial Court Cause No. 56,631.  
Opinion delivered by Justice Reichel,  
Justices Schenck and Osborne participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

We **ORDER** that appellees Richard Crow and First State Bank of Texas recover their costs, if any, of this appeal from appellant Thomas G. Brown d/b/a B & B Construction Company.

Judgment entered August 30, 2019.