

DISMISS and Opinion Filed November 22, 2019



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

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No. 05-19-00900-CV

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**TIM SCHOENBAUER, Appellant**  
V.  
**DEUTSCHE BANK, Appellee**

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**On Appeal from the 134th Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause No. DC-19-04889**

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**MEMORANDUM OPINION**

Before Justices Myers, Schenck, and Carlyle  
Opinion by Justice Schenck

On July 22, 2019, the trial court signed an order granting appellee’s application for an expedited order under rule of civil procedure 736 to proceed with a foreclosure sale of appellant’s property. *See* TEX. R. CIV. P. 736. Appellant appeals from this order. Such an order is not subject to appeal. *See* TEX. R. CIV. P. 736.8(c); *Grant-Brooks v. FV-1, Inc.*, 176 S.W.3d 933 (Tex. App.—Dallas 2005, pet. denied). Because it appeared this Court lacks jurisdiction over this appeal, we instructed appellant to file a letter brief addressing our concern with an opportunity for appellee to respond. The parties complied.

Nothing in appellant’s letter brief demonstrates this Court’s jurisdiction over this appeal.

Accordingly, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/David J. Schenck/  
DAVID J. SCHENCK  
JUSTICE

190900F.P05



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

**JUDGMENT**

TIM SCHOENBAUER, Appellant

No. 05-19-00900-CV V.

DEUTSCHE BANK, Appellee

On Appeal from the 134th Judicial District  
Court, Dallas County, Texas

Trial Court Cause No. DC-19-04889.

Opinion delivered by Justice Schenck.

Justices Myers and Carlyle participating.

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

It is **ORDERED** that appellee DEUTSCHE BANK recover its costs of this appeal from appellant TIM SCHOENBAUER.

Judgment entered this 22<sup>nd</sup> day of November, 2019.