



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-19-01000-CV

BRIAN E. VODICKA, Appellant
V.
MICHAEL B. TOBOLOWSKY,
EXECUTOR OF THE ESTATE OF IRA E. TOBOLOWSKY, Appellee

On Appeal from the 14th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-08135

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Whitehill, and Justice Nowell
Opinion by Chief Justice Burns

The Court questioned its jurisdiction over this appeal as there did not appear to be a final judgment or other appealable order. We instructed appellant to file, by November 4, 2019, a letter brief addressing the Court's concern and cautioned him that failure to comply may result in dismissal of the appeal without further notice. As of today's date, appellant has not complied.

Generally, appellate courts have 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); TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(a). A final judgment is one that disposes of all parties and claims. *See Lehman*, 39 S.W.3d at 195.

Appellant appeals from the trial court's August 8, 2019 order denying his request to appear by telephone for the hearing scheduled 6 days later. This order is not a final judgment and is not

otherwise subject to an interlocutory appeal. For this reason, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Robert D. Burns, III/
ROBERT D. BURNS, III
CHIEF JUSTICE

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

JUDGMENT

BRIAN E. VODICKA, Appellant

No. 05-19-01000-CV V.

MICHAEL B. TOBOLOWSKY,
EXECUTOR OF THE ESTATE OF
IRA E. TOBOLOWSKY, Appellee

On Appeal from the 14th Judicial District
Court, Dallas County, Texas

Trial Court Cause No. DC-15-08135.

Opinion delivered by Chief Justice Burns.

Justices Whitehill and Nowell participating.

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

Judgment entered November 14, 2019