

**DISMISS and Opinion Filed October 27, 2020**



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

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**No. 05-20-00396-CV**

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**IN RE THE GUARDIANSHIP OF THE PERSON OF S.H.O.,  
AN INCAPACITATED PERSON**

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**On Appeal from the Probate Court No. 2  
Dallas County, Texas  
Trial Court Cause No. PR-17-04214-2**

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**MEMORANDUM OPINION**

Before Justices Whitehill, Molberg, and Nowell  
Opinion by Justice Whitehill

In an order dated August 26, 2019, the trial court appointed appellants Daniel and Linda Ortman co-guardians of the person of S.H.O., their incapacitated adult daughter. In that order, the trial court set the Ortman's bond at \$10,000. Although they could have, the Ortman's did not appeal this order. Subsequently, the Ortman's asked the trial court to reduce their bond to \$100. They appeal from the trial court's March 3, 2020 order denying their motion. Because it appeared the Ortman's should have appealed from the August 26th order to assert an issue related to the bond, we questioned our jurisdiction over the appeal. At our request, the Ortman's filed a letter brief addressing the jurisdiction issue.

In their letter brief, the Ortman's rely on section 1105.255 of the estates code to support their assertion that we may review the trial court's March 3rd order on appeal. *See* TEX. EST. CODE ANN. § 1105.255(a). This section allows a guardian to file an application to reduce the bond at any time. This statute, however, does not provide for an appeal of an order on such an application. The Ortman's do not cite to, and we have not found, any authority that allows an appeal from an order on a guardian's application to have a bond reduced.

For these reasons, we conclude we lack jurisdiction and dismiss this appeal. *See* TEX. R. APP. P. 42.3(a).

/Bill Whitehill/  
BILL WHITEHILL  
JUSTICE

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**Court of Appeals  
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**JUDGMENT**

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THE PERSON OF S.H.O., AN  
INCAPACITATED PERSON

No. 05-20-00396-CV

On Appeal from the Probate Court  
No. 2, Dallas County, Texas  
Trial Court Cause No. PR-17-04214-  
2.

Opinion delivered by Justice  
Whitehill. Justices Molberg and  
Nowell participating.

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

Judgment entered October 27, 2020