

DISMISS and Opinion Filed November 5, 2020



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

No. 05-20-00563-CV

IN THE INTEREST OF A.G. AND V.G., CHILDREN

**On Appeal from the 469th Judicial District Court
Collin County, Texas
Trial Court Cause No. 469-52594-2016**

MEMORANDUM OPINION

**Before Justices Molberg, Carlyle, and Browning
Opinion by Justice Browning**

This is an appeal from the trial court’s order denying appellant’s “motion to modify child support.” A review of the clerk’s record revealed the motion to modify challenged a temporary order and no final judgment had been entered. The record also revealed appellant had filed for bankruptcy. Because the Texas Family Code specifically precludes the appeal of temporary orders in suits affecting the parent-child relationship and because a party’s bankruptcy suspends an appeal until the appellate court reinstates or severs the appeal in accordance with federal law, we questioned our jurisdiction over the appeal and, to the extent we had jurisdiction,

whether the appeal could proceed in light of the apparent bankruptcy. *See* TEX. FAM. CODE ANN. §§ 105.001(e), 109.002(b); TEX. R. APP. P. 8.2.

In a letter brief filed at our direction, appellant addresses the bankruptcy but does not address the appealability of the order. Appellee has not filed a response.

Subject to mostly statutory exceptions, an appeal may be taken only from a final order or judgment that disposes of all parties and claims. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). Because nothing before us reflects that a final judgment has been entered and because the family code specifically precludes an appeal from temporary orders, we lack jurisdiction. *See id.* Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

/John G. Browning/
JOHN G. BROWNING
JUSTICE

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

JUDGMENT

IN THE INTEREST OF A.G. AND
V.G., CHILDREN

No. 05-20-00563-CV

On Appeal from the 469th Judicial
District Court, Collin County, Texas
Trial Court Cause No. 469-52594-
2016.

Opinion delivered by Justice
Browning, Justices Molberg and
Carlyle participating.

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

Judgment entered November 5, 2020.