

REVERSE and REMAND and Opinion Filed January 18, 2022



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

No. 05-20-00828-CV

**RONALD E. DANA AND LINDA D. DANA, Appellants
V.
DIAMANTE MEMBERS CLUB, INC., Appellee**

**On Appeal from the 199th District Court
Collin County, Texas
Trial Court Cause No. 199-01509-2020**

MEMORANDUM OPINION

Before Justices Myers, Molberg, and Garcia
Opinion by Justice Garcia

In this restricted appeal, appellants argue that there is error apparent on the face of the record because appellee failed to comply with the mandatory requirements for domesticating a foreign judgment under the Uniform Enforcement of Foreign Judgments Act (“UEFJA”); specifically, that appellees failed to file notice of the filing or present the court with a proper affidavit authenticating the filing. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 35.004(a), (b)(2). Appellee concedes error on the face of the record supporting reversal and remand of the case.

Having reviewed the record, we agree that the UEFJA requirements were not met and there is error apparent on the face of the record. *See id*; *see also* TEX. R.

APP. P. 26.1(c); *Alexander v. Lynda's Boutique*, 134 S.W.3d 845, 848 (Tex. 2004).

Accordingly, we reverse the trial court's judgment and remand for further proceedings consistent with this opinion.

/Dennise Garcia/

DENNISE GARCIA
JUSTICE

200828F.P05



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

JUDGMENT

RONALD E. DANA AND LINDA
D. DANA, Appellant

No. 05-20-00828-CV V.

DIAMANTE MEMBERS CLUB,
INC., Appellee

On Appeal from the 199th Judicial
District Court, Collin County, Texas
Trial Court Cause No. 199-01509-
2020.

Opinion delivered by Justice Garcia.
Justices Myers and Molberg
participating.

In accordance with this Court's opinion of this date, the judgment of the trial court is **REVERSED** and this cause is **REMANDED** to the trial court for further proceedings consistent with this opinion.

It is **ORDERED** that each party bear its own costs of this appeal.

Judgment entered this 18th day of November 2021.