

DISMISS and Opinion Filed January 21, 2022



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

No. 05-21-00454-CV

**MARLA NUNALLY KAUFMAN HOMES, LLC, Appellant
V.
JNG PROPERTIES, LLC, DOROTHY VALIENTE, AND
NET WORTH REALTY OF DALLAS/FORT WORTH LLC, Appellees**

**On Appeal from the 44th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-19-16630**

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Molberg, and Justice Smith
Opinion by Chief Justice Burns

The Court questioned its jurisdiction over this appeal because there did not appear to be a final judgment or other appealable order. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (generally, appellate courts have jurisdiction over final judgments and certain interlocutory orders as permitted by statute); TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(a) (listing appealable interlocutory orders). We directed appellant to file a letter brief addressing the jurisdictional issue with an opportunity for appellees to respond. We cautioned appellant that failure to comply

may result in dismissal of the appeal without further notice. Appellant did not file a letter brief as directed.

Appellant sued three defendants, JNG Properties, LLC, Net Worth Realty of Dallas/Fort Worth LLC, and Dorothy Valiente. Defendants Net Worth Realty and Valiente each moved for summary judgment and the trial court signed an order granting the motions. Appellant appeals that order. That order, however, fails to dispose of appellant's claims against JNG Properties. Because appellant's claims against JNG Properties remain pending, there is no final judgment and this Court lacks jurisdiction over the appeal. *See Lehmann*, 39 S.W.3d at 195.

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

MARLA NUNALLY KAUFMAN
HOMES, LLC, Appellant

No. 05-21-00454-CV V.

JNG PROPERTIES, LLC,
DOROTHY VALIENTE, AND NET
WORTH REALTY OF
DALLAS/FORT WORTH LLC,
Appellees

On Appeal from the 44th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-19-16630.
Opinion delivered by Chief Justice
Burns. Justices Molberg and Smith
participating.

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

It is **ORDERED** that appellees JNG PROPERTIES, LLC, DOROTHY
VALIENTE, AND NET WORTH REALTY OF DALLAS/FORT WORTH LLC
recover their costs of this appeal from appellant MARLA NUNALLY KAUFMAN
HOMES, LLC.

Judgment entered January 21, 2022