

**DISMISS and Opinion Filed April 20, 2022**



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

---

**No. 05-22-00023-CV**

---

**IN THE INTEREST OF D.P.B. AND D.Z.B., MINOR CHILDREN**

---

**On Appeal from the 219th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 219-52923-2021**

---

**MEMORANDUM OPINION**

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

This appeal challenges the trial court's (1) December 8, 2021 amended order granting motion to enjoin harassing behavior, which, despite its title, ordered only that appellant pay appellee's attorney's fees, and (2) December 28, 2021 order granting withdrawal of amicus attorney and ordering appellant to pay the amicus attorney's fees. The orders were signed in a modification proceeding, which the record before us reflects is not set for trial until August 2022.

Because an appeal may generally only be taken from a final judgment that disposes of all parties and claims, and the modification proceeding remains pending, we questioned our jurisdiction over the appeal. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). By letter dated March 16, 2022, we directed appellant

to file, within ten days, a letter brief addressing our concern. Although we cautioned her that failure to comply could result in dismissal of the appeal without further notice, appellant has yet to respond. Accordingly, on the record before us, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a); *Lehmann*, 39 S.W.3d at 195.

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

220023F.P05



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

**JUDGMENT**

IN THE INTEREST OF D.P.B. AND  
D.Z.B., MINOR CHILDREN

No. 05-22-00023-CV

On Appeal from the 219th Judicial  
District Court, Collin County, Texas  
Trial Court Cause No. 219-52923-  
2021.

Opinion delivered by Chief Justice  
Burns, Justices Molberg and Smith  
participating.

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

Judgment entered April 20, 2022.