

**DISMISS and Opinion Filed July 27, 2022**

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

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**No. 05-22-00208-CV**

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**MICHELLE PERELL, Appellant  
V.  
DIANA PERELL AND MAX PERELL, Appellees**

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**On Appeal from the 254th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DF-22-02270**

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**MEMORANDUM OPINION**

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

Appellant appeals from the March 8, 2022 order of the Associate Judge for the 254th Judicial District Court denying her application for a protective order. Unless an associate judge's order is agreed, a default, or final order where the parties waive the right to a de novo hearing before the referring court in writing before the start of the hearing conducted by the associate judge, the date the order is signed by the referring court is the controlling date for purposes of appeal to this Court. *See* TEX. FAM. CODE ANN. §§ 201.016(a), (b), 201.007(a)(16), 201.013(b). Because the appealed order is not agreed, a default, or one where the parties waived their right to a de novo hearing, and nothing in the record reflected the referring court has signed

the order, we questioned our jurisdiction over the appeal. We directed appellant to file, by June 20, a letter brief addressing the Court's concern with an opportunity for appellees to file a response. To date, appellant has not filed a response.

Because the referring court has not signed the order of the associate judge, this appeal is premature and we lack jurisdiction. For this reason, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

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/Ken Molberg//  
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KEN MOLBERG  
JUSTICE

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

**JUDGMENT**

MICHELLE PERELL, Appellant

No. 05-22-00208-CV      V.

DIANA PERELL AND  
MAX PERELL, Appellees

On Appeal from the 254th Judicial  
District Court, Dallas County, Texas  
Trial Court Cause No. DF-22-02270.  
Opinion delivered by Justice  
Molberg. Justices Reichek and  
Garcia participating.

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

Judgment entered this 27<sup>th</sup> day of July, 2022.