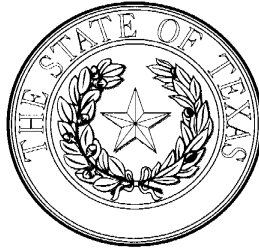


Opinion issued July 27, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00070-CV

REV. RYAN “SASHA” GALLAGHER, Appellant

V.

**THE STATE OF TEXAS, TEXAS ATTORNEY GENERAL, CITY OF
AUSTIN, AND COLLIN COUNTY, Appellees**

**On Appeal from the 250th District Court
Travis County, Texas
Trial Court Case No. D-1-GN-19-004716**

MEMORANDUM OPINION

Appellant, Rev. Ryan “Sasha” Gallagher, attempts to appeal “all rulings” from the Travis County district court where he filed suit complaining of human rights and

equal protection violations related to encounters with the City of Austin police.¹ Because we conclude that there is no final judgment, we dismiss Gallagher’s appeal for want of jurisdiction.

Background

In 2019, Gallagher filed suit against the City of Austin, Collin County, the State of Texas, and the Texas Attorney General, citing what he asserted were human rights and equal protection violations related to encounters with Austin police. His claim identified a “series of [e]vents from the Age of 14 in Collin County, [that have followed him] from State to State, and to Austin, and back to Dallas, and constantly affecting [him].” He asserts that the various actions of the police in searching his vehicle, making arrests, and charging him with crimes is discriminatory and “a Human Rights Issue.” He cited the Texas Constitution, Article 1, Section 3a, providing for equality under the law and prayed that the trial court would “Cause the State to stop Fighting my Religion, to Pay Restitution for the False Felony, and to Release Records in Discovery to further prove my Claims of Corruption against Human Rights.”

The City moved to dismiss Gallagher’s claims against it pursuant to Rule 91a, and the trial court granted that dismissal. Collin County filed a motion to transfer

¹ Per the Texas Supreme Court’s docket-equalization powers, this appeal was transferred from the Third Court of Appeals to this Court on January 24, 2020. *See* TEX. GOV’T CODE § 73.001.

venue, asserting that Gallagher had been identified as a “serial filer” or vexatious litigant in numerous jurisdictions and that he had filed more than 26 federal lawsuits and at least five state lawsuits seeking to harass state and federal officials and “to spew his contorted beliefs about the use of marijuana under the guise of religious practices.” The trial court likewise granted Collin County’s motion to transfer venue. The State of Texas and Texas Attorney General filed a plea to the jurisdiction, but the record does not contain a ruling on that plea.

Appellate Jurisdiction

The orders dismissing the claims against the City pursuant to Rule 91a and transferring the claims against Collin County are interlocutory orders. *See Valle-Chavez v. Moore*, No. 01-18-00641-CV, 2018 WL 4131116, at *1 (Tex. App.—Houston [1st Dist.] Aug. 30, 2018, no pet.) (mem. op.) (transfer order transferring case from one district court to another does not meet requirements of final judgment); *In re Farmers Tex. Cty. Mut. Ins. Co.*, 604 S.W.3d 421, 429 (Tex. App.—San Antonio 2019, orig. proceeding) (holding that Rule 91a does not provide for appeal from interlocutory order and neither does any other statute or rule).

Generally, appeals may be taken only from final judgments. *CMH Homes v. Perez*, 340 S.W.3d 444, 447 (Tex. 2011) (“Unless a statute authorizes an interlocutory appeal, appellate courts generally only have jurisdiction over final judgments.”); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). When

orders do not dispose of all pending parties and claims, the orders remain interlocutory and unappealable until final judgment is rendered unless a statutory exception applies. *Lehmann*, 39 S.W.3d at 192–93, 195 (appellant courts generally have jurisdiction only over final judgments; judgment is final for purposes of appeal if it disposes of all pending claims and parties in a case or “states with unmistakable clarity that it is a final judgment as to all claims and all parties”).

The record does not contain any orders or rulings disposing of the claims against the State and the Attorney General. There is no order severing any of the claims. Accordingly, there is no final judgment disposing of all the claims against all the parties. *See id.* On March 16, 2021, this Court notified the parties that the orders Gallagher attempts to appeal are interlocutory. The deadline for responding has passed, and we have received no response indicating that a final judgment has been rendered in this case. *See* TEX. R. APP. P. 42.3(a).

Conclusion

For the foregoing reasons, we dismiss the appeal for want of jurisdiction.

Richard Hightower
Justice

Panel consists of Justices Kelly, Landau, and Hightower.