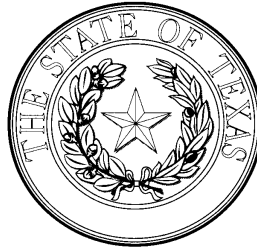


Opinion issued July 28, 2022



In The
Court of Appeals
For The
First District of Texas

NO. 01-22-00066-CV

SAROJ HADDINGTON, LLC, Appellant

V.

MICHELLE PUCKETT AND DESIGNER DIVA RESALE, LLC, Appellees

**On Appeal from the 164th District Court
Harris County, Texas
Trial Court Case No. 2021-80445**

MEMORANDUM OPINION

Saroj Haddington, LLC has filed this interlocutory appeal from the trial court's order granting a temporary injunction. *See* TEX. CIV. PRAC. & REM. CODE § 51.014(a)(4) (allowing appeal from grant or denial of temporary injunction).

Because the temporary injunction has expired, we lack subject-matter jurisdiction to hear this appeal. Accordingly, we dismiss this appeal for lack of jurisdiction.

Background

Haddington appeals from the trial court's January 7, 2022 temporary injunction order. In their brief, the appellees, Michelle Puckett and Designer Diva Resale, LLC, represent that the trial court's order has since expired. Consistent with their representation, the trial court's order states an expiration date of March 31, 2022.

On May 10, 2022, the clerk of court issued a notice of intent to dismiss this suit for lack of jurisdiction because the temporary injunction has expired. *See* TEX. R. APP. P. 42.3(a) (court may dismiss appeal for lack of jurisdiction after giving parties 10 days' notice). We invited Haddington to file a response in support of jurisdiction, but it has not filed a response, and the deadline to do so has passed.

Jurisdiction

A suit becomes moot when there is no longer a justiciable controversy between the parties or when the parties no longer have a legally cognizable stake in the outcome. *State ex rel. Best v. Harper*, 562 S.W.3d 1, 6 (Tex. 2018). Mootness happens when events make it impossible to grant the relief requested or otherwise affect the parties' rights or interests. *Id.* This can happen at any time, including on appeal. *Id.* When it does happen, the court loses subject-matter jurisdiction. *Id.*

When a temporary injunction expires and thus no longer exists, an appeal from the order becomes moot. *Jordan v. Landry's Seafood Rest.*, 89 S.W.3d 737, 741 (Tex. App.—Houston [1st Dist.] 2002, pet. denied). When a temporary injunction becomes moot in this way, we must dismiss the appeal. *Id.*; e.g., *Ellington Indus. Park 25A v. Denenburg*, 642 S.W.2d 8, 10 (Tex. App.—Houston [14th Dist.] 1982, no writ) (dismissing appeal from temporary injunction as moot because temporary injunction order had already expired by its own terms). This is blackletter law, which Texas appellate courts routinely apply. E.g., *Stone v. Glazier Foods Co.*, No. 01-09-00042-CV, 2009 WL 3152187, at *1 (Tex. App.—Houston [1st Dist.] Oct. 1, 2009, no pet.) (per curiam) (mem. op.) (dismissing appeal from temporary injunction that was mooted by expiration of order during pendency of appeal); *Roswell v. Cleaver-Brooks Sales & Serv.*, No. 14-19-00673-CV, 2020 WL 897101, at *1 (Tex. App.—Houston [14th Dist.] Feb. 25, 2020, no pet.) (per curiam) (mem. op.) (same).

The temporary injunction on appeal expired by its own terms in March 2022. Thus, there is no longer a justiciable controversy between the parties with respect to the temporary injunction. Any ruling we made would not affect the parties' rights or interests. This appeal is therefore moot, and we lack subject-matter jurisdiction.

Conclusion

We dismiss this appeal for lack of subject-matter jurisdiction.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Goodman and Hightower.