

**Petition for Permission to Appeal Denied and Memorandum Opinion filed  
November 17, 2015.**



**In The  
Fourteenth Court of Appeals**

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**NO. 14-15-00759-CV**

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**DALE JOHNSON, Appellant**

**V.**

**DENISE WALTERS, INDEPENDENT EXECUTOR OF THE ESTATE OF  
INGA J. JOHNSON, DECEASED, Appellee**

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**On Appeal from the Probate Court No 2  
Harris County, Texas  
Trial Court Cause No. 409,860**

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**MEMORANDUM OPINION**

Pending before this court is Dale Johnson's Petition for Permissive Interlocutory Appeal of certain summary judgment orders.

To be entitled to a permissive appeal from an interlocutory order that would not otherwise be appealable, the requesting party must establish that (1) the order to be appealed involves "a controlling question of law as to which there is a

substantial ground for difference of opinion” and (2) an immediate appeal from the order “may materially advance the ultimate termination of the litigation.” Tex. Civ. Prac. & Rem. Code Ann. § 51.014(d); Tex. R. App. P. 28.3(e)(4); Tex. R. Civ. P. 168.

Based on parties’ filings and arguments in the trial court and this court, it appears that an interlocutory appeal of the summary judgment orders at issue may require this court to consider and decide more questions than just a single “controlling question of law.” Given the limited nature of interlocutory appeals and the requirement we construe statutes authorizing such appeals strictly, we conclude Dale Johnson has not satisfied the statutory requirements of section 51.014(d). *See Gulf Coast Asphalt Co., L.L.C. v. Lloyd*, 457 S.W.3d 539, 545 (Tex. App.—Houston [14th] 2015, no pet.). Accordingly, we deny the petition for permission to appeal.

PER CURIAM

Panel consists of Chief Justice Frost, and Justices Christopher and Donovan.