

**Petition for Permission to Appeal Denied and Memorandum Opinion filed December 7, 2017.**



**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-17-00702-CV**

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**HMR FUNDING LLC, Appellant**

**V.**

**MELFORD ANKRUM AND BEST TRANSPORTATION SERVICES, INC.,**  
**Appellee**

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**On Appeal from the 215th District Court  
Harris County, Texas  
Trial Court Cause No. 2015-15269**

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**MEMORANDUM OPINION**

Appellant HMR Funding, LLC filed a petition for permissive interlocutory appeal seeking to reverse the trial court's June 13, 2017 order denying Appellant's motion to dismiss a third-party petition pursuant to Texas Rule of Civil Procedure 91a.

To be entitled to a permissive appeal from an interlocutory order that is not

otherwise appealable, the requesting party must establish that the order “involves a controlling question of law as to which there is a substantial ground for difference of opinion” and allowing immediate appeal “may advance the ultimate termination of the litigation.” Tex. Civ. Prac. & Rem. Code § 51.014(d); *see also* Tex. R. App. P. 28.3. The petition fails to establish that the challenged order concerns a *controlling* question of law or that an immediate appeal may materially advance the ultimate termination of the litigation. *See* Tex. Civ. Prac. & Rem. Code § 51.014(d). Accordingly, we deny the petition and dismiss the appeal.

PER CURIAM

Panel consists of Justices Jamison, Busby, and Donovan.