



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-17-00104-CV

UNIDIVINE, LLC

APPELLANT

V.

TEXAS CHAMPPS AMERICANA,
INC. AND JILA DEVELOPMENT,
LLC

APPELLEES

FROM THE 211TH DISTRICT COURT OF DENTON COUNTY
TRIAL COURT NO. 2013-30200-211

MEMORANDUM OPINION¹

Appellant Unidivine, LLC attempts to appeal from an April 21, 2017 order granting the application for bill of review of Appellees Texas Champps Americana, Inc. and Jila Development, LLC. On April 26, 2017, we notified appellant of our concern that we may not have jurisdiction over this appeal

¹See Tex. R. App. P. 47.4.

because the order does not appear to be a final judgment or an appealable interlocutory order. We also informed appellant that unless it, or any party desiring to continue the appeal, filed a response showing grounds for continuing the appeal by May 8, 2017, the appeal may be dismissed for want of jurisdiction. See Tex. R. App. P. 42.3(a), 44.3. We have not received a response.

Generally, an appeal may be taken only from a final judgment. *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). An order granting a bill of review that sets aside a prior judgment without also disposing of all issues in the case on the merits is interlocutory and is not a final judgment appealable to the court of appeals or the supreme court. *Kiefer v. Touris*, 197 S.W.3d 300, 302 (Tex. 2006); *Tesoro Petroleum v. Smith*, 796 S.W.2d 705, 705 (Tex. 1990). Because the trial court's April 21, 2017 order does not dispose of all issues and parties in the case, it is not a final judgment, nor is it an appealable interlocutory order. See *Kiefer*, 197 S.W.3d at 302; *Tesoro*, 796 S.W.2d at 705. We therefore dismiss this appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2(f).

PER CURIAM

PANEL: MEIER, GABRIEL, and SUDDERTH, JJ.

DELIVERED: June 1, 2017