



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-22-00377-CV

DAISY CHOU, Appellant

v.

ACCLAIM PHYSICIAN GROUP, INC., Appellee

On Appeal from the 348th District Court
Tarrant County, Texas
Trial Court No. 348-332744-22

Before Sudderth, C.J.; Wallach and Walker, JJ.
Memorandum Opinion by Justice Wallach

MEMORANDUM OPINION

On September 29, 2022, Appellant Daisy Chou filed a notice of appeal from the trial court's September 2, 2022 order granting the plea to the jurisdiction filed by Appellee Acclaim Physician Group, Inc. The case style indicates that Tarrant County Hospital District d/b/a JPS Health Network is also a defendant in the case, but the trial court's order did not dispose of any claims against that party. Accordingly, the order appeared to be interlocutory, making Chou's notice of appeal due no later than September 22, 2022. *See* Tex. R. App. P. 26.1(b), 28.1. Concerned that we lacked jurisdiction over the appeal, we cautioned Chou that we could dismiss the appeal unless she or another party filed with this court a reasonable explanation for the late filing. *See* Tex. R. App. P. 25.1(b), 26.3, 42.3(a).

Chou did not file a response with this court. She did, however, file with the trial court a "Withdrawal of Notice of Appeal" stating that she was withdrawing her notice of appeal of "the [t]rial [c]ourt's interlocutory order." Because Chou's notice of appeal was untimely and she has not shown any ground for continuing the appeal, we dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

/s/ Mike Wallach
Mike Wallach
Justice

Delivered: November 17, 2022