



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-08-00045-CV

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WAYNE ERNEST BARKER, Appellant

V.

STEVEN R. HALBERT, ET AL., Appellees

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On Appeal from the 2nd Judicial District Court  
Cherokee County, Texas  
Trial Court No. 2007-06-0453

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Before Morriss, C.J., Carter and Moseley, JJ.  
Memorandum Opinion by Justice Carter

## MEMORANDUM OPINION

This is an appeal by Wayne Earnest Barker from the trial court's order dismissing his cause of action against defendants Steven R. Halbert, Todd A. Foxworth, Theresa Cano, and Johnnie J. Miller, II.

The order entered in this appeal, however, does not dispose of defendant Claudette Slider. Further, on our review of the clerk's record in this case, we note that Slider was not served until March 20, 2008. The order from which Barker appeals was signed March 27, 2008. Therefore, Slider had not yet filed her answer to the suit.

The general rule is that a final and appealable judgment must determine the entire controversy, disposing of all the parties and issues in a case. *N. E. Indep. Sch. Dist. v. Aldridge*, 400 S.W.2d 893, 895 (Tex. 1966); *Wagner v. Warnasch*, 156 Tex. 334, 295 S.W.2d 890, 892 (1956).

Because the trial court's order dismissing this suit did not dispose of all defendants, it is not final, and this is an interlocutory appeal from a nonappealable judgment. Accordingly, Barker's appeal is dismissed for want of jurisdiction.

Jack Carter  
Justice

Date Submitted: May 5, 2008  
Date Decided: May 6, 2008