



NUMBER 13-19-00618-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

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NATIONSTAR MORTGAGE LLC  
D/B/A MR. COOPER,

Appellant,

v.

STEPHEN S. L. EARLEY AND  
DOROTHY ANN EARLEY,

Appellees.

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On appeal from the 444th District Court  
of Cameron County, Texas.

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## MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Longoria and Perkes  
Memorandum Opinion by Chief Justice Contreras**

Appellant Nationstar Mortgage LLC d/b/a Mr. Cooper has filed a petition for permissive interlocutory appeal seeking to challenge the trial court's order, signed on July 9, 2019, granting a motion for partial summary judgment in favor of appellees Stephen S.

L. Earley and Dorothy Ann Earley. Pursuant to our request, appellees filed a response to the petition.

To be entitled to a permissive appeal from an interlocutory order that is not otherwise appealable, the requesting party must establish to the trial court that (1) the order “involves a controlling question of law as to which there is a substantial ground for difference of opinion” and (2) allowing an immediate appeal “may advance the ultimate termination of the litigation.” TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(d); see *also* TEX. R. APP. P. 28.3. If the trial court grants permission to appeal, as here, we may accept the appeal if the appeal is warranted under the foregoing criteria. TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(f).

Having reviewed appellant’s petition, the record documents attached thereto, and appellees’ response, this Court is of the opinion that appellant has not shown its entitlement to permissive interlocutory appeal. Accordingly, the petition for permissive interlocutory appeal is DENIED.

DORI CONTRERAS  
Chief Justice

Delivered and filed the 16th  
day of January, 2020.