



**NUMBER 13-24-00299-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**ELIZABETH MACDERMOTT,**

**Appellant,**

**v.**

**ALLSTATE FIRE AND CASUALTY  
INSURANCE COMPANY,**

**Appellee.**

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**ON APPEAL FROM THE 430TH DISTRICT COURT  
OF HIDALGO COUNTY, TEXAS**

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**MEMORANDUM OPINION**

**Before Justices Benavides, Longoria, and Silva  
Memorandum Opinion by Justice Silva**

This matter is before the Court on its own motion. On June 3, 2024, appellant filed a notice of appeal attempting to appeal the trial court's order granting appellee, Allstate Fire and Casualty Insurance Company's motion to dismiss entered on May 2, 2024. On July 12, 2024, the Clerk of the Court notified appellant that it appears there is no final, appealable order. Furthermore, appellant was notified that if the defect was not cured within ten days, the appeal shall be dismissed.

Upon review of the documents before the Court, it appeared that the order from which this appeal was taken was not a final appealable order. "[A]n order or judgment is not final for purposes of appeal unless it actually disposes of every pending claim and party or unless it clearly and unequivocally states that it finally disposes of all claims and all parties." *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 205 (Tex. 2001).

Upon review of the record, it appears appellant brought causes of action against several defendants. The order being appealed does not dispose of any party other than Allstate Fire and Casualty Insurance Company, and the district clerk has represented to the Clerk of the Court that no additional orders appear in the trial court record which dispose of the other defendants. Based on the documents in the appellate record, it appears there is not yet a final, appealable judgment.

Absent an appealable interlocutory order or final judgment, this Court has no jurisdiction over this appeal. See *Ogletree v. Matthews*, 262 S.W. 3d 316, 319 n.1 (Tex. 2007); *Lehmann*, 39 S.W.3d at 195. The Court, having considered the documents on file and appellant's failure to correct the defect in this matter, is of the opinion that the appeal

should be dismissed for want of jurisdiction. See TEX. R. APP. P. 42.3(a). Accordingly, the appeal is dismissed for want of jurisdiction. See *id.* R. 42.3(a), (c).

CLARISSA SILVA  
Justice

Delivered and filed on the  
28th day of August, 2024.