

NO. 12-14-00343-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***CAROLE ANN WALLACE,
APPELLANT***

§ *APPEAL FROM THE 3RD*

V.

§ *JUDICIAL DISTRICT COURT*

***BARBARA LOUISE HERNANDEZ,
APPELLEE***

§ *HENDERSON COUNTY, TEXAS*

***MEMORANDUM OPINION
PER CURIAM***

Appellant filed a petition for permissive appeal in this court. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(d) (West Supp. 2014); *see also* TEX. R. APP. P. 28.3. However, the petition did not show the trial court's permission for the appeal. *See* TEX. R. CIV. P. 168; TEX. R. APP. P. 28.3(a). This court sent notice of the defect to Appellant, who then filed a motion in the trial court asking that the interlocutory order she seeks to appeal be amended to include permission to appeal. By order dated December 19, 2014, the trial court denied Appellant's motion. Consequently, Appellant has not satisfied the requirements for a permissive appeal. *See* TEX. R. APP. P. 28.3(a) (requiring permission from trial court to appeal interlocutory order not otherwise appealable). Accordingly, we ***deny*** Appellant's petition for permissive appeal.

Opinion delivered January 21, 2015.

Panel consisted of Worthen, C.J. and Hoyle, J.

(PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JANUARY 21, 2015

NO. 12-14-00343-CV

CAROLE ANN WALLACE,
Appellant
V.
BARBARA LOUISE HERNANDEZ,
Appellee

Appeal from the 3rd District Court
of Henderson County, Texas (Tr.Ct.No. 2014C-0199)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this petition for permissive appeal should be denied.

It is therefore ORDERED, ADJUDGED and DECREED by this court that Appellant's petition for permissive appeal be **denied**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.
Panel consisted of Worthen, C.J. and Hoyle, J.