



Fourth Court of Appeals
San Antonio, Texas

June 29, 2020

No. 04-20-00319-CV

Emily **YOUNG** and Albert Morrison,
Appellants

v.

Eldon **ROALSON**, Roalson Interests Inc., Douglas Miller, II, and Jim Guy Egbert,
Appellees

From the 454th Judicial District Court, Medina County, Texas
Trial Court No. 17-09-24412-CV
Honorable Daniel J. Kindred, Judge Presiding

O R D E R

The notice of appeal has been filed. The notice of appeal states appellants intend to appeal a summary judgment order, but a trial date on defendants' counterclaims is pending. It appears the appealed order in this case, a March 5, 2020 order granting summary judgment, is not an appealable order or final judgment. If the appealed order or judgment is not appealable, we lack appellate jurisdiction and must dismiss the appeal. *See generally Lehmann v. Har-Con Corp.*, 39 S.W.3d 191 (Tex. 2001); *see also Nazari v. State*, 561 S.W.3d 495, 510 (Tex. 2018) (stating a party may not appeal an interlocutory order unless authorized by statute); *Mafrige v. Ross*, 866 S.W.2d 590, 591 (Tex. 1993) (summary judgment order that does not dispose of all parties and claims is not final). Also, the notice of appeal was filed on June 18, 2020, several months after the summary judgment order was signed.

We therefore **ORDER** appellants to file a response within 10 days of this order showing why this appeal should not be dismissed for lack of jurisdiction. If a clerk's record or supplemental clerk's record is required to demonstrate our jurisdiction, appellant must (a) ask the trial court clerk to prepare the record, and (b) notify this court that such a request was made. We further order the appellate deadlines suspended until further order of this court. If appellant fails to file a satisfactory response by the date ordered, the appeal will be dismissed.

Luz Elena D. Chapa
Luz Elena D. Chapa, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 29th day of June, 2020.



Michael A. Cruz
Michael A. Cruz, Clerk of Court