

Opinion issued July 7, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00275-CV

IN THE INTEREST OF L.B.D., A CHILD

**On Appeal from the 308th District Court
Harris County, Texas
Trial Court Case No. 2013-71645**

MEMORANDUM OPINION

Appellant, Patrick Daniel, attempts to appeal from two orders granting awards of attorney fees to appellee, Jennifer Leigh Morris.¹ We dismiss the appeal.

¹ Appellee is referred to as “Jennifer Leigh Garrett” in the underlying litigation.

Background

The underlying litigation is a custody modification suit. On March 5, 2020, the trial court awarded appellee \$18,695.75 in attorney fees pursuant to section 156.005 of the Texas Family Code for “defending against [appellant’s] Petition to Modify Parent-Child Relationship.” Also on March 5, 2020, the trial court awarded appellee \$24,250.00 in attorney fees pursuant to Texas Rule of Civil Procedure 13 for costs incurred “defending against [appellant’s] Motion to Disqualify” appellee’s counsel.

Appellee has moved to dismiss this appeal for lack of jurisdiction. In her motion, she argues that because there is no final judgment in this case, this is an interlocutory appeal over which we have no jurisdiction.² She also notes that appellant characterizes the appeal as “interlocutory.” Appellant did not file a response to appellee’s motion to dismiss.

This Court has jurisdiction only over appeals from final judgments and those interlocutory orders specifically authorized by statute. *See Bison Bldg. Materials, Ltd. v. Aldridge*, 422 S.W.3d 582, 585 (Tex. 2012); *CMH Homes v. Perez*, 340 S.W.3d 444, 447–48 (Tex. 2011); *see also* TEX CIV. PRAC. & REM. CODE § 51.014 (authorizing appeals from certain interlocutory orders). Neither of the orders

² The Clerk’s Record reflects that on March 3, 2020, appellant filed an amended petition “to Enforce [E]xisting Orders, Modify Parent-Child Relationship, Modify Child Support, and Request for Temporary Orders.” The March 5, 2020 orders pertained to a previous petition.

appealed from is a final order under the Family Code or an order identified as subject to interlocutory appeal under the Civil Practice and Remedies Code. *See* TEX. FAM. CODE § 109.002(b); TEX CIV. PRAC. & REM. CODE § 51.014; *see also* *Vega v. Lira*, No. 01-16-00369-CV, 2016 WL 4253696, at *2 (Tex. App.—Houston [1st Dist.] Aug. 11, 2016, no pet.) (mem. op.) (holding sanctions order compelling parent to pay attorney fees to attorney ad litem in suit affecting the parent-child relationship was not subject to interlocutory appeal).

Accordingly, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Lloyd and Countiss.