

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Kailyn Andrews v. Nicholas Denbrock

No. 07-25-00218-CV · No. No. 07-25-00218-CV · Decided December 4, 2025

SUMMARY

The Texas Court of Appeals for the Seventh District dismissed Kailyn Andrews’s appeal from a final protective order after granting her motion for voluntary dismissal. The court held that the motion complied with Texas Rule of Appellate Procedure 42.1(a)(1) and that dismissal would not impair any party’s ability to seek otherwise available relief.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Per Curiam; Brian Quinn, Chief Justice; Doss, Justice; Yarbrough, Justice
JURISDICTION	Court of Appeals for the Seventh District of Texas at Amarillo
DECIDED	December 4, 2025
DOCKET	No. 07-25-00218-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed from a final protective order and then moved for voluntary dismissal of the appeal.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Kailyn Andrews v. Nicholas Denbrock

TOPICS

- appellate procedure
- family law procedure
- domestic violence
- family law

PRACTICE AREAS

- Family law
- Appellate procedure
- Protective orders

QUESTIONS PRESENTED

- Whether the appellant's motion for voluntary dismissal complied with Texas Rule of Appellate Procedure 42.1(a)(1) and should be granted.

2. Whether the appeal could be dismissed without prejudice as requested by the appellant.

HOLDINGS

1. The court granted the appellant's motion for voluntary dismissal because it complied with Texas Rule of Appellate Procedure 42.1(a)(1), no decision had been delivered, and dismissal would not prevent any party from seeking otherwise available relief.
2. The appeal could not be dismissed without prejudice because Texas Rule of Appellate Procedure 42.1 does not permit that form of dismissal.

KEY QUOTATIONS

“Although Appellant requests that the appeal be dismissed “without prejudice,” Rule of Appellate Procedure 42.1 does not permit such dismissals.” (at 2)

FACTUAL BACKGROUND

The appeal arose from a final protective order entered by the 169th District Court of Bell County. The opinion does not describe the underlying allegations or factual basis for the protective order. Before the appellate court issued a decision, Andrews sought voluntary dismissal of the appeal.

PROCEDURAL HISTORY

The appeal was originally filed in the Third Court of Appeals and was transferred to the Seventh District Court of Appeals by the Texas Supreme Court under its docket-equalization authority. While the appeal was pending and before the court had issued a decision, Appellant moved for voluntary dismissal. The court granted the motion and dismissed the appeal.

DISPOSITION

dismissed

OPINION

Kailyn Andrews v. Nicholas Denbrock

PER CURIAM.

In The Court of Appeals Seventh District of Texas at Amarillo No. 07-25-00218-CV

KAILYN ANDREWS, APPELLANT

V.

NICHOLAS DENBROCK, APPELLEE

On Appeal from the 169th District Court Bell County, Texas Trial Court No. 25DFAM351073,
Honorable Cari L. Starritt-Burnett, Presiding December 4, 2025

MEMORANDUM OPINION

Before QUINN, C.J., and DOSS and YARBROUGH, JJ. Appellant, Kailyn Andrews, appeals from the trial court’s Final Protective Order.¹ Now pending before this Court is Appellant’s motion

seeking voluntary dismissal of the appeal. The Court finds that the motion complies with the requirements of Rule of Appellate Procedure 42.1(a)(1) and that granting the motion will not prevent any party 1 Originally appealed to the Third Court of Appeals, this appeal was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. See TEX. GOV'T CODE ANN. § 73.001. from seeking relief to which it would otherwise be entitled. As no decision of the Court has been delivered to date, we grant the motion. The appeal is dismissed.2 Per Curiam 2 Although Appellant requests that the appeal be dismissed “without prejudice,” Rule of Appellate Procedure 42.1 does not permit such dismissals. 2