

COURT OF APPEALS FOR THE EIGHTH DISTRICT OF TEXAS AT EL PASO

Ruben Dario Almela v. The Promised Land Holdings, L.P.

No. 08-26-00118-CV · No. No. 08-26-00118-CV · Decided April 14, 2026

SUMMARY

The Texas Court of Appeals for the Eighth District dismissed Ruben Dario Almela’s appeal for want of jurisdiction. The trial court’s order dismissed Almela’s claims with prejudice but did not determine the amount of attorney’s fees, so it was not a final judgment, and Almela did not respond to the appellate court’s jurisdictional inquiry.

CASE DETAILS

COURT	Court of Appeals for the Eighth District of Texas at El Paso
WRITING FOR THE COURT	Maria Salas Mendoza, Chief Justice; Palafox, Justice; Soto, Justice
JURISDICTION	Court of Appeals for the Eighth District of Texas
DECIDED	April 14, 2026
DOCKET	No. 08-26-00118-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant attempted to appeal an order granting appellee's motion to dismiss and dismissing his claims with prejudice. The court questioned its appellate jurisdiction because the order awarded attorney's fees without determining their amount, and dismissed the appeal for want of jurisdiction.
STANDARD OF REVIEW	The court reviewed its own appellate jurisdiction de novo.
PRECEDENTIAL VALUE	Published memorandum opinion; precedential status is not otherwise stated in the opinion text.
PARTIES	Ruben Dario Almela v. The Promised Land Holdings, L.P.

TOPICS

- appellate jurisdiction
- final judgment rule
- appellate procedure
- attorney fees
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an appeal from an order that awarded attorney's fees without determining the amount of the fees.
2. Whether the appeal should be dismissed for want of jurisdiction because the challenged order was not a final judgment.

HOLDINGS

1. An order that grants a request for attorney's fees but does not determine the amount of those fees does not dispose of all claims and parties and therefore does not constitute a final judgment.
2. Because the challenged order was not a final judgment and no basis for appellate jurisdiction was shown, the appeal must be dismissed for want of jurisdiction.

KEY QUOTATIONS

“As a result, the order did not dispose of all claims and all parties, and did not constitute a final judgment.”

“We dismiss this appeal for want of jurisdiction.”

FACTUAL BACKGROUND

The trial court entered an order on March 13, 2026, granting the appellee's motion to dismiss and dismissing Almela's claims with prejudice. The order also granted a request for attorney's fees but did not set the amount of those fees. Because the fee issue remained unresolved, the order did not dispose of all claims and parties.

PROCEDURAL HISTORY

The 41st District Court of El Paso County granted The Promised Land Holdings, L.P.'s motion to dismiss Ruben Dario Almela's claims with prejudice and granted a request for attorney's fees without setting the amount. The court of appeals determined that the order did not dispose of all claims and parties and therefore was not a final judgment. After issuing an order questioning jurisdiction and receiving no response from Almela, the court dismissed the appeal and dismissed pending motions as moot.

DISPOSITION

dismissed

CASES CITED

- Farm Bureau Cnty. Mut. Ins. Co. v. Rogers, 455 S.W.3d 161, 164 (Tex. 2015) (per curiam)
- Hill v. Lievanos, No. 08-23-00151-CV, 2023 WL 4295854, at *1 (Tex. App.—El Paso June 30, 2023, no pet.) (mem. op.)
- Chado v. PNL Blackacre, L.P., No. 05-04-00312-CV, 2005 WL 428824, at *1 (Tex. App.—Dallas Feb. 24, 2005, no pet.) (mem. op.)

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS No. 08-26-00118-CV Ruben Dario Almela, Appellant v. The Promised Land Holdings, L.P., Appellee On Appeal from the 41st District Court El Paso County, Texas Trial Court No. 2025DCV5187 M E M O R A N D U M O P I N I O N Appellant, Ruben Dario Almela, attempts to appeal from the trial court's March 13, 2026 order granting the appellee's motion to dismiss and dismissing Almela's claims with prejudice.

However, the trial court's order granted a request for an award of attorney's fees without setting the amount of attorney's fees. As a result, the order did not dispose of all claims and all parties, and did not constitute a final judgment. See *Farm Bureau Cnty. Mut. Ins. Co. v. Rogers*, 455 S.W.3d 161, 164 (Tex. 2015) (per curiam); *Hill v. Lievanos*, No. 08-23-00151-CV, 2023 WL 4295854, at *1 (Tex.

App.—El Paso June 30, 2023, no pet.) (mem. op.); *Chado v. PNL Blackacre, L.P.*, No. 05- 04-00312-CV, 2005 WL 428824, at *1 (Tex. App.—Dallas Feb. 24, 2005, no pet.) (mem. op.). On March 24, 2026, we issued an order questioning our jurisdiction and directing Almela to show, on or before April 3, 2026, why this appeal should not be dismissed for want of jurisdiction.

Almela has not filed a response. We dismiss this appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a); *Rogers*, 455 S.W.3d at 164. We dismiss any pending motions as moot. MARIA SALAS MENDOZA, Chief Justice April 14, 2026 Before Salas Mendoza, C.J., Palafox and Soto, JJ. 2