

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG

Erika Santiagos and Osbaldo A. Saenz Jr. v. Selvin Santiagos-Salguero

No. 13-25-00617-CV (Tex. App.—Corpus Christi–Edinburg Jan. 29, 2026) · No. 13-25-00617-CV · Decided January 29, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed the appeal for want of jurisdiction. The court held that an order transferring a case between district courts was not a final appealable order and denied the appellants’ motions for additional time and access to the record.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Clarissa Silva; Justice Silva; Justice Cron; Justice Fonseca
JURISDICTION	Court of Appeals for the Thirteenth District of Texas
DECIDED	January 29, 2026
DOCKET	13-25-00617-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellants attempted to appeal an order transferring a case between district courts. The court of appeals determined that the order was not appealable and dismissed the appeal for want of jurisdiction.
STANDARD OF REVIEW	The court reviewed its own appellate jurisdiction based on the notice of appeal and the documents on file.
PRECEDENTIAL VALUE	Published
PARTIES	Erika Santiagos, Osbaldo A. Saenz Jr. v. Selvin Santiagos-Salguero

TOPICS

- appellate jurisdiction
- final judgment rule
- interlocutory appeal
- appellate procedure
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether an order transferring a case between district courts is a final or otherwise appealable order.
2. Whether appellants established appellate jurisdiction or cured the defect in their notice of appeal.

HOLDINGS

1. An order transferring a case between district courts is not a final appealable order and is unappealable absent an applicable appealable interlocutory-order provision.
2. Appellants failed to establish appellate jurisdiction or otherwise correct the defect in their notice of appeal.

KEY QUOTATIONS

“[A]n order or judgment is not final for purposes of appeal unless it actually disposes of every pending claim and party or unless it clearly and unequivocally states that it finally disposes of all claims and parties.” (2)

“We are of the opinion that an order transferring a case between district courts is unappealable, and appellant has failed to establish our jurisdiction over the matter.” (2)

FACTUAL BACKGROUND

The trial court entered an order transferring the case between district courts. Appellants attempted to appeal that order, but the appellate clerk notified them that it appeared unappealable. Appellants requested additional time to cure the jurisdictional defect and access to the record, but they did not adequately explain the delay or why the record was necessary to establish jurisdiction.

PROCEDURAL HISTORY

The 332nd District Court of Hidalgo County entered an order transferring the case between district courts on October 29, 2025. Appellants filed a notice of appeal on November 14, 2025. After the appellate clerk twice notified them that the order appeared unappealable and allowed time to cure the defect, appellants sought additional time and access to the appellate record. The court denied those motions and dismissed the appeal for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 205 (Tex. 2001)
- *Ogletree v. Matthews*, 262 W.S.3d 316, 319 n.1 (Tex. 2007)

OPINION

PER CURIAM.

NUMBER 13-25-00617-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI – EDINBURG

ERIKA SANTIAGOS
AND OSBALDO A. SAENZ JR., Appellants, v. SELVIN SANTIAGOS-SALGUERO, Appellee.
ON APPEAL FROM
THE 332ND DISTRICT COURT OF HIDALGO COUNTY, TEXAS
MEMORANDUM

OPINION Before Justices Silva, Cron, and Fonseca Memorandum Opinion by Justice Silva This matter is before the Court on appellants’ “amended motion extending time to file appellants cure of defect” which also contains a motion for access to the record.

Upon review of appellants’ notice of appeal and all other documents before us, we are of the opinion that this court lacks jurisdiction and the case should be dismissed for want of jurisdiction. On November 14, 2025, appellants attempted to appeal the trial court’s “Order of Transfer” entered on October 29, 2025 in trial court cause number C-4359-25-F.

On November 24, 2025, the Clerk of the Court notified appellants that it appears the order they were attempting to appeal was unappealable. On December 17, 2025, the Clerk of the Court again notified appellants that it appears that the order they were attempting to appeal was not an appealable order. Appellants were further notified that if the defect was not cured within ten days from the date of the notice, the appeal would be dismissed.

On January 14, 2026, appellants requested fifteen to thirty additional days to cure the defect and requested access to the appellate record. However, appellants failed to provide adequate explanation for the delay or why the record is necessary to establish jurisdiction. Upon review of the documents before us, we are of the opinion that an order transferring a case between district courts is not a final appealable order. “[A]n order or judgment is not final for purposes of appeal unless it actually disposes of every pending claim and party or unless it clearly and unequivocally states that it finally disposes of all claims and parties.” *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 205 (Tex.

2001). Absent an appealable interlocutory order or final judgment, this Court has no jurisdiction over this appeal. See *Ogletree v. Matthews*, 262 W.S.3d 316, 319 n.1 (Tex. 2007); *Lehmann*, 39 S.W.3d at 195. We are of the opinion that an order transferring a case between district courts is unappealable, and appellant has failed to establish our jurisdiction over the matter.

The 2 Court, having considered the notice of appeal, documents on file, and appellants’ failure to establish jurisdiction or otherwise correct the defect in their notice of appeal, we deny both

motions and dismiss this appeal for want of jurisdiction. See TEX. R. APP. P. 42.3(a), (c). CLARISSA SILVA Justice Delivered and filed on the 29th day of January, 2026.