

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

Jared Voetee v. Ovation Services, LLC

No. 13-26-00422-CV (Tex. App.—Corpus Christi–Edinburg June 25, 2026) · No. 13-26-00422-CV · Decided
June 25, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed the appeal for want of jurisdiction. The court concluded that the challenged order was not a final, appealable judgment because claims involving an intervenor remained pending, and the appellant did not identify a statute authorizing an interlocutory appeal. The court granted the appellee’s motion to dismiss.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg
WRITING FOR THE COURT	Ysmael D. Fonseca; Justice Peña; Justice West; Justice Fonseca
JURISDICTION	Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg
DECIDED	June 25, 2026
DOCKET	13-26-00422-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant sought review of an order labeled “Summary Judgment.” The appellee moved to dismiss the appeal for want of jurisdiction because the order was not final and no statute authorizing an interlocutory appeal was identified.
STANDARD OF REVIEW	De novo review of appellate jurisdiction and whether the order qualifies as a final, appealable judgment or an appealable interlocutory order.
PRECEDENTIAL VALUE	Published
PARTIES	Jared Voetee v. Ovation Services, LLC

TOPICS

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

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether the challenged summary-judgment order was a final, appealable judgment when claims and parties remained unresolved.
2. Whether the court had jurisdiction over an interlocutory appeal absent identification of a statute authorizing review of the order.

HOLDINGS

1. An order is not final for purposes of appeal unless it disposes of every pending claim and party or clearly and unequivocally states that it finally disposes of all claims and parties. Because claims and parties remained pending, the challenged order was not a final, appealable judgment.
2. Absent an appealable interlocutory order or final judgment, the court of appeals has no jurisdiction over the 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.” ” (at 2)

“ Absent an appealable interlocutory order or final judgment, this Court has no jurisdiction over this appeal.” (at 2)

FACTUAL BACKGROUND

The underlying litigation included claims by multiple parties, including intervenor Caldwell County Appraisal District. Although the challenged order bore the name “Summary Judgment,” the appellate record indicated that it did not resolve all claims and parties. Appellant also asserted that the appeal was interlocutory and that the trial court had orally pronounced the order appealable, but identified no statute authorizing the interlocutory appeal.

PROCEDURAL HISTORY

On April 17, 2026, Jared Voetee filed a document titled “Defendant Petitions for Appeal” from cause number 22-O-040 in the 421st District Court of Caldwell County. The appellate court determined that claims and parties remained pending, including claims by intervenor Caldwell County Appraisal District. After appellant filed an amended notice of appeal and reply, the court granted appellee’s motion 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

Jared Voetee v. Ovation Services, LLC

PER CURIAM.

NUMBER 13-26-00422-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

				JARED	VOETEE,
Appellant,	v.	OVATION	SERVICES,	LLC,	Appellee.

ON APPEAL FROM THE 421ST DISTRICT COURT
OF CALDWELL COUNTY, TEXAS

MEMORANDUM OPINION

Before Justices Peña, West, and Fonseca Memorandum Opinion by Justice Fonseca This matter is before the Court on appellee’s opposed motion to dismiss appeal, appellant’s reply brief, and appellee’s reply. On April 17, 2026, appellant, Jared Voetee, filed a “Defendant Petitions for Appeal” in cause no. 22-O-040. 1 Upon review of the 1 This case is before the Court on transfer from the Third Court of Appeals pursuant to a docket equalization order issued by the Supreme Court of Texas. See TEX. GOV’T CODE ANN. § 73.001. documents before the Court, despite bearing the name “Summary Judgment,” it appears that the order from which this appeal was taken was 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). Upon review of the record, it appears that some parties and claims to the underlying litigation remain pending before the trial court; specifically, there appears to be no resolution of the claims brought by intervenor Caldwell County Appraisal District. Based on the items in the appellate record, it appears there is not yet a final, appealable judgment. On June 17, 2026, appellant filed an amended notice of appeal, and on June 18, 2026, appellant filed a brief reply. These documents both acquiesce that the underlying litigation involves an additional party, but appellant asserts the appeal is interlocutory and that the trial court orally pronounced that the order was appealable. Despite these assertions, appellant fails to identify a statute establishing the appealability of such an interlocutory order. 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 v. Har-Con Corp.*, 39 S.W.3d 191,195 (Tex. 2001). The Court, having considered the record before us and appellant's failure to correct the defect in this matter, is of the opinion that the appeal should be dismissed for want of jurisdiction. See TEX. R. 2 APP. P. 42.3(a). Accordingly, appellee's motion to dismiss is granted, and the appeal is dismissed for want of jurisdiction. See *id.*

YSMAEL D. FONSECA

Justice Delivered and filed on the 25th day of June, 2026. 3