

COURT OF APPEALS FOR THE EIGHTH DISTRICT OF TEXAS

Manfred T. Sterl v. Beverly Mitrisin, Charles Thomas Nations, Brian Hooper, Mike Jansta, Mike Hayward, Jay Jacobs, Casper Rankin, Laurel Handley, Hollis Hamilton, and Bella Sol Properties, LLC

Sterl · No. No. 08-26-00065-CV · Decided February 11, 2026

SUMMARY

The Eighth District Court of Appeals of Texas dismissed the appeal for want of jurisdiction because the order granting a Rule 91a motion to dismiss was not a final judgment and no statutory exception permitting an interlocutory appeal applied. The court noted that the order left claims against Bella Sol Properties, LLC pending, and the appellant did not respond to the court's jurisdictional inquiry.

CASE DETAILS

COURT	Court of Appeals for the Eighth District of Texas
WRITING FOR THE COURT	Maria Salas Mendoza, Chief Justice; Palafox, Justice; Soto, Justice
JURISDICTION	Court of Appeals for the Eighth District of Texas
DECIDED	February 11, 2026
DOCKET	No. 08-26-00065-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from an order granting a Texas Rule of Civil Procedure 91a motion to dismiss as to several defendants and severing those defendants into a new cause number. The court of appeals sua sponte considered whether it had jurisdiction and dismissed the appeal.
STANDARD OF REVIEW	The court independently determined whether it had appellate jurisdiction based on the finality and appealability of the challenged order.
PRECEDENTIAL VALUE	published
PARTIES	Manfred T. Sterl v. Beverly Mitrisin, Charles Thomas Nations, Brian Hooper, Mike Jansta, Mike Hayward, Jay Jacobs, Casper Rankin, Laurel Handley, Hollis Hamilton, Bella Sol Properties, LLC

TOPICS

appellate jurisdiction

final judgment rule

interlocutory appeal

appellate procedure

civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether the December 12, 2025 order was a final judgment appealable as of right.
2. Whether a statutory exception authorized an interlocutory appeal.
3. Whether the appeal should be dismissed for want of appellate jurisdiction.

HOLDINGS

1. The order was not a final judgment because it did not dispose of all claims of all parties; the original cause continued with claims against Bella Sol Properties, LLC.
2. The order was not an appealable interlocutory order because Appellant did not demonstrate that a statutory exception permitted the appeal.

KEY QUOTATIONS

“A judgment is final for the purposes of an appeal if it disposes of all pending claims and parties in the case or if it “states with unmistakable clarity that it is a final judgment as to all claims and all parties.”” (at 1)

“Because the appealed order is neither final nor an appealable interlocutory order, we dismiss the appeal for want of jurisdiction.” (at 1)

FACTUAL BACKGROUND

The trial court granted a Rule 91a motion to dismiss as to nine defendants and severed those dismissed parties into a new cause number. Although the order stated that it disposed of all parties and claims in the severed action and was appealable, it also ordered that the original cause continue with Plaintiff's remaining claims against Bella Sol Properties, LLC. The appellant did not respond to the appellate court's jurisdictional inquiry.

PROCEDURAL HISTORY

The 448th District Court of El Paso County entered a December 12, 2025 order dismissing claims against several defendants and severing them into a new cause number, while directing that the original cause continue against Bella Sol Properties, LLC. The court of appeals notified Appellant that the order might not be final or appealable and gave him an opportunity to demonstrate appellate jurisdiction. Appellant did not respond, and the court dismissed the appeal for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 192-93, 195 (Tex. 2001)

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