

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

**Kathleen Miller, Travis Richardson, and Ronnie Richardson v. City
of Mont Belvieu, Texas**

No. 01-25-00235-CV, Court of Appeals for the First District of Texas (June 23, 2026)

SUMMARY

The Texas Court of Appeals dismissed an interlocutory appeal for want of jurisdiction because the plea to the jurisdiction had been filed by the property owners rather than a governmental unit. The court also declined to construe the appellants' brief as a petition for writ of mandamus in a condemnation proceeding involving undivided property interests.

OPINION

PER CURIAM.

Opinion issued June 23, 2026 In The Court of Appeals For The First District of Texas NO. 01-25-00235-CV KATHLEEN MILLER, TRAVIS RICHARDSON, AND RONNIE RICHARDSON, Appellants V. CITY OF MONT BELVIEU, Appellee On Appeal from the 344th District Court Chambers County, Texas Trial Court Case No. 21DCV0619 MEMORANDUM OPINION To expand its municipal golf course, the City of Mont Belvieu initiated a condemnation suit over a certain tract of real property owned by three siblings in equal, undivided interests ("property owners").

After the special commissioners assessed damages due to the property owners, the property owners filed a plea to the jurisdiction based on the failure to serve notice of the special commissioners' hearing on one of the owners.

The trial court denied the property owners' plea to the jurisdiction. In two issues, the property owners contend the special commissioners' award condemning their undivided property interests was void due to lack of jurisdiction for failing to serve notice on one of them. But we do not have jurisdiction over this interlocutory appeal under Texas Civil Practice and Remedies Code section 51.014(a)(8) because the plea to the jurisdiction was filed by the property owners, not a governmental unit.

See TEX. CIV. PRAC. & REM. CODE § 51.014(a)(8). After asking the parties to address whether we have jurisdiction over this appeal, the property owners requested that we construe their brief as a petition for writ of mandamus.

We decline to do so. Thus, we dismiss this appeal for want of jurisdiction. Clint Morgan Justice Panel consists of Justices Gunn, Caughey, and Morgan. 2

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