

FOURTH COURT OF APPEALS OF TEXAS AT SAN ANTONIO

Quentin De La Garza v. Eckert 1G LLC d/b/a Eckert Heights

No. 04-25-00668-CV · No. 04-25-00668-CV · Decided November 26, 2025

SUMMARY

The Fourth Court of Appeals of Texas dismissed an appeal in a forcible detainer case for lack of jurisdiction. The court concluded that an order granting immediate issuance of a writ of possession was not final and appealable because it did not dispose of all claims, and the appellant failed to respond to the court’s show-cause order.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas at San Antonio
WRITING FOR THE COURT	Lori I. Valenzuela, Justice; Lori Massey Brissette, Justice; Adrian A. Spears II, Justice
JURISDICTION	Fourth Court of Appeals, San Antonio, Texas
DECIDED	November 26, 2025
DOCKET	04-25-00668-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from an order granting appellee's motion for immediate issuance of a writ of possession in a forcible detainer case.
STANDARD OF REVIEW	De novo review of appellate jurisdiction and whether the challenged order is final and appealable.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Quentin De La Garza v. Eckert 1G LLC d/b/a Eckert Heights

TOPICS

- appellate jurisdiction
- final judgment rule
- appellate procedure
- eviction
- landlord tenant

PRACTICE AREAS

- appellate procedure
- landlord-tenant law
- forcible detainer

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an appeal from an order granting immediate issuance of a writ of possession that did not dispose of all parties and causes of action.

HOLDINGS

1. An order that does not dispose of all parties and causes of action is not final and appealable; therefore, the court of appeals lacked jurisdiction over the appeal.

KEY QUOTATIONS

“An order that does not dispose of all parties and causes of action is not final and appealable.” (at 1)

“We therefore dismiss this appeal for lack of jurisdiction.” (at 1)

FACTUAL BACKGROUND

This was a forcible detainer case in which the trial court granted Eckert 1G LLC's motion for immediate issuance of a writ of possession. Quentin De La Garza attempted to appeal that order, which did not dispose of all parties and causes of action.

PROCEDURAL HISTORY

The County Court at Law No. 3 of Bexar County signed an October 16, 2025 order granting appellee's motion for immediate issuance of a writ of possession. The court of appeals ordered appellant to show cause why the appeal should not be dismissed for lack of jurisdiction; appellant did not respond. The court dismissed the appeal because the challenged order was not final and appealable.

DISPOSITION

dismissed

CASES CITED

- Ne. Indep. Sch. Dist. v. Aldridge, 400 S.W.2d 893, 895 (Tex. 1966)

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas MEMORANDUM OPINION No. 04-25-00668-CV
Quentin DE LA GARZA, Appellant v. ECKERT 1G LLC d/b/a Eckert Heights, Appellee From the
County Court at Law No. 3, Bexar County, Texas Trial Court No. 2025-CV-05930 Honorable
David J. Rodriguez, Judge Presiding PER CURIAM Sitting: Lori I. Valenzuela, Justice Lori
Massey Brissette, Justice Adrian A. Spears II, Justice Delivered and Filed: November 26, 2025
DISMISSED FOR LACK OF JURISDICTION This is an appeal in a forcible detainer case.

It appears that appellant seeks to appeal from an order signed on October 16, 2025 that granted appellee's motion for immediate issuance of a writ of possession. This order does not dispose of all claims in dispute between the parties. An order that does not dispose of all parties and causes of action is not final and appealable. *Ne. Indep. Sch. Dist. v. Aldridge*, 400 S.W.2d 893, 895 (Tex.

1966). On October 22, 2025, we ordered 04-25-00668-CV appellant to show cause in writing by November 3, 2025 why this appeal should not be dismissed for lack of jurisdiction. Appellant did not respond to our order. We therefore dismiss this appeal for lack of jurisdiction. PER CURIAM
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