

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH

Isabelle Edwards v. KFS Lewisville, LLC

No. 02-25-00422-CV (Tex. App.—Fort Worth Apr. 23, 2026) · No. No. 02-25-00422-CV · Decided April 23, 2026

SUMMARY

The Texas Second Court of Appeals dismissed Isabelle Edwards’s appeal for want of jurisdiction. The trial court’s order granted a Texas Rule of Civil Procedure 91a motion to dismiss and awarded attorney’s fees, but it did not determine the amount of fees and expressly stated that it was not a final order. The appellate court held that the order was neither a final judgment nor an appealable interlocutory order.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Brian Walker; Sudderth, C.J.; Kerr, J.; Walker, J.
JURISDICTION	Court of Appeals for the Second Appellate District of Texas at Fort Worth
DECIDED	April 23, 2026
DOCKET	No. 02-25-00422-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Edwards, acting pro se, attempted to appeal an order granting KFS Lewisville's Texas Rule of Civil Procedure 91a motion to dismiss and awarding attorneys' fees, although the order left the amount of fees undetermined and expressly stated that it was not final. The court of appeals dismissed the appeal for want of jurisdiction.
STANDARD OF REVIEW	The court reviewed its appellate jurisdiction de novo as a threshold question of law.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Isabelle Edwards v. KFS Lewisville, LLC

TOPICS

appellate jurisdiction

interlocutory appeal

final judgment rule

appellate procedure

civil procedure

PRACTICE AREAS

Civil procedure

Appellate procedure

QUESTIONS PRESENTED

1. Whether the August 5, 2025 order was a final judgment appealable as of right when it expressly left the amount of attorneys' fees unresolved.
2. Whether an interlocutory order granting a Texas Rule of Civil Procedure 91a motion to dismiss was immediately appealable.

HOLDINGS

1. An order rendered without a conventional trial on the merits is not final unless it actually disposes of every pending claim and party or clearly and unequivocally states that it finally disposes of all claims and parties. The trial court's order was not final because it left the amount of attorneys' fees undetermined and expressly stated that it was not a final order.
2. An interlocutory order granting a Rule 91a motion to dismiss is not immediately appealable when it does not dispose of all pending claims.

KEY QUOTATIONS

"We may consider appeals only from final judgments or from interlocutory orders made immediately appealable by statute." (slip op. at 1)

"is not final unless (1) it actually disposes of every pending claim and party or (2) it clearly and unequivocally states that it finally disposes of all claims and parties" (slip op. at 1-2)

"Because the order from which Edwards attempts to appeal is neither a final judgment nor an appealable interlocutory order, we dismiss this appeal for want of jurisdiction." (slip op. at 2)

FACTUAL BACKGROUND

The trial court entered an August 5, 2025 order granting KFS Lewisville's Rule 91a motion to dismiss Edwards's claim and awarding attorneys' fees. The order did not determine the amount of attorneys' fees and expressly stated that it was not a final order subject to immediate appellate review. Edwards nevertheless attempted to appeal from that order and did not respond to the appellate court's jurisdictional notice.

PROCEDURAL HISTORY

The Denton County Court at Law No. 2 granted KFS Lewisville's motion to dismiss under Rule 91a and awarded attorneys' fees, but left the amount of fees unresolved. Edwards appealed. The court of appeals questioned its jurisdiction, notified Edwards that the appeal could be dismissed, received no response, and dismissed the appeal because the challenged order was neither a final judgment nor an appealable interlocutory order.

DISPOSITION

dismissed

CASES CITED

- *Bonsmara Nat. Beef Co. v. Hart of Tex. Cattle Feeders, LLC*, 603 S.W.3d 385, 390 (Tex. 2020)
- *In re Guardianship of Jones*, 629 S.W.3d 921, 924 (Tex. 2021)
- *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 200, 205 (Tex. 2001)
- *Hollis v. ProPath Assocs., PLLC*, No. 02-19-00167-CV, 2019 WL 3024472, at *1 (Tex. App.—Fort Worth July 11, 2019, no pet.)
- *DRC Constr. v. Pickle*, No. 01-20-00576-CV, 2022 WL 479918, at *4 (Tex. App.—Houston [1st Dist.] Feb. 17, 2022, no pet.)

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