

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

**Regina Cyphers v. Children's Alliance of South Texas, Lorelei Iris
Voronin, Christina Martinez and Alexandra Torres**

No. 04-21-00225-CV (Tex. App.—San Antonio Aug. 11, 2021) · No. No. 04-21-00225-CV · Decided August 11,
2021

OPINION

Regina Cyphers v. Children's Alliance of South Texas, Lorelei Iris Voronin, Christina Martinez
and Alexandra Torres

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas

MEMORANDUM OPINION

No. 04-21-00225-CV Regina CYPHERS, Appellant v.

CHILDREN'S ALLIANCE OF SOUTH TEXAS,

Lorelei Iris Voronin, Christina Martinez, and Alexandra Torres, Appellees From the 285th Judicial
District Court, Bexar County, Texas Trial Court No. 2021-CI-01494 Honorable Aaron Haas, Judge
Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice Luz Elena D. Chapa, Justice Irene Rios, Justice Delivered and
Filed: August 11, 2021

DISMISSED FOR WANT OF JURISDICTION

On January 25, 2021, Regina Cyphers sued Children's Alliance of South Texas and other
defendants for, inter alia, defamation. On May 11, 2021, the trial court granted the defendants'
motion to dismiss under the TCPA. See TEX. CIV. PRAC. & REM. CODE ANN. § 27.003(a). In
its order, the trial court noted that "the Court will determine the reasonable and necessary amount
of fees and costs to award to Defendants against Plaintiff at a future hearing." On June 2, 2021,
Regina Cyphers, representing herself, filed a notice of appeal. 04-21-00225-CV Generally, "an
appeal may be taken only from a final judgment. A judgment is final for purposes of appeal if it
disposes of all pending parties and claims in the record, except as necessary to carry out the
decree." *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001). Here, the trial court's order
expressly states it has not yet determined the court costs and reasonable attorney's fees and
expenses that it must award to the defendants. See TEX. CIV. PRAC. & REM. CODE ANN. §
27.009(a) (mandatory costs, sanctions); *Leniek v. Evolution Well Servs., LLC*, No. 14-18-00954-
CV, 2019 WL 438825, at *2 (Tex. App.—Houston [14th Dist.] Apr. 2, 2019, no pet.) (mem. op.).
The trial court's May 11, 2021 order did not dispose of all parties and claims. Cf. *Lehmann*, 39
S.W.3d at 200 (noting "[t]he intent to finally dispose of the case must be unequivocally expressed

in the words of the order”); Leniek, 2019 WL 438825, at *2 (determining an order that granted a TCPA motion to dismiss but did not determine or award court costs and reasonable attorney’s fees and expenses was “an unappealable interlocutory order”). On July 16, 2021, we ordered Appellant Regina Cyphers to show cause in writing not later than July 26, 2021, why this appeal should not be dismissed for want of jurisdiction. See TEX. R. APP. P. 42.3(a). We warned her that if she did not timely provide written proof as ordered, we would dismiss her appeal. See *id.* To date, Appellant has not filed any response. We dismiss this appeal for want of jurisdiction.

PER CURIAM

-2-