

COURT OF APPEALS, SECOND APPELLATE DISTRICT OF TEXAS AT FORT WORTH

Jeanne Marie Blair v. Dale Ray Blair

No. 02-25-00696-CV (Tex. App.—Fort Worth June 4, 2026) · No. No. 02-25-00696-CV · Decided June 4, 2026

SUMMARY

The Texas Court of Appeals affirmed an amended order appointing a receiver to sell property that the parties’ 2013 divorce decree had required them to sell. The court held that the receiver appointment was authorized by the decree and was not an abuse of discretion, and it rejected or deemed waived the appellant’s arguments concerning limitations, laches, dormancy, notice, due process, and receivership procedures.

CASE DETAILS

COURT	Court of Appeals, Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Mike Wallach; Birdwell; Bassel; Wallach
JURISDICTION	Court of Appeals, Second Appellate District of Texas at Fort Worth
DECIDED	June 4, 2026
DOCKET	No. 02-25-00696-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Jeanne Blair appealed the trial court's amended order appointing a receiver to take possession of and sell property awarded for sale under the parties' 2013 divorce decree.
STANDARD OF REVIEW	Abuse of discretion. A trial court abuses its discretion when it acts without reference to guiding rules or principles, including when its act is arbitrary or unreasonable.
PRECEDENTIAL VALUE	published
PARTIES	Jeanne Marie Blair v. Dale Ray Blair

TOPICS

- family law procedure
- divorce
- remedies
- appellate procedure
- due process

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by appointing a receiver to sell property pursuant to the parties' divorce decree.
2. Whether limitations, laches, or dormancy barred enforcement of the divorce decree.
3. Whether the trial court violated Jeanne's due-process rights by appointing a receiver without adequate notice, an evidentiary hearing, or sufficient findings.
4. Whether the receivership order was overbroad or disproportionate and whether alleged procedural defects under Texas Rules of Civil Procedure 695 and 695a required reversal.

HOLDINGS

1. The trial court did not abuse its discretion by appointing a receiver because the divorce decree expressly required sale of the property, authorized appointment of a receiver if the property remained unsold after March 15, 2014, and the property remained unsold.
2. Jeanne waived the limitations and laches defenses because she did not plead them and the record did not show that they were tried by consent.
3. Jeanne did not preserve her dormancy complaint, and the record did not establish that the decree had become dormant.
4. Jeanne's due-process complaints did not warrant reversal because the record showed that she received notice and appeared at the relevant hearings, and she failed to preserve her constitutional objections or adequately brief them.

KEY QUOTATIONS

“Under the particular circumstances presented here, we cannot say that the trial court’s appointment of a receiver was without justification or was disproportionate.” (10)

“Having overruled Jeanne’s four issues, we affirm the Order.” (15)

FACTUAL BACKGROUND

The parties' 2013 final divorce decree required their jointly owned property to be placed on the market and sold, and authorized either party to seek a court-appointed receiver if the property remained unsold after March 15, 2014. The property was never sold, and Jeanne allegedly refused to list it, refinanced it, and filed a lis pendens; she instead sought to purchase the property under her interpretation of the decree. After notice and hearings, the trial court determined that appointment of a receiver was necessary to enforce the decree and appointed a receiver to sell the property.

PROCEDURAL HISTORY

The parties divorced in 2013, and the decree required the property to be sold and authorized either party to seek appointment of a receiver if it remained unsold after March 15, 2014. In 2024, Dale Blair sought enforcement of

the decree, while Jeanne sought specific performance of an alleged agreement under which she would purchase the property. After hearings and unsuccessful mediation, the trial court appointed a receiver, later removed that receiver, and then appointed a replacement receiver in an amended order. Jeanne appealed, asserting abuse of discretion, limitations, laches, dormancy, and due-process violations. The court of appeals affirmed and denied Dale's motion for sanctions.

DISPOSITION

affirmed

CASES CITED

- Smith v. Myers, No. 01-13-00722-CV, 2014 WL 3002086, at *2 (Tex. App.—Houston [1st Dist.] July 1, 2014, pet. denied)
- Low v. Henry, 221 S.W.3d 609, 614 (Tex. 2007)
- Cire v. Cummings, 134 S.W.3d 835, 838-39 (Tex. 2004)
- Chapa v. Chapa, No. 04-12-00519-CV, 2012 WL 6728242, at *1-2 (Tex. App.—San Antonio Dec. 28, 2012, no pet.)
- Rowe v. Rowe, 887 S.W.2d 191, 200 (Tex. App.—Fort Worth 1994, writ denied)
- S.T. v. H.K., Nos. 02-21-00408-CV, 02-21-00420-CV, 02-22-00010-CV, 2023 WL 2607751, at *18 (Tex. App.—Fort Worth Mar. 23, 2023, pet. denied)
- Rusk v. Rusk, 5 S.W.3d 299, 306-07 (Tex. App.—Houston [14th Dist.] 1999, pet. denied)
- Allen v. Allen, No. 02-17-00031-CV, 2018 WL 547586, at *6 (Tex. App.—Fort Worth Jan. 25, 2018, no pet.)
- Green Diesel, LLC v. VicNRG, LLC, No. 14-13-00017-CV, 2013 WL 3354645, at *3 (Tex. App.—Houston [14th Dist.] July 2, 2013, no pet.)
- Fite v. Emtel, Inc., No. 01-07-00273-CV, 2008 WL 4427676, at *9 (Tex. App.—Houston [1st Dist.] Oct. 2, 2008, pet. denied) (mem. op. on reh'g)
- Hancock v. Championx, LLC, No. 15-24-00111-CV, 2026 WL 692439, at *7 (Tex. App.—15th Dist. Mar. 12, 2026, no pet. h.)
- Campbell v. Pompa, 585 S.W.3d 561, 569 (Tex. App.—Fort Worth 2019, pet. denied)
- Hendrix v. AAL Organic Matters, LLC, No. 11-22-00199-CV, 2024 WL 2194597, at *2 (Tex. App.—Eastland May 16, 2024, no pet.)
- Ingram v. Deere, 288 S.W.3d 886, 893 (Tex. 2009)
- Jafri v. Aljuhani, No. 14-24-00692-CV, 2026 WL 775419, at *7 (Tex. App.—Houston [14th Dist.] Mar. 19, 2026, no pet.)
- University of Texas Medical Branch at Galveston v. Barrett, 159 S.W.3d 631, 632 (Tex. 2005)
- Peralta v. Heights Medical Center, Inc., 485 U.S. 80, 108 S. Ct. 896 (1988)