

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

Gary Taylor v. SeaHarbor Insurance and Mariam Abdalla

No. 02-26-00232-CV (Tex. App.—Fort Worth May 28, 2026) · No. 02-26-00232-CV · Decided May 28, 2026

SUMMARY

The Texas Court of Appeals for the Second Appellate District dismissed Gary Taylor’s appeal for want of jurisdiction. The court held that the order granting SeaHarbor Insurance’s Rule 91a motion did not dispose of Taylor’s claims against co-defendant Mariam Abdalla and 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	Birdwell, J.; Bassel, J.; Womack, J.
JURISDICTION	Court of Appeals for the Second Appellate District of Texas at Fort Worth
DECIDED	May 28, 2026
DOCKET	02-26-00232-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Taylor appealed an order granting SeaHarbor Insurance's Texas Rule of Civil Procedure 91a motion to dismiss. The court of appeals dismissed the appeal for want of jurisdiction because the order was neither a final judgment nor an appealable interlocutory order.
STANDARD OF REVIEW	De novo jurisdictional review; the court determines its appellate jurisdiction from the record and applicable statutes governing final judgments and appealable interlocutory orders.
PRECEDENTIAL VALUE	Published Texas Court of Appeals memorandum opinion; the supplied metadata identifies the opinion as published.
PARTIES	Gary Taylor v. SeaHarbor Insurance, Mariam Abdalla

TOPICS

- appellate jurisdiction
- final judgment rule
- interlocutory appeal
- appellate procedure
- civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

insurance

QUESTIONS PRESENTED

1. Whether the trial court's order granting SeaHarbor Insurance's Rule 91a motion to dismiss was a final judgment appealable as of right when claims against co-defendant Mariam Abdalla remained pending.
2. Whether the order was an appealable interlocutory order under Texas Civil Practice and Remedies Code section 51.014(a).

HOLDINGS

1. An order granting a Rule 91a motion to dismiss is not a final judgment when it does not dispose of all claims and parties and does not clearly and unequivocally state that it finally disposes of all claims and parties.
2. An order granting a Rule 91a motion to dismiss is not an appealable interlocutory order under Texas Civil Practice and Remedies Code section 51.014(a).
3. The appeal must be dismissed for want of jurisdiction because the challenged order was neither a final judgment nor an appealable interlocutory order.

KEY QUOTATIONS

“Because it is not a final judgment or an appealable interlocutory order, we dismiss this appeal for want of jurisdiction.” (at 1)

“A final judgment is one that disposes of every pending claim and party or that “clearly and unequivocally states that it finally disposes of all claims and all parties.”” (at 1)

FACTUAL BACKGROUND

Taylor sued SeaHarbor Insurance and Mariam Abdalla. The trial court's order granted SeaHarbor's Rule 91a motion to dismiss but did not dispose of Taylor's claims against Abdalla, who remained a pending party. After the appellate court warned Taylor that the appeal might be jurisdictionally defective, he did not respond.

PROCEDURAL HISTORY

Taylor sued SeaHarbor Insurance and Mariam Abdalla in County Court at Law No. 1 of Tarrant County. The trial court granted SeaHarbor's Rule 91a motion to dismiss but did not address Taylor's claims against Abdalla. The court of appeals notified Taylor of its jurisdictional concern, but he filed no response, and the court dismissed the appeal.

DISPOSITION

dismissed

CASES CITED

- Lehmann v. Har-Con Corp., 39 S.W.3d 191, 195, 205 (Tex. 2001)
- Gaff v. PHH Mortg. Corp., No. 02-24-00486-CV, 2025 WL 1478175, at *3 (Tex. App.—Fort Worth May 22, 2025, no pet.)

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