

FOURTH COURT OF APPEALS OF SAN ANTONIO, TEXAS

Jasreal Ruiz and Yajaira E. Ruiz v. Perry Homes, LLC

No. 04-25-00403-CV · No. 04-25-00403-CV · Decided November 26, 2025

SUMMARY

The Fourth Court of Appeals of San Antonio dismissed the interlocutory appeal for lack of jurisdiction. The court construed the appeal as a petition for writ of mandamus at the appellants' request and denied mandamus relief.

CASE DETAILS

COURT	Fourth Court of Appeals of San Antonio, Texas
WRITING FOR THE COURT	Adrian A. Spears II; H. Todd McCray; Velia J. Meza
JURISDICTION	Fourth Court of Appeals of San Antonio, Texas
DECIDED	November 26, 2025
DOCKET	04-25-00403-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellants pursued an interlocutory appeal and requested that the court construe it as a petition for writ of mandamus.
PRECEDENTIAL VALUE	Published
PARTIES	Jasreal Ruiz, Yajaira E. Ruiz v. Perry Homes, LLC

TOPICS

- appellate jurisdiction
- interlocutory appeal
- appellate procedure
- remedies

PRACTICE AREAS

- appellate procedure
- civil procedure
- remedies

QUESTIONS PRESENTED

- Whether the court had jurisdiction over the interlocutory appeal.
- Whether appellants were entitled to mandamus relief after the interlocutory appeal was construed as a petition for writ of mandamus.

HOLDINGS

1. The court lacked jurisdiction over the interlocutory appeal and dismissed it.
2. After construing the interlocutory appeal as a petition for writ of mandamus, the court determined that the relators were not entitled to the requested relief and denied the petition.

KEY QUOTATIONS

“the appeal is DISMISSED FOR LACK OF JURISDICTION.”

“the petition for writ of mandamus is DENIED.”

FACTUAL BACKGROUND

The order provides no substantive facts underlying the dispute. It states only that appellants sought appellate relief from an interlocutory matter and, after the appeal was construed as a mandamus petition, the court considered the response, appellate record, and applicable law.

PROCEDURAL HISTORY

The matter arose from the 150th Judicial District Court of Bexar County, Texas, in Trial Court No. 2025CI01486. The Fourth Court of Appeals dismissed the interlocutory appeal for lack of jurisdiction, construed the appeal as a petition for writ of mandamus at appellants' request, and denied mandamus relief.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas November 26, 2025 No. 04-25-00403-CV Jasreal RUIZ and Yajaira E. Ruiz, Appellants v. PERRY HOMES, LLC, Appellee From the 150th Judicial District Court, Bexar County, Texas Trial Court No. 2025CI01486 Honorable Tina Torres, Judge Presiding ORDER Sitting: Adrian A. Spears II, Justice H. Todd McCray, Justice Velia J. Meza, Justice In accordance with this Court’s memorandum opinion of this date, the appeal is DISMISSED FOR LACK OF JURISDICTION.

Further, upon appellants’ request, this court has construed this interlocutory appeal as a petition for writ of mandamus. After considering the appellants’ response, the appellate record, and the law, this court has determined that the relators are not entitled to the relief sought.

Therefore, the petition for writ of mandamus is DENIED. See TEX. R. APP. P. 52.8(a). It is so ORDERED on November 26, 2025. _____ Adrian A. Spears II, Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said

court on this 26th day of November, 2025. _____ Caitlin A.
McCamish, Clerk of Court

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