

FOURTH COURT OF APPEALS OF SAN ANTONIO, TEXAS

Bianca Fox v. Cypress at Stone Oak

No. 04-26-00120-CV · No. No. 04-26-00120-CV · Decided April 8, 2026

SUMMARY

The Fourth Court of Appeals of San Antonio dismissed Bianca Fox’s appeal for lack of jurisdiction. The court determined that no final judgment or appealable interlocutory order had been signed, and that the orders concerning protection and subpoena compliance were not appealable; all pending motions were denied as moot.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                         |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Fourth Court of Appeals of San Antonio, Texas                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Rebeca C. Martinez, Chief Justice; Irene Rios, Justice; Lori I. Valenzuela, Justice                                                                                                                                                                                     |
| JURISDICTION          | Fourth Court of Appeals of San Antonio, Texas                                                                                                                                                                                                                           |
| DECIDED               | April 8, 2026                                                                                                                                                                                                                                                           |
| DOCKET                | No. 04-26-00120-CV                                                                                                                                                                                                                                                      |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | Appellant filed a notice of appeal purporting to appeal a turnover order. The appellate court determined that the record contained only interlocutory orders and dismissed the appeal for lack of jurisdiction after appellant failed to respond to a show-cause order. |
| STANDARD OF REVIEW    | The appellate court determined its own appellate jurisdiction; Texas appellate courts generally have jurisdiction only to review final judgments unless an interlocutory appeal is specifically authorized by statute.                                                  |
| PRECEDENTIAL VALUE    | published                                                                                                                                                                                                                                                               |
| PARTIES               | Bianca Fox v. Cypress at Stone Oak                                                                                                                                                                                                                                      |

TOPICS

- appellate jurisdiction
- interlocutory appeal
- appellate procedure
- civil procedure

PRACTICE AREAS

**QUESTIONS PRESENTED**

1. Whether the court of appeals had jurisdiction over an appeal from the identified January 30, 2026 orders.
2. Whether the appeal should be dismissed because neither a final judgment nor an appealable interlocutory order had been signed.

**HOLDINGS**

1. The court of appeals lacked jurisdiction because the record contained neither a final judgment nor an interlocutory order authorizing an appeal.

**KEY QUOTATIONS**

““Unless specifically authorized by statute, Texas appellate courts have jurisdiction only to review final judgments.”” (at -2-)

**FACTUAL BACKGROUND**

Fox purported to appeal a turnover order signed on January 30, 2026. The clerk's record contained no such turnover order, but contained an order denying her motion for protection and an order requiring her to comply with a subpoena.

**PROCEDURAL HISTORY**

Fox filed a notice of appeal on February 12, 2026, identifying a purported January 30, 2026 turnover order. The clerk's record contained no such order, but did contain orders denying a motion for protection and requiring compliance with a subpoena. The court ordered Fox to show cause why the appeal should not be dismissed for lack of jurisdiction; she filed no response. The court dismissed the appeal.

**DISPOSITION**

dismissed

**CASES CITED**

- Pelt v. State Bd. Of Ins., 802 S.W.2d 822, 826 (Tex. App.—Austin 1990, no writ)
- RWLS L.L.C. v. Gray Wireline Service, Inc., 359 S.W.3d 927, 928 (Tex. App.—Houston [14th Dist.] 2012, pet. denied) (per curiam, sub. op. on reh'g)
- McFadin v. Broadway Coffeehouse, LLC, 539 S.W.3d 278, 283 (Tex. 2018)