

DISMISS and Opinion Filed May 28, 2020



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-20-00019-CV

**ZGAMYLE BROWN A/K/A ZGAMYLE BROWN HOWARD, Appellant
V.
GIANCARLO FRANCO, Appellee**

**On Appeal from the 160th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-18-06226**

MEMORANDUM OPINION

**Before Justices Bridges, Pedersen, III, and Evans
Opinion by Justice Evans**

This is an appeal from the trial court's order on appellant's motion to reconsider order compelling discovery. Because the record does not reflect a final judgment has been signed, and an order relating to discovery is generally interlocutory and reviewable only on appeal from final judgment, we questioned our jurisdiction over the appeal and directed appellant to file a letter brief addressing our concern. *See Pelt v. State Bd. of Ins.*, 802 S.W.2d 822, 827 (Tex. App.—Austin 1990, no writ); *see also Jack B. Anglin Co., Inc. v. Tipps*, 842 S.W.2d 266, 272 (Tex. 1992) (appeal may be taken from final judgment or interlocutory order authorized

by statute); *Sharma v. Vinmar Int'l, Ltd.*, 231 S.W.3d 405, 422 (Tex. App.—Houston [14th Dist.] 2007, no pet.) (appeal from interlocutory discovery order not authorized by statute). Although we cautioned appellant that failure to file the requested letter brief within ten days could result in dismissal of the appeal without further notice, more than ten days have passed, and appellant has not responded. *See* TEX. R. APP. P. 42.3(a),(c).

Because the appealed order is interlocutory and nothing before us reflects a final judgment has been signed, we dismiss the appeal for want of jurisdiction. *See id.* 42.3(a); *Pelt*, 802 S.W.2d at 827.

/David Evans/

DAVID EVANS
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

ZGAMYLE BROWN A/K/A
ZGAMYLE BROWN HOWARD,
Appellant

No. 05-20-00019-CV V.

GIANCARLO FRANCO, Appellee

On Appeal from the 160th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-18-06226.
Opinion delivered by Justice Evans,
Justices Bridges and Pedersen, III
participating.

In accordance with this Court's opinion of this date, we **DISMISS** the appeal.

Judgment entered May 28, 2020.