

Dismissed and Opinion Filed July 1, 2020



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-20-00583-CV

MARCUS JARROD PAYNE, Appellant

V.

STACY ELEY PAYNE, Appellee

On Appeal from the 303rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-19-09267

MEMORANDUM OPINION

Before Justices Schenck, Molberg, and Nowell
Opinion by Justice Molberg

We questioned our jurisdiction over this appeal as no final appealable judgment appeared to have been signed. *See* TEX. FAM. CODE ANN. § 201.16(b); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (subject to mostly statutory exceptions, appeal may only be taken from final judgment that disposes of all parties and claims). At our request, the parties filed letter briefs. Neither party disputes we lack jurisdiction and, by motion filed June 24, 2020, appellant requests

we dismiss the appeal. We grant the motion, dismiss the appeal, and dismiss the pending motion for emergency relief. *See* TEX. R. APP. P. 42.

/Ken Molberg//
KEN MOLBERG
JUSTICE

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

JUDGMENT

MARCUS JARROD PAYNE,
Appellant

No. 05-20-00583-CV V.

STACY ELEY PAYNE, Appellee

On Appeal from the 303rd Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DF-19-09267.
Opinion delivered by Justice
Molberg, Justices Schenck and
Nowell participating.

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

Judgment entered this 1st day of July, 2020.