

Dismiss and Opinion Filed June 15, 2021



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

No. 05-20-01085-CV

IN THE INTEREST OF T.C.N., A CHILD

**On Appeal from the 255th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-17-15940**

MEMORANDUM OPINION

Before Chief Justice Burns, Justice Molberg, and Justice Goldstein
Opinion by Justice Molberg

We questioned our jurisdiction over this appeal from the trial court's order dismissing appellant's petition to modify parent-child relationship as it appeared other claims remained pending and the appeal was premature. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 195 (Tex. 2001) (subject to mostly statutory exceptions, appeal may be taken only from final judgment that disposes of all issues and parties). Specifically, paternal grandmother had filed a petition for grandparent access, and no order appeared to dispose of grandmother's claims.

In jurisdictional briefing filed at the Court's request, appellant does not dispute grandmother's petition has not been disposed of by written order, but asserts the petition was orally stricken for lack of standing and, therefore, no claims remain. As appellee points out, however, an oral ruling must be reduced to writing and signed by the trial court. *See* TEX. R. CIV. P. 306a(2); *Dunn v. Dunn*, 439 S.W.3d 830, 832 (Tex. 1969) (trial court has ministerial duty to sign judgment after oral rendition).

Because no written order has been signed disposing of grandmother's claims, the appeal is premature and we lack jurisdiction over it. Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

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/Ken Molberg//
KEN MOLBERG
JUSTICE



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

JUDGMENT

IN THE INTEREST OF T.C.N., A
CHILD

No. 05-20-01085-CV

On Appeal from the 255th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DF-17-15940.
Opinion delivered by Justice
Molberg, Chief Justice Burns and
Justice Goldstein participating.

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

We **ORDER** that appellee Attauyo Nkere Nsekhe recover his costs, if any, of this appeal from appellant Gelina Batts.

Judgment entered this 15th day of June, 2021.