

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE
April 24, 2023

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| <p>FILED 04/24/2023 Clerk of the Appellate Courts</p> |
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SHEQUINTA PATTERSON v. YAZID M. SAJIID EL

**Appeal from the Juvenile Court for Rutherford County
No. JS13864 Travis Macon Lampley, Judge**

No. M2022-01678-COA-R3-JV

A mother appeals an order setting aside a default judgment. Because the order does not resolve all of the claims between the parties, we dismiss the appeal for lack of a final judgment.

Tenn. R. App. P. 3 Appeal as of Right; Appeal Dismissed

Shequinta Patterson, Murfreesboro, Tennessee, pro se.

Yazid M. Sajiid El, Murfreesboro, Tennessee, pro se.

MEMORANDUM OPINION¹

Shequinta Patterson (“Mother”) has filed a notice of appeal from an order entered on December 12, 2022, setting aside a September 27, 2022 default judgment. Under Tennessee Rule of Appellate Procedure 13(b), the Court has reviewed the record on appeal to determine if the Court has subject matter jurisdiction over the appeal. Based on that review, we have determined that the December 12, 2022 order is not a final judgment and is not appealable as of right under Tennessee Rule of Appellate Procedure 3.

A party is entitled to an appeal as of right only after the trial court has entered a final judgment. Tenn. R. App. P. 3(a). A final judgment is a judgment that resolves all the claims between all the parties, “leaving nothing else for the trial court to do.” *In re Estate of Henderson*, 121 S.W.3d 643, 645 (Tenn. 2003) (quoting *State ex rel. McAllister v. Goode*, 968 S.W.2d 834, 840 (Tenn. Ct. App. 1997)). An order that adjudicates fewer than all the claims between all the parties is subject to revision at any time before the entry of a final

¹ A case designated as a memorandum opinion “shall not be published, and shall not be cited or relied on for any reason in any unrelated case.” Tenn. Ct. App. R. 10.

judgment and is not appealable as of right. Tenn. R. App. P. 3(a); *In re Estate of Henderson*, 121 S.W.3d at 645.

Here, the September 27, 2022 default judgment order, which arguably may have resolved all of the claims between the parties, has been set aside. The December 12, 2022 order does not dispose of any claims between the parties but rather leaves the parties' claims pending before the trial court for future adjudication. Thus, there is no final judgment, and the Mother is not entitled to an appeal as of right under Rule 3.

The appeal is hereby dismissed without prejudice to the filing of a new appeal once a final judgment has been entered. The case is remanded to the trial court for further proceedings consistent with this opinion. The costs of the appeal are taxed to Shequinta Patterson.

PER CURIAM