

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
August 28, 2026

FILED

09/01/2026

Clerk of the
Appellate Courts

MAWULE TEPE v. CONNOR MCCARTHY BLAIR ET AL.

Appeal from the Circuit Court for Bradley County
No. V-25-051 Michael E. Jenne, Judge

No. E2025-01858-COA-R3-CV

Because the order from which the appellant has filed an appeal does not constitute a final appealable judgment, this Court lacks jurisdiction to consider this appeal.

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

JOHN W. MCCLARTY, P.J., E.S.; KRISTI M. DAVIS, J.; AND WILLIAM E. PHILLIPS II, J.

Mawule Tepe, Cleveland, Tennessee, Pro Se Appellant.

Derek W. Mullins, Chattanooga, Tennessee, Pro Se Appellee.

Derek W. Mullins, Chattanooga, Tennessee, on behalf of the appellees, Justin M. Sveadas and Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.

MEMORANDUM OPINION¹

The *pro se* appellant, Mawule Tepe, filed a notice of appeal with this Court on November 21, 2025, which states that the appellant is appealing the November 10, 2025 order of the Bradley County Circuit Court (“trial court”). In the November 10, 2025 order, the trial court stated that two defendants, Sarah Loftin and Michel Shenkin, remain in the

¹ Rule 10 of the Rules of the Court of Appeals provides:

This Court, with the concurrence of all judges participating in the case, may affirm, reverse or modify the actions of the trial court by memorandum opinion when a formal opinion would have no precedential value. When a case is decided by memorandum opinion it shall be designated “MEMORANDUM OPINION,” shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

lawsuit and granted an award of attorney's fees in favor of the defendants, Connor M. Blair, Lucille L. Nelson, and Justin M. Sveadas, without specifying the amount of attorney's fees awarded. The trial court instructed counsel to file affidavits or sworn declarations concerning the fees and expenses incurred while defending against the relevant subpoenas within fourteen days of entry of the order.

Based on the foregoing and because it appeared that there was no final judgment in the underlying trial court proceedings, this Court entered a show cause order on June 5, 2026, providing the appellant thirty days to obtain and supplement the appellate record with a final judgment or else show cause why this appeal should not be dismissed for lack of subject matter jurisdiction. The appellant filed a response, acknowledging that there were "still pending motions and unresolved claims on the docket." The appellant stated that he felt he had no choice but to pursue an appeal in this Court under Tennessee Rule of Appellate Procedure 3 because the trial judge had made it clear at the hearing that he was "done with [the] case." The appellees, Derek W. Mullins; Justin M. Sveadas; and Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., subsequently filed a motion to dismiss this appeal for lack of jurisdiction. To date, the appellant has not supplemented the appellate record with a final order nor has he responded to the appellees' motion to dismiss.

A party is entitled to an appeal as of right only after the trial court has entered a final judgment that resolves all the claims between all the parties, leaving nothing else for the trial court to do. Tenn. R. App. P. 3(a); *In re Estate of Henderson*, 121 S.W.3d 643, 645 (Tenn. 2003); *State ex rel. McAllister v. Goode*, 968 S.W.2d 834, 840 (Tenn. Ct. App. 1997). Without a final judgment, this Court does not have subject matter jurisdiction to adjudicate an appeal as of right. *See Bayberry Assocs. v. Jones*, 783 S.W.2d 553, 559 (Tenn. 1990) ("Unless an appeal from an interlocutory order is provided by the rules or by statute, appellate courts have jurisdiction over final judgments only.").

The appellant's claims involving two defendants remain before the trial court; therefore, the trial court had not resolved the claims against "all the parties," as required by Rule 3 for an appeal as of right to this Court. Additionally, the award of attorney's fees is not fully resolved because the trial court had made no finding regarding the amount of fees awarded. This Court has previously held that an award of attorney's fees is not complete without a specific award as to the amount of attorney's fees. *See, e.g., Spencer v. The Golden Rule, Inc.*, No. 03A01-9406-CV-00207, 1994 WL 589564, at *1 (Tenn. Ct. App. Oct. 21, 1994), *no appl. perm. appeal filed* ("There is nothing in the record before us reflecting that the trial court has awarded a *specific amount* as the 'reasonable attorney's fees incurred in prosecuting' this action. . . . Since there is no order in the record before us *finally* disposing of the Plaintiff's claim for attorney fees at the trial level, the Order from which this appeal is being pursued is not a final order and hence not appealable as of right under Tenn. R. App. P. 3(a)." (emphasis in original) (footnote omitted)).

The court order from which the appellant seeks to appeal does not constitute a final appealable judgment. *See* Tenn. R. App. P. 3(a). Therefore, this Court lacks jurisdiction to consider this appeal. We, therefore, grant the appellees' motion to dismiss this appeal for lack of jurisdiction. This appeal is hereby dismissed without prejudice to the appellant's ability to file a notice of appeal when a final judgment is entered in the trial court proceedings below. The appeal is hereby dismissed. Costs on appeal are taxed to the appellant, Mawule Tepe, for which execution may issue.

PER CURIAM