

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
August 25, 2026 Session

LEIGH STEVENS WHITE v. DARIN PAUL WHITE

Appeal from the Circuit Court for Knox County
No. 147886 Gregory S. McMillan, Judge

No. E2026-00186-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.; THOMAS R. FRIERSON, II, J.; AND WILLIAM E. PHILLIPS, II, J.

Darin Paul White, Maryville, Tennessee, Pro Se Appellant.

Adam M. Priest, Knoxville, Tennessee, for the appellee, Leigh Stevens White.

MEMORANDUM OPINION¹

The *pro se* appellant, Darin Paul White, filed a notice of appeal with this Court in February 2026, which states that the appellant is appealing the January 9, 2026 order of Knox County Circuit Court (“the trial court”). Upon receiving the appellate record in this appeal, this Court reviewed the record on appeal to determine if the Court has subject matter jurisdiction over the appeal pursuant to Tennessee Rule of Appellate Procedure

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 When a case is decided by memorandum opinion it shall be designated “MEMORANDUM OPINION,” shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

13(b). Based on that review, we determined that the order appealed is not a final judgment subject to an appeal as of right under Tennessee Rule of Appellate Procedure 3.

Prior to entry of the January 9, 2026 order, the appellee filed a motion requesting the trial court place restrictions on future filings in the trial court by the appellant, pursuant to Tennessee Code Annotated § 29-41-101, *et seq.* In the January 9, 2026 order, the trial court reserved disposition of the appellee's motion and instructed the appellee to place the motion on the docket within thirty days of entry of the order. Based on the record before this Court, such motion does not appear to have been resolved by the trial court.

Because it appeared that there was no final judgment in the underlying trial court proceedings, this Court entered a show cause order on June 16, 2026, providing the appellant thirty days to obtain a final judgment or else show cause why this appeal should not be dismissed for lack of subject matter jurisdiction. The appellant has not supplemented the appellate record with a final order nor has he responded to this Court's show cause order.

"A final judgment is one that resolves all the issues in the case, '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)). This Court does not have subject matter jurisdiction to adjudicate an appeal as of right if there is no final judgment. *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 court order from which the appellant seeks to appeal does not constitute a final appealable judgment. Therefore, this Court lacks jurisdiction to consider this appeal. The appeal is hereby dismissed. Costs on appeal are taxed to the appellant, Darin Paul White, for which execution may issue.

PER CURIAM