

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

<p>FILED 05/28/2024 Clerk of the Appellate Courts</p>
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DOROTHY SMALL ET AL. v. JON LAW ET AL.

**Circuit Court for Lincoln County
No. 23-CV-132**

No. M2024-00255-COA-R3-CV

ORDER

Appellants Dorothy Small, Tonya Allen, and Roger Martinez have filed a notice and motion for voluntarily dismissal pursuant to Tenn. R. App. P. 15. Appellees Jon Law and Tina Marie Sanders do not oppose the voluntary dismissal but have given notice under Tenn. R. App. P. 15(a) that they intend to litigate two appellate issues despite dismissal of the original appeal. The first issue involves attorney’s fees associated with this appeal. The second issue involves the trial court’s ruling regarding sanctions. However, Ms. Law and Mr. Sanders concede that an appeal regarding the issue of sanctions is premature because the trial court has not yet entered a final judgment and that they note their intent to litigate the issue out of an abundance of caution. Any appeal of the sanctions issue must await entry of a final judgment and the filing of a new notice of appeal.

It is, therefore, ordered that the appeal of Dorothy Small, Tonya Allen, and Roger Martinez is dismissed under Tenn. R. App. P. 15. The appeal shall proceed solely as to issue of attorney’s fees raised by Jon Law and Tina Marie Sanders. Jon Law and Tina Marie Sanders shall proceed with the appeal as appellants for the purposes of briefing and oral argument. The appellants’ brief shall be due thirty days after the entry of this order. Pursuant to Tenn. R. App. P. 6(c), Jon Law and Tina Marie Sanders shall pay any applicable fees or taxes required by the clerk within fifteen days following the entry of this order. This order is without prejudice to Jon Law and Tina Marie Sanders filing a new appeal related to the issue of sanctions once a final judgment has been entered.

PER CURIAM