

IN THE COURT OF APPEALS OF TENNESSEE  
AT JACKSON

**AL M. WILLIAMS v. CORRECTIONS CORPORATION OF AMERICA,  
ET AL.**

**Appeal from the Circuit Court for Hardeman County  
No. 2013CV32 J. Weber McCraw, Judge**

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**No. W2015-00212-COA-R3-CV – Filed March 31, 2015**

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Because the order appealed is not a final judgment, we dismiss this appeal for lack of jurisdiction.

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

J. STEVEN STAFFORD, P.J., W.S., ARNOLD B. GOLDIN, J., AND KENNY ARMSTRONG, J.

Al M. Williams, *pro se*.

James Irvin Pentecost and Jonathan David Buckner, Jackson, Tennessee, for the appellees, Inell Allen, Mark Bowlin, Melissa Breitling, Sandra Gates, Tina Hughes, Sandra Shields, Michelle Tipton, and Tammy Yates.

**MEMORANDUM OPINION<sup>1</sup>**

Rule 3 of the Tennessee Rules of Appellate Procedure provides that if multiple

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<sup>1</sup>Rule 10 of the Rules of the Court of Appeals of Tennessee 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 When a case is decided by memorandum opinion it shall be designated “MEMORANDUM OPINION”, shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

parties or multiple claims are involved in an action, any order that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties is not final or appealable. Except where otherwise provided, this Court only has subject matter jurisdiction over final orders. *See Bayberry Assoc. v. Jones*, 783 S.W.2d 553 (Tenn. 1990).

Pursuant to the mandates of Rule 13(b) of the Tennessee Rules of Appellate Procedure, we reviewed the appellate record to determine if the Court has subject matter jurisdiction to hear this matter. After this review, it appeared to the Court that it does not have jurisdiction. Specifically, the trial court entered an order on January 8, 2015, granting the motion to compel filed by Appellees Inell Allen, Mark Bowlin, Melissa Breitling, Sandra Gates, Tina Hughes, Sandra Shields, Michelle Tipton, and Tammy Yates (“Appellees”). Also, the trial court awarded Appellees their attorney’s fees for bringing the motion and further ordered Appellant Al M. Williams to pay \$ 1,404.20 to Appellees’ attorneys. Appellant filed a Notice of Appeal on January 29, 2015, appealing the trial court’s order of January 8, 2015.

On February 19, 2015, Appellees filed a motion requesting that the Court dismiss this appeal as frivolous and meritless, because the order appealed is not a final judgment. As of this date, Appellant has not filed a response to the pending motion. Clearly, however, the order appealed is not a final judgment. Consequently, the Court lacks jurisdiction of this matter and the Court must dismiss this appeal.

### **Conclusion**

Although the Court declines to find this appeal frivolous, the appeal is dismissed without prejudice and the case remanded to the trial court for further proceedings consistent with this Opinion. Costs of this appeal are taxed to the appellant, Al M. Williams, for which execution may issue if necessary. **It is SO ORDERED.**

**PER CURIAM**