

IN THE COURT OF APPEALS OF TENNESSEE  
AT KNOXVILLE

**TIMOTHY C. RUSSELL, v. SUZANNE COLETTE LANDRY LYUBIMOV**

**Circuit Court for Sevier County**  
**No. 2005-0674-1      Hon. Ben W. Hooper, II., Judge**

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**No. E2010-02541-COA-R3-CV - FILED - MAY 26, 2011**

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

HERSCHEL PICKENS FRANKS, P.J., CHARLES D. SUSANO, JR., J., and D. MICHAEL SWINEY, J.

Timothy Russell, Hixson, Tennessee, *pro se*.

Dennis C. Campbell, Sevierville, Tennessee, for the appellee, Suzanne Colette Landry Lyubimov.

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

On May 2, 2011, a show cause order was entered in this case, directing appellant to show cause why the appeal should not be dismissed for lack of jurisdiction. Appellant

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<sup>1</sup>The Court of Appeals' Rules provide:

Rule 10. Memorandum Opinion

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 When a case is decided by memorandum opinion it shall be designated "MEMORANDUM OPINION," shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

responded to the show cause order, but the argument in the response does not establish good cause for maintaining this case in this court. The Order entered by the Trial Judge on November 8, 2010, demonstrates that there are issues yet to be resolved in the Trial Court before a Tenn. R. App. P. 3, appeal will lie. Accordingly, the appeal is dismissed and the cost of the appeal is assessed to Timothy C. Russell.

PER CURIAM