CAUSE NO. DC-2025-CV-1817

KEVIN N. BASS,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	OF LUBBOCK COUNTY, TEXAS
	§	
DARRIN D'AGOSTINO, D.O., M.P.H., M.B.A., in his official capacity as Provost and Executive Vice President of Academics of Texas Tech University Health Sciences Center; and AMANDA McSWEEN, in her official capacity as Managing Director of Enrollment Services and University Registrar of Texas Tech University Health Sciences Center,	§	237th JUDICIAL DISTRICT
	§	
Defendants.	§	

PLAINTIFF'S NOTICE OF APPEAL

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff Kevin N. Bass files this Notice of Appeal pursuant to Rule 25.1 of the Texas Rules of Appellate Procedure and respectfully shows the Court as follows:

1. **Trial court and cause.** This appeal is from a judgment and order of the 237th Judicial District Court of Lubbock County, Texas, in Cause No. DC-2025-CV-1817, styled *Kevin N. Bass v. Darrin D'Agostino, et al.* Tex. R. App. P. 25.1(d)(1).

2. **Order appealed from.** Plaintiff appeals from the *Order on Defendants' Plea to the Jurisdiction or, in the Alternative, Plea in Abatement*, signed by the Honorable Les Hatch on March 26, 2026, which granted Defendants' Plea to the Jurisdiction, found that the Court lacked subject-matter jurisdiction over Plaintiff's claims, and dismissed Plaintiff's claims without prejudice, and which is the final judgment in this cause. Plaintiff also appeals, to the extent necessary, from every other order and ruling that is subject to appellate review

upon appeal from that final judgment, including the trial court's order denying Plaintiff's Sworn Motion and Motion for New Trial. Tex. R. App. P. 25.1(d)(2).

3. **Desire to appeal.** Plaintiff desires to appeal and hereby gives notice of appeal. Tex. R. App. P. 25.1(d)(3).

4. **Court to which appeal is taken.** This appeal is taken to the Fifteenth Court of Appeals of Texas. Tex. R. App. P. 25.1(d)(4); *see* Tex. Gov't Code § 22.220(d)(1); Tex. R. App. P. 25.1(d)(9).

5. **Party filing notice.** The party filing this notice is Plaintiff Kevin N. Bass. Tex. R. App. P. 25.1(d)(5).

6. **Matter within the Fifteenth Court of Appeals' jurisdiction.** As required by Tex. R. App. P. 25.1(d)(9), Plaintiff states that this appeal involves a matter within the exclusive intermediate appellate jurisdiction of the Fifteenth Court of Appeals under Tex. Gov't Code § 22.220(d)(1): a matter brought against an officer or employee of an agency in the executive branch of the state government, arising out of that officer's or employee's official conduct—namely, Darrin D'Agostino and Amanda McSween, sued in their official capacities as officers of Texas Tech University Health Sciences Center, an institution of higher education as defined by Section 61.003 of the Texas Education Code. Because Defendants are sued solely in their official capacities, the matter is also one brought against an agency in the executive branch of the state government, including an institution of higher education. The Attorney General of Texas appears as counsel for Defendants in this matter.

WHEREFORE, Plaintiff Kevin N. Bass gives notice of his appeal to the Fifteenth Court of Appeals of Texas from the final judgment described above.

Respectfully submitted,

/s/ Kevin N. Bass
KEVIN N. BASS
Plaintiff
[redacted]
Email: kbassphiladelphia@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2026, a true and correct copy of the foregoing Notice of Appeal was served on the following counsel of record for Defendants via the eFileTexas electronic filing system and via email, in accordance with Tex. R. App. P. 9.5 and 25.1(e):

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I further certify that, pursuant to Tex. R. App. P. 25.1(e), a copy of this Notice of Appeal was delivered to the official court reporter of the 237th Judicial District Court responsible for preparing the reporter's record.

/s/ Kevin N. Bass
KEVIN N. BASS