
From: Appeals Court Clerk's Office <AppealsCtClerk@appct.state.ma.us>
Sent: Wednesday, April 8, 2026 9:19 AM
To:
Subject: 2026-P-0401 - Notice of Docket Entry

COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT CLERK'S OFFICE

RE: No. 2026-P-0401

Lower Court No. 24H82SP03575

LENOX FARMS LIMITED PARTNERSHIP vs. MOHAMED KASSEM & another

NOTICE OF DOCKET ENTRY

Please take note that on April 8, 2026, the following entry was made on the docket of the above-referenced case:

ORDER: A review of the notice of appeal filed on February 25, 2026 and received by the Appeals Court with the notice of assembly of the record (2026-P-0401) indicates the defendant, Daniel Abouelkhier, is appealing from an order entered on February 17, 2026 in the Metro South Housing Court that (1) allowed the plaintiff's motion to enforce the court's December 4, 2025 order requiring payment of use and occupancy and striking the defendant's jury demand; (2) denied the defendant's motion for reconsideration of the December 4, 2025 order; (3) denied the defendant's motion for modification of the December 4, 2025 order; and, (4) ordered the Clerk's Office to schedule the matter for a summary process bench trial. The appellate court entry statement prepared by the Housing Court identifies the appeal as being from "Order dated 02/17/2026."

The Housing Court docket report does not indicate the entry of a final order or judgment. Rather, the docket report indicates the case remains active and that a bench trial was scheduled for April 6, 2026. Thus, this appeal appears to be interlocutory in nature. See *In re Bob Brest Buick, Inc.*, 5 Mass. App. Ct. 717, 718 (1977). Subject to limited exceptions, interlocutory orders are not immediately appealable to a panel of the Appeals Court. *Patel v. Martin*, 481 Mass. 29, 34 (2018). Instead, when a final judgment enters in a civil case, a party aggrieved has the right to appeal from the judgment to a panel of the Appeals Court, and, "[a]s part of that appeal, a party may claim that a judge erred in the entry of various types of interlocutory orders that were issued during the course of the civil case." *Martin*, 481 Mass. at 31.

Accordingly, the defendant is to show cause, in writing, on or before April 15, 2026, demonstrating why jurisdiction over this appeal at the present time is proper. The plaintiff may also file a response to the show cause order on or before that date. (Sacks, J.). *Notice/Attest/Sherring, J.

IMPORTANT INFORMATION ABOUT ELECTRONICALLY FILING IN THE APPEALS COURT

- Every attorney with an appeal pending in the Appeals Court must have an account with eFileMA.com. Registration with eFileMA.com constitutes consent to receive electronic notification from the Appeals Court and e-service of documents. Self-represented litigants are encouraged, but not required, to register for electronic filing.
- All documents may, and some must, be electronically filed with the Appeals Court using eFileMA.com. No paper original or copy of any e-filed document is required.
- E-filing impounded documents or e-filing by self-represented litigants is voluntary.
- Additional information is located on our [Electronic Filing webpage](#).

Very truly yours,

The Clerk's Office

Dated: April 8, 2026

To: Lisa M. Gouveia, Esquire
Grant Benjamin Hecht, Esquire
Danny Abouelkhier
Sandra Frommer
Housing Court - Metro South

Appeals Court Clerk's Office

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