



# THE SUPREME COURT OF TEXAS

Orders Pronounced June 30, 2017

## ORDERS ON CAUSES

- 15-0320 KING STREET PATRIOTS, CATHERINE ENGELBRECHT, BRYAN ENGELBRECHT, AND DIANE JOSEPHS v. TEXAS DEMOCRATIC PARTY; GILBERTO HINOJOSA, SUCCESSOR TO BOYD RICHIE, IN HIS CAPACITY AS CHAIRMAN OF THE TEXAS DEMOCRATIC PARTY; JOHN WARREN, IN HIS CAPACITY AS DEMOCRATIC NOMINEE FOR DALLAS COUNTY CLERK; AND ANN BENNETT, IN HER CAPACITY AS THE DEMOCRATIC NOMINEE FOR HARRIS COUNTY CLERK; from Travis County; 3rd Court of Appeals District (03-12-00255-CV, 459 SW3d 631, 12-08-15)

The Court affirms the court of appeals' judgment in part, vacates in part the lower courts' judgments, and remands the case to the trial court.

Justice Guzman delivered the opinion of the Court.

Justice Devine delivered a concurring opinion.

- 15-0688 JACK PIDGEON AND LARRY HICKS v. MAYOR SYLVESTER TURNER AND CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-14-00899-CV & 14-14-00932-CV, 477 SW3d 353, 07-28-15)

The Court reverses the court of appeals' judgment, vacates the trial court's order, and remands the case to the trial court.

Justice Boyd delivered the opinion of the Court.

- 15-0921 UNITED SCAFFOLDING, INC. v. JAMES LEVINE; from Jefferson County; 13th Court of Appeals District (13-14-00377-CV, \_\_\_ SW3d \_\_\_, 09-01-15)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Green delivered the opinion of the Court, in which Chief Justice Hecht, Justice Johnson, Justice Willett, Justice Guzman, and Justice Brown joined.

Justice Boyd delivered a dissenting opinion, in which Justice Lehrmann and Justice Devine joined.

- 16-0096 JULIE HERSH v. JOHN TATUM AND MARY ANN TATUM; from Dallas County; 5th Court of Appeals District (05-14-01318-CV, 493 SW3d 675, 12-30-15)

The Court reverses the court of appeals' judgment and remands the case to that court.

Chief Justice Hecht delivered the opinion of the Court, in which Justice Green, Justice Johnson, Justice Willett, Justice Guzman, Justice Lehrmann, Justice Devine, and Justice Brown joined.

Justice Boyd delivered a concurring opinion.

THE FOLLOWING CAUSES ARE SET FOR SUBMISSION:

14-1057 JIM P. BENGE, MD AND KELSEY-SEYBOLD MEDICAL GROUP PLLC v. LAUREN WILLIAMS; from Harris County; 1st Court of Appeals District (01-12-00578-CV, 472 SW3d 684, 11-18-14)  
2 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 12, 2017.]  
Time allotted to argue: 20/20 minutes

15-0669 GRAPHIC PACKAGING CORPORATION v. GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS; AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-14-00197-CV, 471 SW3d 138, 07-28-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 13, 2017.]  
Time allotted to argue: 20/20 minutes

15-0683 EXLP LEASING LLC AND EES LEASING LLC v. GALVESTON CENTRAL APPRAISAL DISTRICT; from Galveston County; 14th Court of Appeals District (14-14-00268-CV, 475 SW3d 421, 08-25-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 10, 2017.]  
Time allotted to argue: 20/20 minutes

15-0712 JPMORGAN CHASE BANK, N.A. v. ORCA ASSETS G.P., L.L.C.; from Dallas County; 5th Court of Appeals District (05-13-01700-CV, \_\_\_ SW3d \_\_\_, 08-11-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., November 7, 2017.]  
Time allotted to argue: 20/20 minutes

15-0729 DANIEL E. ARNOLD v. GERARDO GONZALEZ; from Hidalgo County; 13th Court of Appeals District (13-13-00440-CV, \_\_\_ SW3d \_\_\_, 08-28-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 10, 2017.]  
Time allotted to argue: 20/20 minutes

15-0944 THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS v. C.W.H.; from Nacogdoches County; 12th Court of Appeals District (12-15-00062-CV, \_\_\_ SW3d \_\_\_, 09-16-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 12, 2017.]  
Time allotted to argue: 20/20 minutes

15-1008 CITY OF RICHARDSON, TEXAS v. ONCOR ELECTRIC DELIVERY COMPANY, LLC; from Dallas County; 5th Court of Appeals District (05-14-00843-CV, \_\_\_ SW3d \_\_\_, 08-11-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 12, 2017.]  
Time allotted to argue: 20/20 minutes

- 16-0107 ALBERT G. HILL, JR. v. SHAMOUN & NORMAN, LLP; from Dallas County; 5th Court of Appeals District (05-13-01634-CV, 483 SW3d 767, 01-26-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 10, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0120 STEVEN PAINTER, ET AL. v. AMERIMEX DRILLING I, LTD.; from Pecos County; 8th Court of Appeals District (08-14-00134-CV, 511 SW3d 700, 11-03-15)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 13, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0164 BARBARA BATY v. OLGA FUTRELL, CRNA AND COMPLETE ANESTHESIA CARE, P.C.; from Ellis County; 10th Court of Appeals District (10-13-00175-CV, \_\_\_ SW3d \_\_\_, 11-19-15)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 11, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0244 ALAMO HEIGHTS INDEPENDENT SCHOOL DISTRICT v. CATHERINE CLARK; from Bexar County; 4th Court of Appeals District (04-14-00746-CV, \_\_\_ SW3d \_\_\_, 10-21-15)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 13, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0256 RICHARD T. ARCHER, DAVID B. ARCHER, CAROL ARCHER BUGG, JOHN V. ARCHER, KAREN ARCHER BALL, AND SHERRI ARCHER v. T. MARK ANDERSON AND CHRISTINE ANDERSON, AS CO-EXECUTORS OF THE ESTATE OF TED ANDERSON; from Travis County; 3rd Court of Appeals District (03-13-00790-CV, 490 SW3d 175, 03-02-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 11, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0260 AC INTERESTS, L.P. FORMERLY AMERICAN COATINGS, L.P. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 1st Court of Appeals District (01-15-00378-CV, \_\_\_ SW3d \_\_\_, 02-11-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 11, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0297 SCI TEXAS FUNERAL HOME SERVICES, INC. v. CODY NELSON; from Brown County; 11th Court of Appeals District (11-13-00334-CV, 484 SW3d 248, 01-29-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., December 6, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0323 JOHN A. LANCE, DEBRA L. LANCE, F.D. FRANKS AND HELEN FRANKS v. JUDITH AND TERRY ROBINSON, GARY AND BRENDA FEST, VIRGINIA GRAY, BUTCH

TOWNSEND AND BEXAR-MEDINA-ATASCOSA COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1; from Bandera County; 4th Court of Appeals District (04-14-00758-CV, \_\_\_ SW3d \_\_\_, 01-13-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., November 7, 2017.]  
Time allotted to argue: 20/20 minutes

16-0336 URI, INC. v. KLEBERG COUNTY; from Kleberg County; 13th Court of Appeals District (13-14-00158-CV, \_\_\_ SW3d \_\_\_, 01-28-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 12, 2017.]  
Time allotted to argue: 20/20 minutes

16-0337 STATE OFFICE OF RISK MANAGEMENT v. EDNA A. MARTINEZ; from Bexar County; 4th Court of Appeals District (04-14-00558-CV, \_\_\_ SW3d \_\_\_, 02-10-16)  
2 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 12, 2017.]  
Time allotted to argue: 20/20 minutes

16-0498 JEFFERSON COUNTY, TEXAS v. JEFFERSON COUNTY CONSTABLES ASSOCIATION; from Jefferson County; 13th Court of Appeals District (13-14-00188-CV, 512 SW3d 434, 05-05-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., November 7, 2017.]  
Time allotted to argue: 20/20 minutes

16-0542 FORT WORTH TRANSPORTATION AUTHORITY, MCDONALD TRANSIT ASSOCIATES, INC., MCDONALD TRANSIT, INC. AND LESHAWN VAUGHN v. MICHELE RODRIGUEZ AND NEW HAMPSHIRE INSURANCE COMPANY; from Tarrant County; 2nd Court of Appeals District (02-14-00340-CV, \_\_\_ SW3d \_\_\_, 06-23-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., November 8, 2017.]  
Time allotted to argue: 20/20 minutes

16-0558 IN THE INTEREST OF K.S.L., A CHILD; from Bexar County; 4th Court of Appeals District (04-16-00020-CV, 499 SW3d 109, 07-06-16)

[**Note:** Oral argument of this cause will be conducted on Friday, September 15, 2017 at 9:00 a.m. at the University of Houston Law Center in Houston, Texas. *See* TEX. CONST. ART. V., § 3(a).]

Time allotted to argue: 20/20 minutes

16-0560 LEE NICK MCFADIN, III v. BROADWAY COFFEEHOUSE, LLC AND MARCUS ROGERS, TRUSTEE FOR THE SAKS CHILDREN TRUST A/K/A ATFL&L, A TEXAS TRUST; from Bexar County; 4th Court of Appeals District (04-16-00283-CV, \_\_\_ SW3d \_\_\_, 07-06-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., November 9, 2017.]  
Time allotted to argue: 20/20 minutes

- 16-0617 IN RE THE GUARDIANSHIP OF EDWIN WOOLEY; from Tarrant County; 2nd Court of Appeals District (02-14-00315-CV, \_\_\_ SW3d \_\_\_, 06-02-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., November 8, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0647 THE STATE OF TEXAS EX REL. GEORGE DARRELL BEST v. PAUL REED HARPER; from Somervell County; 10th Court of Appeals District (10-15-00105-CV, 493 SW3d 105, 04-21-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., November 8, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0651 DUDLEY CONSTRUCTION, LTD., RICHARD MARK DUDLEY, AND HARTFORD FIRE INSURANCE COMPANY v. ACT PIPE & SUPPLY, INC.; from Brazos County; 6th Court of Appeals District (06-15-00045-CV, \_\_\_ SW3d \_\_\_, 07-14-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., December 5, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0662 CONOCOPHILLIPS COMPANY AND BURLINGTON RESOURCES OIL & GAS CO., L.P. v. RALPH WADE KOOPMANN, KAREN MARIE KOENIG, LORENE H. KOOPMANN, AND LOIS STRIEBER, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF JERRY STRIEBER; from De Witt County; 13th Court of Appeals District (13-14-00402-CV, \_\_\_ SW3d \_\_\_, 05-19-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., December 5, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0682 IN RE ANDREW SILVER; from Dallas County; 5th Court of Appeals District (05-16-00774-CV, 500 SW3d 644, 08-17-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., November 9, 2017.]  
Time allotted to argue: 20/20 minutes  
(Justice Guzman not sitting)
- 16-0804 GARY DON PERRYMAN, NANCY K. PERRYMAN AND LEASHA PERRYMAN BOWDEN v. SPARTAN TEXAS SIX CAPITAL PARTNERS, LTD., SPARTAN TEXAS SIX-CELINA, LTD. AND DION MENSER; AND EOG RESOURCES INC.; from Harris County; 14th Court of Appeals District (14-14-00873-CV, 494 SW3d 735, 03-01-16)  
3 petitions  
[Note: This cause has been set for oral argument at 9:00 a.m., December 5, 2017.]  
Time allotted to argue: 20/20 minutes
- 16-0836 THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, BELLA PATEL, M.D., F.C.C.P., RICHARD W. SMALLING, M.D. PHD., RACHSHUNDA MAJID, M.D. AND FRANCISCO FUENTES, M.D. v. TOMAS G. RIOS, M.D.; from Harris County;

1st Court of Appeals District (01-15-01071-CV, 507 SW3d 312, 09-01-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 12, 2017.]  
Time allotted to argue: 20/20 minutes

16-0851 IN RE NORTH CYPRESS MEDICAL CENTER OPERATING CO., LTD.; from Harris County; 14th Court of Appeals District (14-16-00671-CV, \_\_\_ SW3d \_\_\_, 10-20-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., November 9, 2017.]  
Time allotted to argue: 20/20 minutes

16-0854 HIAWATHA HENRY, ADDIE HARRIS, MONTRAY NORRIS, AND ROOSEVELT COLEMAN, JR., ON BEHALF OF THEMSELVES AND FOR ALL OTHER SIMILARLY SITUATED v. CASH BIZ, LP, CASH ZONE, LLC D/B/A CASH BIZ AND REDWOOD FINANCIALS, LLC; from Bexar County; 4th Court of Appeals District (04-15-00469-CV, \_\_\_ SW3d \_\_\_, 07-27-16)

[**Note:** Oral argument of this cause will be conducted on Friday, September 15, 2017 at 9:00 a.m. at the University of Houston Law Center in Houston, Texas. *See* TEX. CONST. ART. V., § 3(a).]

Time allotted to argue: 20/20 minutes

16-0935 BILL YOUNGKIN v. BILLY G. HINES, JR.; from Brazos County; 10th Court of Appeals District (10-15-00194-CV, \_\_\_ SW3d \_\_\_, 07-13-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., December 6, 2017.]  
Time allotted to argue: 20/20 minutes

#### **ORDERS ON PETITIONS FOR REVIEW**

##### THE FOLLOWING PETITION FOR REVIEW IS DENIED:

16-0623 RICHARD FAWCETT, KEVIN ROBERTS, DARREN PITTS, GEORGE LILLARD, CHRISTOPHER MATTHEWS, ARMANDO FLORIDO, DAVID VUKOVIC, KEN PATRICK, JAMES LEMONS, DOUGLAS HISSONG AND DANNY FULLER, SR. v. BOGDAN GROSU; from Harris County; 14th Court of Appeals District (14-15-00542-CV, 498 SW3d 650, 07-07-16)

motion to strike dismissed as moot  
motion to supplement dismissed as moot

#### **MISCELLANEOUS**

##### THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

17-0487 IN RE TINA POOLE; 2nd Court of Appeals District (02-17-00143-CV, \_\_\_ SW3d \_\_\_, 06-15-17)

motion for temporary stay denied

17-0505 IN RE VILLALOBOS & VAUGHAN, PLLC AND JEFFREY R. VAUGHAN; 13th Court of Appeals District (13-17-00261-CV, \_\_\_ SW3d \_\_\_, 05-18-17)

relators' emergency motion for stay denied