



# THE SUPREME COURT OF TEXAS

Orders Pronounced June 29, 2018

## ORDERS ON CAUSES

15-0932 AMERICAN K-9 DETECTION SERVICES, LLC AND HILL COUNTRY DOG CENTER, LLC v. LATASHA FREEMAN; from Bandera County; 13th Court of Appeals District (13-14-00726-CV, 494 SW3d 393, 10-29-15)

2 petitions

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

Chief Justice Hecht delivered the opinion of the Court, in which Justice Green, Justice Johnson, Justice Lehrmann, Justice Boyd, Justice Brown, and Justice Blacklock joined.

Justice Guzman delivered a dissenting opinion.

Justice Devine delivered a dissenting opinion, in which Justice Guzman joined.

16-0328 AMANDA BRADSHAW v. BARNEY SAMUEL BRADSHAW; from Rusk County; 6th Court of Appeals District (06-15-00038-CV, 487 SW3d 306, 02-09-16)

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

Chief Justice Hecht announced the judgment of the Court and delivered an opinion, in which Justice Brown and Justice Blacklock joined.

Justice Devine delivered an opinion concurring in the judgment, in which Justice Guzman joined.

Justice Lehrmann delivered a dissenting opinion.

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

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)

The Court affirms the court of appeals' judgment, with a modification.

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

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

Justice Blacklock did not participate in the decision.

16-0770 IN THE MATTER OF THE MARRIAGE OF I.C. AND Q.C. AND IN THE INTEREST OF S.C. AND K.C., CHILDREN; from Dallas County; 5th Court of Appeals District (05-15-00580-CV, \_\_\_ SW3d \_\_\_, 08-16-16)

The Court affirms the court of appeals' judgment.

Justice Blacklock delivered the opinion of the Court.

Justice Lehrmann delivered a concurring opinion.

17-0111 U.S. SHALE ENERGY II, LLC, RAYMOND B. ROUSH, RUTHIE ROUSH DODGE, AND DAVID E. ROUSH v. LABORDE PROPERTIES, L.P., AND LABORDE MANAGEMENT, LLC; from Karnes County; 4th Court of Appeals District (04-16-00168-CV, \_\_\_ SW3d \_\_\_, 10-12-16)

The Court reverses the court of appeals' judgment and reinstates the trial court's judgment.

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

Justice Boyd delivered a dissenting opinion, in which Justice Johnson and Justice Blacklock joined.

17-0155 BART DALTON v. CAROL DALTON; from Nacogdoches County; 12th Court of Appeals District (12-15-00203-CV, \_\_\_ SW3d \_\_\_, 01-11-17)

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

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

Justice Lehrmann delivered a concurring opinion.

17-0488 RICHARD SEIM AND LINDA SEIM v. ALLSTATE TEXAS LLOYDS AND LISA SCOTT; from Tarrant County; 2nd Court of Appeals District (02-16-00050-CV, \_\_\_ SW3d \_\_\_, 05-04-17)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court reverses the court of appeals' judgment and remands the case to that court.

Per Curiam Opinion

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

17-0105 W.A. "ANDY" MEYERS, INDIVIDUALLY AND IN HIS CAPACITY AS FORT BEND COUNTY COMMISSIONER v. JDC/FIRETHORNE, LTD., A TEXAS LIMITED PARTNERSHIP; from Fort Bend County; 14th Court of Appeals District (14-15-00860-CV, 514 SW3d 279, 12-22-16)

joint motion to expedite issuance of mandate granted

THE FOLLOWING CAUSE IS REINSTATED:

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, 539 SW3d 342, 07-27-16)

abatement order issued September 29, 2017, lifted  
cause reinstated

The opinion of the Court issued February 23, 2018 remains in place and the judgment is issued.  
The Court affirms the court of appeals' judgment.  
Justice Johnson delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green,  
Justice Guzman, Justice Lehrmann, Justice Boyd, Justice Devine, and Justice Brown joined.  
Justice Blacklock did not participate.

THE FOLLOWING CAUSES ARE SET FOR SUBMISSION:

- 16-0006 ROHRMOOS VENTURE, ERIC LANGFORD, DAN BASSO AND TOBIN GROVE v. UTSW  
DVA HEALTHCARE, LLP; from Dallas County; 5th Court of Appeals District (05-14-00774-  
CV, \_\_\_ SW3d \_\_\_, 10-05-15)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 10, 2018.]  
Time allotted to argue: 20/20 minutes
- 16-0874 MICHAEL JOE SORRELL AND SORRELL FAMILY, LTD PARTNERS v. ESTATE OF  
BENJAMIN HARDY CARLTON, III; from Brazoria County; 14th Court of Appeals District  
(14-15-00361-CV, 504 SW3d 379, 08-11-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 12, 2018.]  
Time allotted to argue: 20/20 minutes
- 16-0966 THOMAS A. LALONDE, JR., P.E., INDIVIDUALLY AND D/B/A LEE ENGINEERING CO.,  
LEE ENGINEERING CO., STANLEY HAROLD PRATHER AND PRATHER  
ENGINEERING CONSULTANTS, INC. v. PAUL GOSNELL AND KIM GOSNELL; from  
Denton County; 2nd Court of Appeals District (02-15-00250-CV, \_\_\_ SW3d \_\_\_, 08-31-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 10, 2018.]  
Time allotted to argue: 20/20 minutes
- 16-0998 RSL FUNDING, LLC AND RSL SPECIAL-IV LIMITED PARTNERSHIP v. RICKEY  
NEWSOME; from Dallas County; 5th Court of Appeals District (05-15-00718-CV, \_\_\_ SW3d  
\_\_\_, 08-30-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 9, 2018.]  
Time allotted to argue: 20/20 minutes
- 16-1013 ANADARKO PETROLEUM CORPORATION AND ANADARKO E&P COMPANY, L.P. v.  
HOUSTON CASUALTY COMPANY, ET AL.; from Montgomery County; 9th Court of  
Appeals District (09-14-00459-CV, \_\_\_ SW3d \_\_\_, 11-17-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 17, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0020 IN RE CITY OF DICKINSON; from Galveston County; 14th Court of Appeals District (14-16-  
00677-CV, \_\_\_ SW3d \_\_\_, 12-13-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 12, 2018.]  
Time allotted to argue: 20/20 minutes

- 17-0058 LARRY EDDINGTON, VINCENT J. AURENTZ AND WILLIAM J. BUTLER v. DALLAS POLICE AND FIRE PENSION SYSTEM AND SAMUEL L. FRIAR, IN HIS OFFICIAL CAPACITY AS BOARD CHAIR; from Dallas County; 5th Court of Appeals District (05-15-00839-CV, 508 SW3d 774, 12-13-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 11, 2018.]  
Time allotted to argue: 20/20 minutes  
(Justice Guzman and Justice Brown not sitting)
- 17-0065 COMPASS BANK v. FRANCISCO CALLEJA-AHEDO; from Harris County; 1st Court of Appeals District (01-15-00210-CV, 508 SW3d 791, 12-15-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 12, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0093 CARL M. ARCHER TRUST NO. THREE AND MARY FRANCES G. ARCHER TRUST NO. THREE, MARY ARCHER DIXON AND CARLA ARCHER JOHNSON, TRUSTEES v. RONALD RALPH TREGELLAS, AND WIFE DONNITA TREGELLAS; from Hansford County; 7th Court of Appeals District (07-14-00421-CV, 507 SW3d 423, 12-20-16)  
*- consolidated for oral argument -*
- 17-0094 CARL M. ARCHER TRUST NO. THREE AND MARY FRANCES G. ARCHER TRUST NO. THREE, MARY ARCHER DIXON AND CARLA ARCHER JOHNSON, TRUSTEES v. RONALD RALPH TREGELLAS, AND WIFE DONNITA TREGELLAS; from Hansford County; 7th Court of Appeals District (07-16-00461-CV, 507 SW3d 423, 12-20-16)  
[Note: These causes have been set for oral argument at 9:00 a.m., September 13, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0095 TARRANT REGIONAL WATER DISTRICT v. RICHARD JOHNSON AND SHARKARA JOHNSON, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVES OF THE ESTATE OF BRANDY JOHNSON; from Tarrant County; 2nd Court of Appeals District (02-16-00043-CV, 514 SW3d 346, 12-30-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 30, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0151 JBS CARRIERS, INC. AND JAMES LUNDRY v. TRINETTE L. WASHINGTON, SOPHIA RENEE LENZY, THOMAS CHARLES LENZY, INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATE OF MARY L. TURNER, DECEASED; from Bexar County; 4th Court of Appeals District (04-15-00463-CV, 513 SW3d 703, 01-11-17)  
[Note: Oral argument of this cause will be conducted on Wednesday, September 19, 2018 at 9:00 a.m. at The University of Texas of the Permian Basin, Odessa, Texas. See Tex. Const. art. V, § 3(a).]  
Time allotted to argue: 20/20 minutes
- 17-0200 EXXON MOBIL CORPORATION v. THE INSURANCE COMPANY OF THE STATE OF

PENNSYLVANIA; from Harris County; 1st Court of Appeals District (01-15-00453-CV, 506 SW3d 498, 07-14-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 17, 2018.]

Time allotted to argue: 20/20 minutes

(Justice Lehrmann not sitting)

17-0256 TEXAS HEALTH PRESBYTERIAN HOSPITAL OF DENTON, MARC WILSON, M.D., AND ALLIANCE OB/GYN SPECIALISTS, PLLC D/B/A OB/GYN SPECIALISTS, PLLC v. D.A. AND M.A., INDIVIDUALLY AND AS NEXT FRIENDS OF A.A., A MINOR; from Denton County; 2nd Court of Appeals District (02-16-00148-CV, 514 SW3d 431, 02-16-17)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 9, 2018.]

Time allotted to argue: 20/20 minutes

17-0266 BURLINGTON RESOURCES OIL & GAS COMPANY LP v. TEXAS CRUDE ENERGY, LLC AND AMBER HARVEST, LLC; from Live Oak County; 13th Court of Appeals District (13-16-00248-CV, 516 SW3d 638, 03-02-17)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 9, 2018.]

Time allotted to argue: 20/20 minutes

17-0328 TRACY WINDRUM, INDIVIDUALLY, AS REPRESENTATIVE OF THE ESTATE OF LANCER WINDRUM, AND ON BEHALF OF HER MINOR CHILDREN, B.W., J.W., AND H.W. v. VICTOR KAREH, M.D.; from Harris County; 1st Court of Appeals District (01-14-00179-CV, 518 SW3d 496, 03-16-17)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 10, 2018.]

Time allotted to argue: 20/20 minutes

17-0409 CHARLES J. HUGHES v. TOM GREEN COUNTY; from Tom Green County; 3rd Court of Appeals District (03-16-00132-CV, \_\_\_ SW3d \_\_\_, 04-20-17)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 30, 2018.]

Time allotted to argue: 20/20 minutes

17-0423 HAYS STREET BRIDGE RESTORATION GROUP v. CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-14-00886-CV, \_\_\_ SW3d \_\_\_, 03-01-17)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 13, 2018.]

Time allotted to argue: 20/20 minutes

17-0463 GLASSDOOR, INC., DOE 1 AND DOE 2 v. ANDRA GROUP, LP; from Dallas County; 5th Court of Appeals District (05-16-00189-CV, \_\_\_ SW3d \_\_\_, 03-24-17)

[**Note:** Oral argument of this cause will be conducted on Wednesday, September 19, 2018 at 9:00 a.m. at The University of Texas of the Permian Basin, Odessa, Texas. *See* Tex. Const. art. V, § 3(a).]

Time allotted to argue: 20/20 minutes

- 17-0509 TEXAS OUTFITTERS LIMITED, LLC v. CAROLYN GRACE NICHOLSON, WILLIAM LUTHER CARTER, JR., AND DORA JO CARTER, INDIVIDUALLY AND AS GENERAL PARTNER OF CARTER RANCH, LTD.; from Frio County; 4th Court of Appeals District (04-16-00392-CV, 534 SW3d 65, 05-17-17)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 10, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0538 SABRE TRAVEL INTERNATIONAL LTD. v. DEUTSCHE LUFTHANSA AG, AUSTRIAN AIRLINES AG, BRUSSELS AIRLINES NV/SA, AND SWISS INTERNATIONAL AIR LINES LTD.; from Tarrant County; 2nd Court of Appeals District (02-17-00153-CV, \_\_\_ SW3d \_\_\_, 06-01-17)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 30, 2018.]  
Time allotted to argue: 20/20 minutes  
(Justice Lehrmann not sitting)
- 17-0541 HENRY RAWSON, JR. AND SUSAN RAWSON v. OXEA CORPORATION; from Harris County; 1st Court of Appeals District (01-15-01005-CV, \_\_\_ SW3d \_\_\_ 12-22-16)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 10, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0588 ERIC D. HILLMAN v. NUECES COUNTY, TEXAS AND NUECES COUNTY DISTRICT ATTORNEY'S OFFICE; from Nueces County; 13th Court of Appeals District (13-16-00012-CV, \_\_\_ SW3d \_\_\_, 06-08-17)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 31, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0628 S&S EMERGENCY TRAINING SOLUTIONS, INC. D/B/A EMERGENCY MEDICAL TRAINING SERVICES v. SHEILA ELLIOTT; from Collin County; 5th Court of Appeals District (05-16-01373-CV, \_\_\_ SW3d \_\_\_, 05-16-17)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 11, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0634 IN RE VERNA FRANCIS COLEY THETFORD; from Young County; 2nd Court of Appeals District (02-17-00182-CV, \_\_\_ SW3d \_\_\_, 06-15-17)  
[Note: This cause has been set for oral argument at 9:00 a.m., October 10, 2018.]  
Time allotted to argue: 20/20 minutes
- 17-0636 DANIEL NGHIEM v. RUPOM SAJIB AND GLOBAL AVIATION SERVICE, INC. D/B/A, GLOBAL AVIATION SERVICES AND D/B/A GLOBAL AVIATION SERVICES, INC.; from Harris County; 1st Court of Appeals District (01-16-00585-CV, \_\_\_ SW3d \_\_\_, 06-29-17)  
[Note: This cause has been set for oral argument at 9:00 a.m., September 17, 2018.]  
Time allotted to argue: 20/20 minutes

17-0660 ROSENBERG DEVELOPMENT CORPORATION v. IMPERIAL PERFORMING ARTS, INC.; from Fort Bend County; 14th Court of Appeals District (14-16-00978-CV, 526 SW3d 693, 07-06-17)

[Note: This cause has been set for oral argument at 9:00 a.m., October 11, 2018.]  
Time allotted to argue: 20/20 minutes

17-0762 MUSA ('MOSES') N. MUSALLAM v. AMAR B. ALI; from Tarrant County; 2nd Court of Appeals District (02-16-00282-CV, \_\_\_ SW3d \_\_\_, 08-03-17)

[Note: This cause has been set for oral argument at 9:00 a.m., September 13, 2018.]  
Time allotted to argue: 20/20 minutes

17-0850 KMS RETAIL ROWLETT, LP F/K/A KMS RETAIL HUNTSVILLE, LP v. CITY OF ROWLETT, TEXAS; from Dallas County; 5th Court of Appeals District (05-16-00402-CV, \_\_\_ SW3d \_\_\_, 07-19-17)

[Note: This cause has been set for oral argument at 9:00 a.m., October 31, 2018.]  
Time allotted to argue: 20/20 minutes

#### **ORDERS ON CASES GRANTED**

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

17-0477 IN THE INTEREST OF A.C., J.Y., J.Y. JR., L.B., AND E.B., CHILDREN; from Dallas County; 5th Court of Appeals District (05-16-01531-CV, \_\_\_ SW3d \_\_\_, 05-02-17)

[Note: This case has been set for oral argument at 9:00 a.m., September 10, 2018.]  
Time allotted to argue: 20/20 minutes

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

##### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

17-0028 DEBORAH J. GREER, DIANA MACY, MARVIN GREER, JR. AND MAP2004, LLC, D/B/A MAP2004-OK v. GLEN DAVID SHOOK, ET AL.; from Reeves County; 8th Court of Appeals District (08-15-00040-CV, 503 SW3d 571, 10-19-16)

3 petitions

18-0261 KYLE AND VALERIE CLEMENT AND RIMROCK LAND & CATTLE CO., LLC v. DAVID AND SHARON BLACKWOOD; from Taylor County; 11th Court of Appeals District (11-16-00087-CV, \_\_\_ SW3d \_\_\_, 02-08-18)

18-0301 IN THE INTEREST OF K.M.R., A CHILD; from Harris County; 14th Court of Appeals District (14-17-00651-CV, \_\_\_ SW3d \_\_\_, 01-30-18)

18-0338 IN THE INTEREST OF D.R., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-17-00292-CV, \_\_\_ SW3d \_\_\_, 02-09-18)

2 petitions

motion to appoint counsel denied  
motion to dismiss and substitute counsel denied

18-0510 IN THE INTEREST OF R.H.J., A CHILD; from Bexar County; 4th Court of Appeals District  
(04-17-00745-CV, \_\_\_ SW3d \_\_\_, 04-18-18)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

18-0592 JEFFREY A. LIPSCOMB v. CITY OF DALLAS; from Dallas County; 5th Court of Appeals  
District (05-17-00484-CV, \_\_\_ SW3d \_\_\_, 01-24-18)

*See* TEX. R. APP. P. 53.7(a)

**ORDERS ON MOTIONS FOR REHEARING**

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

18-0146 CARLOS A. GARCIA v. SCHLUMBERGER TECHNOLOGY CORPORATION; from Webb  
County; 4th Court of Appeals District (04-17-00180-CV, \_\_\_ SW3d \_\_\_, 11-29-17)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS  
DENIED:

17-0418 IN THE MATTER OF J.M.W., A JUVENILE; from Smith County; 12th Court of Appeals  
District (12-17-00068-CV, \_\_\_ SW3d \_\_\_, 03-15-17)

**MISCELLANEOUS**

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

18-0423 IN RE ROBERT [BOBBY] WIGHTMAN CERVANTES AND CLINTON WIGHTMAN; from  
Nacogdoches County; 12th Court of Appeals District (12-17-00138-CV, \_\_\_ SW3d \_\_\_, 03-31-  
17)

motion for stay denied

(Chief Justice Hecht not sitting)