



THE SUPREME COURT OF TEXAS

Orders Pronounced November 16, 2018

ORDERS ON CAUSES

- 15-0965 WARD COUNTY APPRAISAL DISTRICT v. EES LEASING LLC AND EXLP LEASING LLC; from Ward County; 8th Court of Appeals District (08-13-00359-CV, 476 SW3d 752, 09-23-15)
2 petitions

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court affirms in part and reverses in part the court of appeals' judgment and renders judgment.

Per Curiam Opinion

- 15-0969 REEVES COUNTY APPRAISAL DISTRICT AND LOVING COUNTY APPRAISAL DISTRICT v. MIDCON COMPRESSION, L.L.C.; from Reeves County; 8th Court of Appeals District (08-13-00322-CV, 478 SW3d 804, 09-23-15)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court affirms in part and reverses in part the court of appeals' judgment and renders judgment.

Per Curiam Opinion

- 15-0970 REEVES COUNTY APPRAISAL DISTRICT AND LOVING COUNTY APPRAISAL DISTRICT v. VALERUS COMPRESSION SERVICES, A TEXAS LIMITED PARTNERSHIP AND VALERUS COMPRESSION SERVICES MANAGEMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, GENERAL PARTNER; from Reeves County; 8th Court of Appeals District (08-13-00366-CV, 478 SW3d 20, 09-23-15)

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

Per Curiam Opinion

- 15-0971 LOVING COUNTY APPRAISAL DISTRICT v. EXLP LEASING, LLC AND EES LEASING, LLC.; from Loving County; 8th Court of Appeals District (08-13-00348-CV, 478 SW3d 790, 09-23-15)
2 petitions

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court affirms in part and reverses in part the court of appeals' judgment and renders judgment.

Per Curiam Opinion

- 17-0093 CARL M. ARCHER TRUST NO. THREE, MARY FRANCES G. ARCHER TRUST NO. THREE, AND MARY ARCHER DIXON AND CARLA ARCHER JOHNSON, TRUSTEES v. RONALD RALPH TREGELLAS AND DONNITA TREGELLAS; from Hansford County; 7th Court of Appeals District (07-14-00421-CV, 507 SW3d 423, 12-20-16)
The Court reverses the court of appeals' judgment in part and reinstates the trial court's judgment.

Justice Lehrmann delivered the opinion of the Court.

- 17-0094 CARL M. ARCHER TRUST NO. THREE, MARY FRANCES G. ARCHER TRUST NO. THREE, AND MARY ARCHER DIXON AND CARLA ARCHER JOHNSON, TRUSTEES v. RONALD RALPH TREGELLAS AND DONNITA TREGELLAS; from Hansford County; 7th Court of Appeals District (07-16-00461-CV, 507 SW3d 423, 12-20-16)
The Court reverses the court of appeals' judgment and reinstates the trial court's judgment.

Justice Lehrmann delivered the opinion of the Court.

- 17-0386 SUE ABSHIRE v. CHRISTUS HEALTH SOUTHEAST TEXAS D/B/A CHRISTUS HOSPITAL-ST. ELIZABETH; from Jefferson County; 9th Court of Appeals District (09-16-00107-CV, ___ SW3d ___, 03-30-17)
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 the trial court.

Per Curiam Opinion

- 17-0863 IN RE CASTLE TEXAS PRODUCTION LIMITED PARTNERSHIP; from Rusk County; 12th Court of Appeals District (12-17-00178-CV, ___ SW3d ___, 07-31-17)
Pursuant to Texas Rule of Appellate Procedure 52.8(c), without hearing oral argument, the Court conditionally grants the writ of mandamus.

Per Curiam Opinion

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

- 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)
The Court's opinion issued April 27, 2018 is corrected. The dissenting opinion by Chief Justice Hecht, in which Justice Green and Justice Guzman joined, remains in place.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 17-0630 AGAR CORPORATION, INC. v. ELECTRO CIRCUITS INTERNATIONAL, LLC AND SURESH PARIKH; from Harris County; 14th Court of Appeals District (14-15-00134-CV, ___ SW3d ___, 12-22-16)
[Note: This case has been set for oral argument at 9:00 a.m., January 23, 2019.]
Time allotted to argue: 20/20 minutes

- 17-0840 TIME WARNER CABLE TEXAS LLC v. CPS ENERGY, ET AL.; from Travis County; 3rd Court of Appeals District (03-14-00340-CV, 537 SW3d 157, 08-31-17)

2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., January 24, 2019.]
Time allotted to argue: 20/20 minutes

17-0925 ENDEAVOR ENERGY RESOURCES, L.P. v. EVELYN CUEVAS, ET AL.; from Midland County; 11th Court of Appeals District (11-15-00157-CV, 531 SW3d 375, 10-05-17)

[**Note:** The date and time for oral argument are yet to be determined.]

17-1003 BRAZOS ELECTRIC POWER COOPERATIVE, INC. v. THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, ET AL.; from Travis County; 8th Court of Appeals District (08-16-00069-CV, 538 SW3d 666, 09-15-17)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 24, 2019.]
Time allotted to argue: 20/20 minutes

18-0128 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; AND RICHARD A. HYDE, P.E., EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. BRAZOS VALLEY ENERGY, LLC; HAYS ENERGY, LLC; ENNIS POWER CO., LLC; MIDLOTHIAN ENERGY, LLC; WISE COUNTY POWER CO., LLC; FREEPORT ENERGY CENTER, LLC; FREESTONE POWER GENERATION, LLC; AND ENASKA GATEWAY PARTNERS, LTD.; from Travis County; 3rd Court of Appeals District (03-16-00694-CV, ___ SW3d ___, 07-11-17)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 24, 2019.]
Time allotted to argue: 20/20 minutes

(Justice Guzman not sitting)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS GRANTED:

18-0102 IN RE COMANECHÉ TURNER, AS NATURAL PARENT AND NEXT FRIEND OF M.T., A MINOR; from Dallas County; 5th Court of Appeals District (05-17-00871-CV, 544 SW3d 9, 10-19-17)

denial of petition for writ of mandamus on June 8, 2018, withdrawn
petition reinstated

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

17-0072 LAKOTA ENERGY LIMITED PARTNERSHIP v. MERIT MANAGEMENT PARTNERS I, L.P.; MERIT ENERGY PARTNERS III, L.P.; AND MERIT ENERGY COMPANY, LLC; from Wise County; 2nd Court of Appeals District (02-13-00057-CV, ___ SW3d ___, 11-17-16)
as reinstated

17-0416 WELLS FARGO BANK, N.A., D/B/A AMERICA'S SERVICING COMPANY; US BANK NATIONAL ASSOC., AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES CORP., HOME EQUITY ASSET TRUST 2006-7, HOME EQUITY PASS-THROUGH CERTIFICATE v. FREDDIE L. SHELLNUT; from Tarrant County; 2nd Court of

Appeals District (02-15-00204-CV, ___ SW3d ___, 04-27-17)
(Justice Johnson not sitting)

- 17-0787 GB TUBULARS, INC. v. UNION GAS OPERATING COMPANY; from Harris County; 14th Court of Appeals District (14-15-00671-CV, 527 SW3d 563, 06-29-17)
- 17-0845 CATHERINE STOUFFER, ET AL. v. UNION PACIFIC RAILROAD COMPANY; from Midland County; 11th Court of Appeals District (11-15-00052-CV, 530 SW3d 782, 08-31-17)
- 17-0887 IN THE MATTER OF D.A.D.; from Collin County; 5th Court of Appeals District (05-17-00294-CV, ___ SW3d ___, 09-11-17)
- 17-0891 HO & HUANG PROPERTIES, L.P. AND SW PARKWAY MANAGEMENT, INC. v. PARKWAY DENTAL ASSOCIATES, P.A., POORANG PAHLAVAN, H. TRAM NGUYEN, AND SHANNON PRESLEY; from Harris County; 14th Court of Appeals District (14-14-00528-CV, 529 SW3d 102, 05-24-17)
- 17-1035 RIDGEPPOINT RENTALS, LLC v. JAMES W. MCGRATH AND BERNADINE L. MCGRATH; from Polk County; 9th Court of Appeals District (09-17-00006-CV, ___ SW3d ___, 12-07-17)
- 18-0031 SUPPLY PRO, INC. AND HARMON K. FINE, INDIVIDUALLY v. ECOSORB INTERNATIONAL, INC., D/B/A BIOCEL TECHNOLOGIES; from Harris County; 1st Court of Appeals District (01-15-00621-CV, ___ SW3d ___, 08-30-16)
- 18-0045 SCOTT AND WHITE MEMORIAL HOSPITAL v. STAPEL, LP; from Williamson County; 3rd Court of Appeals District (03-16-00750-CV, ___ SW3d ___, 01-03-18)
- 18-0362 JAMES L. RAY AND KYLE D. GIACCO v. MARIA ISABEL SERNA CONTRERAS; from Webb County; 4th Court of Appeals District (04-16-00636-CV, 547 SW3d 280, 03-21-18)
2 petitions
motion to stay enforcement of sanctions judgment denied
(Justice Lehrmann not sitting)
- 18-0365 ANDRE HUEY-YOU v. CLARETTE KIMP; from Tarrant County; 2nd Court of Appeals District (02-16-00172-CV, ___ SW3d ___, 01-11-18)
- 18-0367 CORINNA COLLINS v. KELLY COLLINS; from Harris County; 1st Court of Appeals District (01-17-00817-CV, ___ SW3d ___, 03-15-18)

- 18-0440 AMERICAN FRONTIER MANAGEMENT, LLC AND DAVID BARKER v. THE LAW OFFICE OF DONALD WOCHNA, LLC; from Williamson County; 3rd Court of Appeals District (03-17-00489-CV, ___ SW3d ___, 04-04-18)
- 18-0456 GARY MEHAN v. DANIEL BABEL AND WIFE, SARAH L. BABEL; from Wichita County; 7th Court of Appeals District (07-16-00360-CV, ___ SW3d ___, 04-11-18)
- 18-0468 JOHN KIDD, INDIVIDUALLY AND AS WRONGFUL DEATH BENEFICIARY AND ON BEHALF OF THE ESTATE OF LAURENNE KRYSTEAN HALL v. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, STATE FARM FIRE AND CASUALTY COMPANY AND THE ESTATE OF DAVID MACDONALD; from Dallas County; 5th Court of Appeals District (05-16-01387-CV, ___ SW3d ___, 04-12-18)
- 18-0516 DONALD C. JACKSON v. PRIYE T. MUKURO, CERSANDRA D. TEAGUE AND DANNY MYERS; from Brazoria County; 1st Court of Appeals District (01-17-00466-CV, ___ SW3d ___, 04-19-18)
- 18-0561 HAYWOOD WI UNITS, LTD. v. B&S DUNAGAN INVESTMENTS, LTD., ET AL.; from Liberty County; 13th Court of Appeals District (13-15-00454-CV, ___ SW3d ___, 12-13-17)
- 18-0562 JONATHAN CAVANAUGH v. LAW OFFICE OF THOMAS J. HENRY; from Dallas County; 5th Court of Appeals District (05-17-00849-CV, ___ SW3d ___, 05-07-18)
- 18-0585 IN THE INTEREST OF D.B. AND G.B., CHILDREN; from Cooke County; 2nd Court of Appeals District (02-18-00015-CV, ___ SW3d ___, 05-22-18)
2 petitions
as amended
motion to withdraw as counsel granted
motion for leave to file amended petition granted
motion for relief denied
- 18-0590 AMIN QASSAM ALI AND SALMA ALI v. NIZARSHAH MOHAMMAD; from Bexar County; 4th Court of Appeals District (04-17-00214-CV, ___ SW3d ___, 03-07-18)
- 18-0636 CIMCO REFRIGERATION, INC. v. BARTUSH-SCHNITZIUS FOOD COMPANY; from Denton County; 2nd Court of Appeals District (02-14-00401-CV, ___ SW3d ___, 04-26-18)
- 18-0641 ERIK L. NELSON v. JACK SHEEDY, ROGER CRABB, AND SCHEEF & STONE, L.L.P.; from Dallas County; 5th Court of Appeals District (05-16-01262-CV, ___ SW3d ___, 05-30-18)

- 18-0653 SCOTT SEIDEMAN v. BRANCH BANKING & TRUST COMPANY; from Dallas County; 5th Court of Appeals District (05-17-00381-CV, ___ SW3d ___, 06-21-18)
- 18-0687 JEFFORY G. SNOWDEN v. CYRIL WILLIAM "BUDDY" MINETT; from Collin County; 5th Court of Appeals District (05-18-00003-CV, ___ SW3d ___, 06-12-18)
2 petitions
- 18-0735 CHAN IL PAK v. AD VILLARAI, LLC, THE ASHLEY NICOLE WILLIAMS TRUST, VILLAS ON RAIFORD, LLC, AND VILLAS ON RAIFORD CARROLLTON SENIOR HOUSING, LLC; from Dallas County; 5th Court of Appeals District (05-14-01312-CV, ___ SW3d ___, 05-04-18)
- 18-0745 IN THE INTEREST OF J.D.L., A CHILD; from Anderson County; 12th Court of Appeals District (12-18-00162-CV, ___ SW3d ___, 07-18-18)
- 18-0772 CREDITPLEX AUTO SALES, LLC D/B/A GREENVILLE MITSUBISHI AND LARRY JACKSON v. CHRISTIN BISHOP; from Dallas County; 5th Court of Appeals District (05-17-00461-CV, ___ SW3d ___, 07-05-18)
- 18-0796 DANNY MCCOY WOODS v. JIMMY LEWIS SOULES, ESTATE OF HOWARD WALSH SR., AND WALSH RANCH; from Tarrant County; 2nd Court of Appeals District (02-17-00336-CV, ___ SW3d ___, 05-17-18)
- 18-0822 IN THE INTEREST OF A.R.R. AKA A.R.R., A.M.R. AND A.R.R., CHILDREN; from Harris County; 1st Court of Appeals District (01-18-00043-CV, ___ SW3d ___, 07-03-18)
- 18-0870 IN THE INTEREST OF N.F., A CHILD; from Potter County; 7th Court of Appeals District (07-18-00104-CV, ___ SW3d ___, 08-01-18)
- 18-0888 IN THE INTEREST OF T.C. AND J.C., CHILDREN; from Potter County; 7th Court of Appeals District (07-18-00080-CV, ___ SW3d ___, 08-23-18)
- 18-0889 IN THE INTEREST OF T.C., A CHILD; from Potter County; 7th Court of Appeals District (07-18-00081-CV, ___ SW3d ___, 08-23-18)
- 18-0901 DIXIE EQUIPMENT, LLC AND DIXIE TURBINE SERVICES, LLC v. ENERGIA DE RAMOS, S.A.P.I. DE C.V. F/K/A DEACERO POWER S.A.P.I. DE C.V.; from Travis County; 3rd Court of Appeals District (03-17-00492-CV, ___ SW3d ___, 08-08-18)

- 18-0907 IN THE INTEREST OF T.W., A CHILD; from Randall County; 7th Court of Appeals District (07-18-00056-CV, ___ SW3d ___, 08-09-18)
- 18-0963 IN THE MATTER OF D.L.; from Bell County; 3rd Court of Appeals District (03-17-00491-CV, ___ SW3d ___, 08-23-18)
- 18-0996 K.N.M., A/K/A K.H. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-18-00284-CV, ___ SW3d ___, 08-28-18)

ORDERS ON MOTIONS FOR REHEARING

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0128 MICHAEL RYERSON v. TEXAS DEPARTMENT OF PUBLIC SAFETY; from Bexar County; 4th Court of Appeals District (04-16-00276-CV, ___ SW3d ___, 12-28-16)
- 17-0755 LON SMITH & ASSOCIATES, INC. AND A-1 SYSTEMS, INC., D/B/A LON SMITH ROOFING AND CONSTRUCTION v. JOE KEY AND STACCI KEY; from Tarrant County; 2nd Court of Appeals District (02-15-00328-CV, 527 SW3d 604, 08-03-17)
- 17-0881 ELIZABETH H. GREEN, FRANK F. HENDERSON, JR., WELDON W. DIETZE, JOHN F. DIETZE, JR., CAROLINE D. BRADFORD, CHRISTIN N. DIETZE, & ALEXIS E. DIETZE v. PAT A. BOOTHE, STERLING PRICE BOOTHE & MICHAEL GEORGE MALONE; from De Witt County; 13th Court of Appeals District (13-15-00267-CV, 534 SW3d 93, 06-22-17)
- 18-0387 TED B. LYON, III, AND LYON PROPERTIES & CUSTOM HOMES, LLC D/B/A LYON CONSTRUCTION SERVICES v. BUILDING GALVESTON, INC. D/B/A BUILDING SOLUTION; from Galveston County; 1st Court of Appeals District (01-15-00664-CV, ___ SW3d ___, 10-12-17)
- 18-0719 LUPE ACOSTA v. ALNA PROPERTIES II, LLC; from Tarrant County; 5th Court of Appeals District (05-17-00825-CV, ___ SW3d ___, 04-19-18)
- 18-0730 CHARLES E. THOMPSON, AS TRUSTEE OF THOMPSON-PHILP FAMILY TRUST v. TAEDA INVESTMENTS, LLC D/B/A TAEDA MANAGEMENT; from Shelby County; 12th Court of Appeals District (12-17-00195-CV, ___ SW3d ___, 06-29-18)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 18-0093 IN RE B.L.; from Tarrant County; 2nd Court of Appeals District (02-18-00033-CV, ___ SW3d ___, 02-01-18)
- 18-0192 IN RE B.L.; from Tarrant County; 2nd Court of Appeals District (02-18-00062-CV, ___ SW3d

___, 02-26-18)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 17-0947 IN RE TRAVIS COUNTY; from Travis County; 3rd Court of Appeals District (03-17-00619-CV, ___ SW3d ___, 11-02-17)
motion to produce documents for in camera inspection, dismissed as moot
motion to dismiss, dismissed as moot
- 18-0153 IN RE MICHAEL J. HARVEY III, INDEPENDENT EXECUTOR OF THE ESTATE OF WILHELMINA JOHANNA HARVEY, DECEASED; from Dallas County; 5th Court of Appeals District (05-17-01197-CV, ___ SW3d ___, 12-28-17)
as amended
- 18-0279 IN THE INTEREST OF K.C., A CHILD; from Collin County
emergency motion for temporary relief denied
- 18-0395 IN RE DONALD GENE BLANTON; from Kaufman County; 5th Court of Appeals District (05-16-00399-CV; 05-16-00400-CV, ___ SW3d ___, 04-14-16)
motion to withdraw denied
- 18-0492 IN RE ESTATE OF IGNACIA G. GUTIERREZ, MARIA CECILIA G. MARTINEZ, CELESTE G. NARRO, JOSE L. GUTIERREZ AND MINERVA G. GUERRA; from Starr County; 4th Court of Appeals District (04-18-00272-CV, ___ SW3d ___, 05-23-18)
stay order issued July 2, 2018, lifted
- 18-0533 IN RE BEHNAM BAGHERI; from Dallas County; 5th Court of Appeals District (05-18-00110-CV, ___ SW3d ___, 05-09-18)
- 18-0891 IN RE DAMON KENDRICK DOVE; from Fort Bend County; 14th Court of Appeals District (14-17-00682-CV, ___ SW3d ___, 08-28-18)
- 18-0991 IN RE RIGOBERTO CEPEDA AND DAVID LORENZA JOYNER; from Harris County; 14th Court of Appeals District (14-18-00541-CV, ___ SW3d ___, 08-02-18)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 18-0861 IN RE RICHARD GLASER; from Fannin County

motion to dismiss petition for writ of mandamus granted
motion to stay proceedings dismissed