



JUDGMENT

Court of Appeals

First District of Texas

NO. 01-19-00374-CV

BUCKINGHAM SENIOR LIVING COMMUNITY, INC. AND
ELIZABETH GEORGE, Appellants

V.

ANGELA HURST WASHINGTON, Appellee

Appeal from the 125th District Court of Harris County. (Tr. Ct. No. 2019-02894).

This case is an appeal from the April 28, 2019 denial by operation of law of the Chapter 27 motion to dismiss filed by Appellants in the trial court. After submitting the case on the appellate record and the arguments properly raised by the parties, the Court holds that there was reversible error in the denial of the motion in the following respect: while Buckingham Senior Living Community, Inc. and Elizabeth George met their burden to establish that Angela Hurst Washington's claims are based on, related to, or in response to George's exercise of the right to petition, Angela Hurst Washington failed to meet her burden to establish a prima facie case on her defamation claim or her malicious prosecution claim. Accordingly, the Court **reverses** the denial of the Chapter 27 motion to dismiss as to those two claims and **remands** the case to the trial court for further proceedings, including the determination whether Washington has any claims that remain pending before the trial court.

The Court **orders** that the appellee, Angela Hurst Washington, pay all appellate costs.

The Court **orders** that this decision be certified below for observance.

Judgment rendered June 4, 2020.

Panel consists of Justices Keyes, Landau, and Countiss. Opinion delivered by Justice Landau.