



THE SUPREME COURT OF TEXAS

Orders Pronounced March 19, 2021

ORDERS ON CAUSES

18-0781 ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC. v. PANDA POWER GENERATION INFRASTRUCTURE FUND, LLC, D/B/A PANDA POWER FUNDS, ET AL.; from Grayson County; 5th Court of Appeals District (05-17-00872-CV, 552 SW3d 297, 04-16-18)

~ consolidated for oral argument with ~

18-0792 IN RE PANDA POWER INFRASTRUCTURE FUND, LLC, D/B/A PANDA POWER FUNDS, ET AL.; from Grayson County; 5th Court of Appeals District (05-17-00872-CV, 552 SW3d 297, 04-16-18)

The Court dismisses both the petition for writ of mandamus and the petition for review for want of jurisdiction.

Justice Boyd delivered the opinion of the Court, in which Justice Blacklock, Justice Busby, Justice Bland, and Justice Huddle joined.

Justice Blacklock delivered a concurring opinion.

Chief Justice Hecht delivered a dissenting opinion, in which Justice Guzman, Justice Lehrmann, and Justice Devine joined.

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

18-0983 EAGLE OIL & GAS CO. v. TRO-X, L.P.; from Dallas County; 5th Court of Appeals District (05-17-00052-CV, 608 SW3d 1, 08-31-18)

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

Justice Lehrmann delivered the opinion of the Court.

19-0280 LOUIS HINOJOS v. STATE FARM LLOYDS AND RAUL PULIDO; from El Paso County; 8th Court of Appeals District (08-16-00121-CV, 569 SW3d 304, 01-18-19)

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

Justice Bland delivered the opinion of the Court, in which Chief Justice Hecht, Justice Lehrmann, Justice Boyd, Justice Devine, Justice Busby, and Justice Huddle joined.

Justice Guzman delivered a dissenting opinion.

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

19-0791 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND TERCINA SHAHAN; from Dallas County; 5th Court of Appeals District (05-19-00919-CV, 606 SW3d 781, 08-22-19)
stay order issued November 26, 2019, lifted

~ consolidated for oral argument with ~

19-0792 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND TODD JOSEPH DAUPER; from Dallas County; 5th Court of Appeals District (05-19-00920-CV, ___ SW3d ___, 08-22-19)
stay order issued November 26, 2019, lifted

The Court conditionally grants the writs of mandamus.

Justice Blacklock delivered the opinion of the Court.

20-0404 IN RE THE TEXAS EDUCATION AGENCY; MIKE MORATH, COMMISSIONER OF EDUCATION IN HIS OFFICIAL CAPACITY; AND DORIS DELANEY, IN HER OFFICIAL CAPACITY; from Travis County; 3rd Court of Appeals District (03-20-00025-CV, 609 SW3d 569, 04-24-20)

The Court denies the petition for writ of mandamus.

Justice Guzman delivered the opinion of the Court, in which Justice Lehrmann, Justice Boyd, Justice Devine, Justice Blacklock, Justice Busby, Justice Bland, and Justice Huddle joined.

Chief Justice Hecht delivered a dissenting opinion.

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

20-0979 AMAZON.COM, INCORPORATED v. MORGAN MCMILLAN, INDIVIDUALLY AND AS NEXT OF FRIEND OF E.G., A MINOR
motion of amicus curiae to participate in oral argument granted

Time allotted to argue: 15/20/5 minutes

(Justice Blacklock not participating)

ORDERS ON CASES GRANTED

THE FOLLOWING CERTIFIED QUESTION FROM THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT IS ACCEPTED:

21-0232 BITCO GENERAL INSURANCE CORPORATION, FORMERLY KNOWN AS BITUMINOUS CASUALTY CORPORATION v. MONROE GUARANTY INSURANCE COMPANY, A MEMBER OF THE FCCI INSURANCE GROUP (U.S. 5th Circuit 19-51012)

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 20-0798 NANCY ALANIS v. WELLS FARGO BANK NA, AS TRUSTEE; from Bexar County; 4th Court of Appeals District (04-19-00461-CV, 616 SW3d 1, 06-17-20)
- 20-0916 MIRIAM LATOUCHE; KERWYN LATOUCHE; CHANEL LATOUCHE; KERWYN LATOUCHE, JR. v. PERRY HOMES, LLC; from Fort Bend County; 14th Court of Appeals District (14-19-00133-CV, 606 SW3d 878, 07-14-20)
- 20-0971 LAURIE B. GRADY v. NATIONSTAR MORTGAGE LLC, AND U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-BC5; from Tarrant County; 2nd Court of Appeals District (02-19-00006-CV, ___ SW3d ___, 09-03-20)
- 21-0095 GREGORY WILLIAMS v. PATRICK SMITH AND NINTH DISTRICT OF OMEGA PSI PHI FRATERNITY, INC.; from Collin County; 5th Court of Appeals District (05-19-01251-CV, ___ SW3d ___, 12-14-20)
- 21-0136 ROBERTA PORCH, INDIVIDUALLY AND AS SURVIVING SPOUSE AND HEIR TO THE ESTATE OF REGINALD PORCH v. DAIMLER TRUCKS NORTH AMERICA, LLC, D/B/A FREIGHTLINER TRUCK; from Travis County; 3rd Court of Appeals District (03-20-00445-CV, ___ SW3d ___, 12-03-20)
- 21-0139 IN THE INTEREST OF L.P. AND R.P., CHILDREN; from Denton County; 2nd Court of Appeals District (02-20-00292-CV, ___ SW3d ___, 01-14-21)
counsel's motion to withdraw granted
- 21-0147 LILLIAN SMITH v. CRAIG HOPPER, AS GUARDIANSHIP OF THE ESTATE OF MARGARET VIRGINIA LANDGREBE; from Gonzales County; 13th Court of Appeals District (13-20-00476-CV, ___ SW3d ___, 12-10-20)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

- 20-0959 TENANT LANDLORD CONNECTION PROPERTIES LLC (D/B/A AND A/K/A HAZELWOOD APARTMENTS), AND BARBARA CLARK v. MR. DOE AND MRS. DOE, INDIVIDUALLY AND AS NEXT FRIEND OF JANE DOE; from Dallas County; 5th Court of Appeals District (05-19-00672-CV, ___ SW3d ___, 10-28-20)

unopposed motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until May 3, 2021, by which time the parties must file either a status report or a motion to dismiss.]

ORDERS ON MOTIONS FOR REHEARING

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

- 20-0814 IN THE INTEREST OF K.B.D.; from Jasper County; 9th Court of Appeals District (09-18-00277-CV, ___ SW3d ___, 07-30-20)
- 20-0907 SHILOH TREATMENT CENTER, INC., SHILOH II, LLC, BEHAVIORAL TRAINING RESEARCH, INC. AND CLAY DEAN HILL v. DESTIN EDWARD WARD; from Brazoria County; 1st Court of Appeals District (01-19-00969-CV, 608 SW3d 337, 08-04-20)

MISCELLANEOUS

THE FOLLOWING DIRECT APPEAL IS DISMISSED:

- 21-0006 EX PARTE SAN JACINTO RIVER AUTHORITY; from Travis County

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 21-0087 IN RE SHAMIM MEMON & DISCOVERY MM SERVICES, INC.; from Fort Bend County; 13th Court of Appeals District (13-20-00477-CV, ___ SW3d ___, 11-13-20)
motions to supplement granted

- 21-0182 IN RE VANESSA ARP; from Gregg County; 12th Court of Appeals District (12-20-00251-CV, ___ SW3d ___, 01-13-21)
motion to stay denied

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

- 21-0123 IN RE ASHLEE HALEAKALA COSTANZO; from Bexar County; 4th Court of Appeals District (04-20-00451-CV, 616 SW3d 48, 12-16-20)
unopposed motion to dismiss granted

- 21-0145 IN RE L SERIES, L.L.C.; CKDH, L.L.C.; VUE, L.L.C.; AND CKDH INVESTMENTS, L.L.C.; from Tarrant County; 2nd Court of Appeals District (02-21-00016-CV, ___ SW3d ___, 02-03-21)
unopposed motion to dismiss granted

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

21-0207 IN RE UNION PACIFIC RAILROAD COMPANY; from Tarrant County; 2nd Court of Appeals
District (02-20-00400-CV, ___ SW3d ___, 02-24-21)

motion to stay granted

motion to order transfer of documents in camera granted

[**Note:** The petition for writ of mandamus remains pending before this Court.]