



# THE SUPREME COURT OF TEXAS

Orders Pronounced September 1, 2023

## ORDERS ON CAUSES

21-0711 ANDREW M. THOMSON, CDG PEELER FAMILY LIMITED PARTNERSHIP, CYNTHIA L. LITTLEFIELD, THE DICK FAMILY IRREVOCABLE TRUST, GORDON G. THOMSON, JANE ELIZABETH ERZEN, LARRY WAYNE MCCARTY, LINDA M. BALL, MICHAEL DAVID DICK, NORTH THOMSON OIL AND GAS LP, PATRICIA P. FLEMING, PAUL W. PEELER FAMILY LIMITED PARTNERSHIP, SANDRA SHANNON COLLINS, SHANNON FAMILY TRUST, THOMSON OIL & GAS INVESTMENTS LP, COCONUT POINT ST, LLC, COCONUT POINT OE, LLC, COLONIAL VILLA ESTATES, LLC, LAZE DAZE KLA, LLC, WHISPERING PINES MOBILE HOME PARK, LTD., AND R & H PAUL, INC. v. KENT B. HOFFMAN, SUSAN HOFFMAN BINIECK, E. PETER HOFFMAN JR., AND MARNI H. COONEY v. KENT B. HOFFMAN, SUSAN HOFFMAN BINIECK, E. PETER HOFFMAN JR., AND MARNI H. COONEY; from McMullen County; 4th Court of Appeals District (04-19-00771-CV, 630 SW3d 427, 03-10-21)

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

Per Curiam Opinion  
(Justice Lehrmann not participating)

21-1117 THE DUNCAN HOUSE CHARITABLE CORPORATION v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 14th Court of Appeals District (14-20-00461-CV, \_\_\_ SW3d \_\_\_, 12-09-21)

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

22-0191 ALLIANCE AUTO AUCTION OF DALLAS, INC. v. LONE STAR CLEBURNE AUTOPLEX, INC.; from Johnson County; 10th Court of Appeals District (10-19-00226-CV, \_\_\_ SW3d \_\_\_, 01-26-22)

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

22-0288 ANDREW JACKSON v. KRISTEN C. HITCHCOCK TAKARA, AS REPRESENTATIVE AND INDEPENDENT ADMINISTRATIX OF THE ESTATE OF REUBEN BLAIR HITCHCOCK; from Milam County; 14th Court of Appeals District (14-20-00094-CV, 640 SW3d 293, 12-14-21)

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 renders judgment.

Per Curiam Opinion

THE FOLLOWING CAUSE IS RESET FOR ORAL ARGUMENT:

22-0678 RACHEL LAUREN GOLDSTEIN v. JAMES SABATINO; from Harris County; 1st Court of Appeals District (01-21-00028-CV, 649 SW3d 841, 06-30-22)

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

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

20-0811 UNIVERSITY OF TEXAS AT AUSTIN PRESIDENT JAY HARTZELL, ET AL. v. S.O.; from Travis County; 3rd Court of Appeals District (03-19-00131-CV, 613 SW3d 244, 09-04-20)

20-0812 TEXAS STATE UNIVERSITY PRESIDENT DENISE M. TRAUTH, ET AL. v. K.E.; from Hays County; 3rd Court of Appeals District (03-19-00212-CV, 613 SW3d 222, 09-04-20)

- 21-0072 TAYLOR MORRISON OF TEXAS, INC. AND TAYLOR WOODROW COMMUNITIES-LEAGUE CITY, LTD. v. ANDREW KOHLMAYER AND APRIL KOHLMAYER; from Galveston County; 1st Court of Appeals District (01-19-00519-CV, 634 SW3d 297, 08-17-21)
- 21-0509 FINLEY RESOURCES, INC., FINLEY PRODUCTION CO., L.P. AND PETRO CANYON ENERGY, LLC v. HEADINGTON ROYALTY, INC. AND HEADINGTON ENERGY PARTNERS, LLC; from Collin County; 5th Court of Appeals District (05-19-00291-CV, 623 SW3d 480, 03-18-21)
- 21-0783 LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD. AND LENNAR HOMES OF TEXAS SALES AND MARKETING, LTD. v. KARA WHITELEY; from Galveston County; 14th Court of Appeals District (14-19-00269-CV, 625 SW3d 569, 04-29-21)
- 21-0843 AMERICAN NATIONAL INSURANCE COMPANY v. BERTHA ARCE, INDIVIDUALLY AND AS REPRESENTATIVE OF ALL OTHERS SIMILARLY SITUATED; from Hardeman County; 7th Court of Appeals District (07-19-00362-CV, 633 SW3d 228, 08-24-21)
- 21-0936 EXXONMOBIL CORPORATION v. NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, AND STARR INDEMNITY & LIABILITY INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-19-00852-CV, 658 SW3d 305, 09-21-21)
- The Court's opinion issued April 14, 2023 is corrected.  
(Justice Lehrmann not participating)
- 21-1037 BRUCE R. HOTZE v. SYLVESTER TURNER, MAYOR, AND THE CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-19-00959-CV, 634 SW3d 508, 10-12-21)

22-0095 FREEPORT-MCMORAN OIL & GAS LLC AND OVINTIV USA INC. v. 1776 ENERGY PARTNERS. LLC; from Karnes County; 4th Court of Appeals District (04-20-00468-CV, 665 SW3d 695, 12-29-21)

22-0313 PECOS COUNTY APPRAISAL DISTRICT AND KINDER MORGAN PRODUCTION COMPANY, LLC v. IRAAN-SHEFFIELD INDEPENDENT SCHOOL DISTRICT; from Pecos County; 8th Court of Appeals District (08-20-00122-CV, 645 SW3d 827, 04-08-22)

(Justice Bland not participating)

22-1076 IN RE COMMITMENT OF TIMOTHY DANIEL RENSHAW; from Wood County; 6th Court of Appeals District (06-22-00079-CV, 670 SW3d 351, 11-01-22)

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

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

22-0168 BAY, LTD. v. THE MOST REVEREND WM. MICHAEL MULVEY, S.T.L., D.D. BISHOP OF CORPUS CHRISTI; from Jim Wells County; 4th Court of Appeals District (04-20-00146-CV, \_\_\_ SW3d \_\_\_, 07-14-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 3, 2023.]

Time allotted to argue: 20/20 minutes

22-0215 SAMSON EXPLORATION, LLC, F/K/A/ SAMSON LONE STAR, L.P. v. JOE A. BORDAGES JR., ET AL.; from Jefferson County; 9th Court of Appeals District (09-20-00174-CV, 662 SW3d 501, 01-13-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 26, 2023.]

Time allotted to argue: 20/20 minutes

22-0291 TEXAS STATE UNIVERSITY v. HANNAH R. TANNER; from Hays County; 3rd Court of Appeals District (03-21-00131-CV, 644 SW3d 747, 03-10-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 29, 2023.]

Time allotted to argue: 20/20 minutes

22-0308 IMAGE API, LLC v. CECILE YOUNG, EXECUTIVE COMMISSIONER OF THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION; from Travis County; 7th Court of Appeals District (07-21-00015-CV, \_\_\_ SW3d \_\_\_, 03-11-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 29, 2023.]

Time allotted to argue: 20/20 minutes

22-0427 TEXAS DEPARTMENT OF INSURANCE AND CASSIE BROWN, IN HER OFFICIAL CAPACITY AS COMMISSIONER OF THE TEXAS DEPARTMENT OF INSURANCE v. STONEWATER ROOFING, LTD. CO.; from Travis County; 7th Court of Appeals District (07-21-00016-CV, 641 SW3d 794, 02-02-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 26, 2023.]

Time allotted to argue: 20/20 minutes

22-0431 LONESTAR RESOURCES, INC., EZRA ALDERMAN RANCHES, INC., AND UNION PACIFIC RAILROAD COMPANY v. ELSA PRADO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ROLANDO PRADO, JR., DECEASED, AND AS NEXT FRIEND OF A.P., MINOR; ELIZABETH PRADO; ROLANDO PRADO; AND MARIA PRADO; from La Salle County; 4th Court of Appeals District (04-19-00543-CV, 647 SW3d 731, 07-28-21)

2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., November 29, 2023.]

Time allotted to argue: 20/20 minutes

(Justice Lehrmann not participating)

22-0481 CAMPBELLTON ROAD, LTD. v. CITY OF SAN ANTONIO BY AND THROUGH THE SAN ANTONIO WATER SYSTEM; from Bosque County; 4th Court of Appeals District (04-20-00569-CV, 647 SW3d 751, 01-26-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 30, 2023.]

Time allotted to argue: 20/20 minutes

(Justice Lehrmann not participating)

22-0585 TEXAS DEPARTMENT OF TRANSPORTATION v. MARK SELF AND BIRGIT SELF; from Montague County; 2nd Court of Appeals District (02-21-00240-CV, \_\_\_ SW3d \_\_\_, 04-28-22)

2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., November 30, 2023.]

Time allotted to argue: 20/20 minutes

22-0649 SAN JACINTO RIVER AUTHORITY v. CITY OF CONROE, TEXAS AND CITY OF MAGNOLIA, TEXAS; from Montgomery County; 9th Court of Appeals District (09-20-00180-CV, \_\_\_ SW3d \_\_\_, 04-21-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2024.]

Time allotted to argue: 20/20 minutes

22-0667 JASPER CHEN v. LI "LILY" CAI; from Harris County; 14th Court of Appeals District (14-20-00588-CV, \_\_\_ SW3d \_\_\_, 06-30-22)

2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2024.]

Time allotted to argue: 20/20 minutes

22-0843 TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER, TEXAS TECH UNIVERSITY SYSTEM, TEXAS TECH UNIVERSITY AND TEXAS TECH UNIVERSITY SYSTEM BOARD OF REGENTS v. PUREZA "DIDIT" MARTINEZ; from Lubbock County; 7th Court of Appeals District (07-22-00055-CV, \_\_\_ SW3d \_\_\_, 08-17-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 30, 2023.]

Time allotted to argue: 20/20 minutes

22-0913 HUNTLEY FORT GILL, ROBYN G. ATTAWAY AND MIRIAM G. STIRN v. DAVID HILL, INDIVIDUALLY AND D/B/A DOH OIL COMPANY; from Reeves County; 8th Court of Appeals District (08-20-00081-CV, 658 SW3d 618, 08-30-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2024.]

Time allotted to argue: 20/20 minutes

22-1023 CITY OF DENTON v. MICHAEL GRIM AND JIM MAYNARD; from Dallas County; 5th Court of Appeals District (05-20-00945-CV, \_\_\_ SW3d \_\_\_, 08-29-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 10, 2024.]

Time allotted to argue: 20/20 minutes

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

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

21-1116 AMERICAN BANK OF TEXAS, HHH FARMS, L.L.C., HARTWELL FARMS, LLC, AND WAYMON SCOTT HARTWELL v. FANNIN BANK; from Fannin County; 6th Court of Appeals District (06-20-00068-CV, \_\_\_ SW3d \_\_\_, 11-12-21)

2 petitions

22-0664 IN THE INTEREST OF N.R.G., A MINOR CHILD; from Harris County; 14th Court of Appeals District (14-20-00408-CV, \_\_\_ SW3d \_\_\_, 06-09-22)

- 22-0715 FACEBOOK, INC. v. JANE DOE; from Harris County; 14th Court of Appeals District (14-19-00854-CV, 650 SW3d 748, 04-12-22)  
(Justice Huddle not participating)
- 22-0779 OSPRIN II, LLC v. TX 1111 RUSK GP LLC, LEON J. BACKES, RUSK INVESTOR, LLC, AND STONEHENGE CAPITAL COMPANY, LLC; from Harris County; 6th Court of Appeals District (06-21-00085-CV, \_\_\_ SW3d \_\_\_, 07-08-22)  
2 petitions
- 22-0785 RAHUL K. NATH, M.D. AND USHA NATH v. BAYLOR COLLEGE OF MEDICINE. ET AL.; from Harris County; 1st Court of Appeals District (01-20-00401-CV, \_\_\_ SW3d \_\_\_, 04-07-22)  
Justice Devine and Justice Busby note their dissent to the denial of the petition for review.  
(Justice Bland not participating)
- 22-0923 MAGDALENA VILLAFUERTE AND JAVIER ROQUE VILLAFUERTE v. CITY OF HOUSTON; from Harris County; 1st Court of Appeals District (01-21-00517-CV, \_\_\_ SW3d \_\_\_, 07-28-22)
- 22-1024 TAYLOR MORRISON OF TEXAS, INC. AND TAYLOR WOODROW COMMUNITIES-LEAGUE CITY, LTD. v. MICHAEL FULCHER AND LISA FULCHER; from Galveston County; 13th Court of Appeals District (13-20-00332-CV, \_\_\_ SW3d \_\_\_, 08-04-22)
- 22-1040 LG CHEM, LTD. v. JEFFREY HAUSE; from El Paso County; 8th Court of Appeals District (08-20-00197-CV, 658 SW3d 714, 10-06-22)
- 22-1047 TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. v. AARON MALONE, TDCJ NO. 1697643; from Bee County; 13th Court of Appeals District (13-21-00048-CV, \_\_\_ SW3d \_\_\_, 10-20-22)  
2 petitions



22-1069 US ANESTHESIA PARTNERS AND PAUL SIMS, JR., M.D. v. BRIAN BLAKE ROBINSON INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF AUNDI GRIFFIN ROBINSON; GRIFFIN ROBINSON, JUSTIN ROBINSON AND DUSTIN ROBINSON; from Harris County; 1st Court of Appeals District (01-21-00572-CV, \_\_\_ SW3d \_\_\_, 09-08-22)

22-1113 PHILIP J. LEONARD, M.D. v. TEXAS MEDICAL BOARD; from Travis County; 8th Court of Appeals District (08-20-00231-CV, 656 SW3d 456, 10-26-22)

22-1128 EOG RESOURCES, INC., ET AL. v. BROADWAY NATIONAL BANK, TRUSTEE OF THE MARY FRANCES EVERS TRUST; from Bexar County; 4th Court of Appeals District (04-17-00310-CV, \_\_\_ SW3d \_\_\_, 08-03-22)

2 petitions

(Justice Young not participating)

22-1129 TURNER SPECIALTY SERVICES, LLC v. MICHAELA HORN, INDIVIDUALLY AND AS NEXT FRIEND OF G.H. AND M.M., MINORS; from Harris County; 1st Court of Appeals District (01-22-00031-CV, \_\_\_ SW3d \_\_\_, 11-03-22)

22-1180 LG CHEM, LTD. v. CHRISTOPHER W. TULLIS; from Dallas County; 5th Court of Appeals District (05-21-01056-CV, \_\_\_ SW3d \_\_\_, 11-16-22)

23-0008 HOUREAL CORPORATION v. RESCUE CONCEPTS INC.; from Harris County; 1st Court of Appeals District (01-20-00553-CV, \_\_\_ SW3d \_\_\_, 07-28-22)

23-0016 PLANO-5301 LEGACY DRIVE OWNER L.P. v. DPS HOLDINGS INC. AND KEURIG DR. PEPPER INC.; from Collin County; 5th Court of Appeals District (05-22-00423-CV, \_\_\_ SW3d \_\_\_, 12-29-22)

(Justice Bland not participating)

- 23-0018 JOSE MANUEL GONZALEZ v. THE STATE OF TEXAS; from Tarrant County; 2nd Court of Appeals District (02-21-00123-CV, \_\_\_ SW3d \_\_\_, 08-25-22)
- 23-0027 TIFFANNY JONES, M.D. AND TJONESIVFMD, PLLC v. FRISCO FERTILITY CENTER, PLLC, D/B/A DALLAS IVF; from Collin County; 5th Court of Appeals District (05-21-00008-CV, \_\_\_ SW3d \_\_\_, 11-28-22)
- 23-0047 CITY OF MADISONVILLE v. IVAN ARISTIDES CRUZ HERNANDEZ, ANDREW DIAZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF APOLO ESTRADA DIAZ, AND MARIA DIAZ, AS REPRESENTATIVE OF THE ESTATE OF APOLO ESTRADA DIAZ; from Madison County; 10th Court of Appeals District (10-22-00151-CV, \_\_\_ SW3d \_\_\_, 12-07-22)
- 23-0056 NEWBERRY RANCHES OF TEXAS, LLC v. BOBBY HOLLY AND DOLORES HOLLY; from Val Verde County; 4th Court of Appeals District (04-20-00572-CV, \_\_\_ SW3d \_\_\_, 08-31-22)
- 23-0060 HOFER BUILDERS, INC. AND HARTFORD UNDERWRITERS INSURANCE COMPANY v. TEXAS MUTUAL INSURANCE COMPANY; from Travis County; 3rd Court of Appeals District (03-21-00086-CV, \_\_\_ SW3d \_\_\_, 08-25-22)
- 23-0072 IN RE THE JOHN O. YATES TESTAMENTARY TRUST; from Bexar County; 4th Court of Appeals District (04-21-00365-CV, \_\_\_ SW3d \_\_\_, 12-28-22)
- 23-0108 JOHN SEGER M.D. v. BRIAN BRANDA, BRANDA FINANCIAL SERVICES AND NATIONAL LIFE INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-21-00224-CV, \_\_\_ SW3d \_\_\_, 12-29-22)

- 23-0110 SCOTT + REID GENERAL CONTRACTORS, INC. v. SAM STANTON AND HEATHER STANTON; from Dallas County; 5th Court of Appeals District (05-22-00400-CV, \_\_\_ SW3d \_\_\_, 10-07-22)  
stay order issued May 19, 2023, lifted
- 23-0124 THE CITY OF EL PASO, TEXAS v. MARIA H. TORRES; from El Paso County; 8th Court of Appeals District (08-22-00058-CV, 662 SW3d 607, 12-29-22)
- 23-0128 WARREN CHEN AND DYNACOLOR, INC. v. RAZBERI TECHNOLOGIES, INC., THOMAS J. GALVIN, LIVEOAK VENTURES PARTNERS 1A, L.P., KENNETH L. AND VIRGINIA T. BOYDA, AS TRUSTEES OF THE BOYDA FAMILY, ET AL.; from Dallas County; 5th Court of Appeals District (05-19-01551-CV, \_\_\_ SW3d \_\_\_, 11-08-22)  
(Justice Bland not participating)
- 23-0133 AMARO OILFIELD AUTOMATION, LLC v. LITHIA CM, INC. D/B/A ALL AMERICAN CHEVROLET OF MIDLAND; from Midland County; 8th Court of Appeals District (08-21-00013-CV, 661 SW3d 477, 01-23-23)
- 23-0169 EL PASO INDEPENDENT SCHOOL DISTRICT v. ALEJANDRO PORTILLO; from El Paso County; 8th Court of Appeals District (08-21-00021-CV, 661 SW3d 512, 01-30-23)
- 23-0170 DEERE & COMPANY v. FRANCISCO BERNAL, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF GILBERT BERNAL, DECEASED, MARIA BERNAL, LOURDES BERNAL, AND JASENTHA BERNAL; from Dallas County; 5th Court of Appeals District (05-22-00916-CV, \_\_\_ SW3d \_\_\_, 01-17-23)
- 23-0188 PHIROZ MEHERWAN BOYCE v. ZARINE BOYCE; from Harris County; 1st Court of Appeals District (01-21-00166-CV, \_\_\_ SW3d \_\_\_, 12-06-22)

- 23-0205 JOHN C. GANTER v. INDEPENDENT BANK, FORMERLY KNOWN AS UNITED COMMUNITY BANK, N.A.; from Dallas County; 5th Court of Appeals District (05-21-00375-CV, \_\_\_ SW3d \_\_\_, 12-29-22)
- 23-0207 AHMED ZIDAN v. ALEXANDER ZIDAN F/K/A MOHAMMED ZIDAN; from Collin County; 5th Court of Appeals District (05-20-00786-CV, \_\_\_ SW3d \_\_\_, 11-30-22)
- 23-0219 LAWRENCE EALY v. EVC ENGAGE, LLC; from Harris County; 1st Court of Appeals District (01-21-00095-CV, \_\_\_ SW3d \_\_\_, 12-22-22)
- 23-0227 NEAL BRUSENHAN PROPERTIES, LP, NEAL BRUSENHAN MANAGEMENT, LLC AS GENERAL PARTNER OF NEAL BRUSENHAN PROPERTIES, LP, ROBERT L. NEAL AS TRUSTEE OF THE NEAL ROBERT L. MANAGEMENT TRUST AND JESSIE FRANCES NEAL v. JAMES H. DAVIS D/B/A JD MINERALS, WALTER ALLISON BAEN, SANTOS J. DOMINGUEZ AND DIXIE L. HESTER; from Upton County; 8th Court of Appeals District (08-20-00205-CV, 658 SW3d 784, 12-08-22)  
2 petitions
- 23-0233 PUBLICACIONES E. IMPRESOS PASO DEL NORTE, S. DE R.L. DE C.V. AND PUBLICACIONES PASO DEL NORTE, S.A. DE C.V. v. JAVIER CORRAL JURADO; from El Paso County; 8th Court of Appeals District (08-22-00044-CV, 661 SW3d 569, 02-08-23)
- 23-0263 MOODY NATIONAL BANK v. LINDA MOODY; from Galveston County; 14th Court of Appeals District (14-21-00096-CV, \_\_\_ SW3d \_\_\_, 10-25-22)  
(Justice Bland not participating)
- 23-0269 TOWN OF ANTHONY, TEXAS v. ROBERT LOPEZ; from El Paso County; 8th Court of Appeals District (08-22-00052-CV, 661 SW3d 667, 02-23-23)

- 23-0274 JERRY JONES; DALLAS COWBOYS FOOTBALL CLUB, LTD. v. J.G.; from Dallas County; 5th Court of Appeals District (05-22-00215-CV, 660 SW3d 786, 02-27-23)
- 23-0279 IN THE MATTER OF C.C., A JUVENILE; from Harrison County; 6th Court of Appeals District (06-22-00057-CV, \_\_\_ SW3d \_\_\_, 02-10-23)
- 23-0285 IN THE INTEREST OF J.C., A CHILD; from Harrison County; 6th Court of Appeals District (06-22-00042-CV, \_\_\_ SW3d \_\_\_, 03-02-23)
- 23-0289 BAY AREA RV PARKS, LLC AND CHARLES E. SIMMONS v. WGB RV PARKS, LLC, JUDSTON F. WELLING AND JONATHAN D. GIBBS; from Harris County; 1st Court of Appeals District (01-21-00085-CV, \_\_\_ SW3d \_\_\_, 02-28-23)
- 23-0298 IN THE INTEREST OF L.M.W., A CHILD; from Bexar County; 4th Court of Appeals District (04-22-00577-CV, \_\_\_ SW3d \_\_\_, 03-06-23)  
2 petitions
- 23-0300 MEOSHA JACKSON v. HEAD START OF GREATER DALLAS, INC.; from Dallas County; 5th Court of Appeals District (05-22-00448-CV, \_\_\_ SW3d \_\_\_, 03-06-23)
- 23-0305 ROBERT DIXON TIPS PROPERTIES, LLC v. TEXAS DEPARTMENT OF TRANSPORTATION AND MARC D. WILLIAMS; from Bexar County; 4th Court of Appeals District (04-21-00430-CV, \_\_\_ SW3d \_\_\_, 03-08-23)
- 23-0316 KRAIG PEPPER, D.O. v. JUAQUAETTA WILSON; from Tarrant County; 2nd Court of Appeals District (02-22-00107-CV, \_\_\_ SW3d \_\_\_, 03-16-23)
- 23-0333 CITY OF JARRELL, TEXAS v. BE THEON EAST PARTNERSHIP NO. 3, LTD.; from Williamson County; 3rd Court of Appeals District (03-21-00651-CV, \_\_\_ SW3d \_\_\_, 03-22-23)

- 23-0360 FITZ D. JACKSON v. COURTNEY E. JAMES; from Harris County; 1st Court of Appeals District (01-22-00922-CV, \_\_\_ SW3d \_\_\_, 04-18-23)
- 23-0382 PHYSICAL THERAPY DYNAMICS, PLLC; AND JRAD INVESTMENTS, LLC v. SPEARS CONSTRUCTION MANAGEMENT, LLC; from Tarrant County; 2nd Court of Appeals District (02-22-00337-CV, \_\_\_ SW3d \_\_\_, 02-09-23)
- 23-0437 THE HOUSTON FIREFIGHTERS' RELIEF AND RETIREMENT FUND, BRETT ROBERT BESSELMAN IN HIS CAPACITY OF CHAIR OF THE BOARD OF TRUSTEES OF THE HOUSTON FIREFIGHTERS' RELIEF AND RETIREMENT FUND, AND THE BOARD OF TRUSTEES OF THE HOUSTON FIREFIGHTERS' RELIEF AND RETIREMENT FUND v. SANDRA L. MCGARRY; from Harris County; 1st Court of Appeals District (01-21-00624-CV, \_\_\_ SW3d \_\_\_, 03-09-23)
- 23-0442 IN THE INTEREST OF B.Y.B., C.L.B., D.R.B., G.G.B. JR., AND W.R.B.; from Montgomery County; 9th Court of Appeals District (09-22-00402-CV, \_\_\_ SW3d \_\_\_, 04-27-23)
- 23-0448 GILBERT ESTRADA, JR. v. DANA DEANN GARRETT-ESTRADA; from Travis County; 3rd Court of Appeals District (03-22-00017-CV, \_\_\_ SW3d \_\_\_, 04-28-23)
- 23-0480 LEWIS CHARLES GRAVES v. MICHAEL EVANGELISTA-YASASAGA; from Harris County; 14th Court of Appeals District (14-22-00137-CV, \_\_\_ SW3d \_\_\_, 01-24-23)
- 23-0484 JOHN TRAYLOR D/B/A JOHN TRAYLOR INSURANCE v. RAMONA LANE; from Morris County; 6th Court of Appeals District (06-23-00030-CV, \_\_\_ SW3d \_\_\_, 05-05-23)

- 23-0499 LUBBOCK COUNTY v. OSCAR REYNA; from Lubbock County; 7th Court of Appeals District (07-22-00154-CV, 670 SW3d 769, 05-19-23)
- 23-0515 SANDRA HALE v. RISING S COMPANY, LLC, GARY LYNCH IN HIS INDIVIDUAL AND OFFICIAL CAPACITY, AND CLYDE WAYNE SCOTT IN HIS INDIVIDUAL AND OFFICIAL CAPACITY; from Kaufman County; 5th Court of Appeals District (05-21-01103-CV, \_\_\_ SW3d \_\_\_, 05-30-23)
- 23-0532 IN THE INTEREST OF S.A.L., A CHILD; from Nueces County; 13th Court of Appeals District (13-23-00045-CV, \_\_\_ SW3d \_\_\_, 06-08-23)
- 23-0548 IN THE INTEREST OF K.S. AND L.M., CHILDREN; from Taylor County; 11th Court of Appeals District (11-23-00007-CV, \_\_\_ SW3d \_\_\_, 06-08-23)  
2 petitions
- 23-0550 IN THE INTEREST OF L.J.T., H.G., E.G., J.L., CHILDREN; from Bee County; 13th Court of Appeals District (13-23-00049-CV, \_\_\_ SW3d \_\_\_, 06-22-23)
- 23-0624 E.J. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Williamson County; 3rd Court of Appeals District (03-23-00104-CV, \_\_\_ SW3d \_\_\_, 06-23-23)

**ORDERS ON MOTIONS FOR REHEARING**

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

- 22-0671 IN RE THE COMMITMENT OF TIMOTHY DANIEL RENSHAW; from Wood County; 6th Court of Appeals District (06-22-00034-CV, 661 SW3d 861, 06-09-22)
- 23-0106 JERRY GRISAFFI v. ROCKY MOUNTAIN HIGH BRANDS, INC. F/K/A REPUBLIC OF TEXAS BRANDS, INC.; from Dallas County; 5th Court of Appeals District (05-20-00538-CV, \_\_\_ SW3d \_\_\_, 10-18-22)

23-0424 ERIC D. BURNS v. FAIRY JEAN BURNS; from Smith County; 12th Court of Appeals District (12-22-00256-CV, \_\_\_ SW3d \_\_\_, 04-20-23)

23-0617 IN RE JACOB WHITE; from Tarrant County; 2nd Court of Appeals District (02-23-00171-CV, \_\_\_ SW3d \_\_\_, 07-31-23)

Each Justice, having declined to voluntarily disqualify or recuse, certified the motion to disqualify or recuse to the remaining Justices of the Court. Tex. R. App. P. 16.3(b). Having considered the motion with respect to each Justice without the participation of the Justice under consideration, the Court denies all pending motions to disqualify or recuse the Justices of this Court.

motion for rehearing denied

motion for emergency relief denied

amended petition for writ of habeas corpus, filed August 14, 2023, seeking relief from illegal violation of civil rights denied

amended petition for writ of habeas corpus, filed August 23, 2023, seeking relief from illegal violation of civil rights denied

#### MISCELLANEOUS

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

22-1135 IN RE GEORGE BERGIN; from McLennan County; 10th Court of Appeals District (10-22-00307-CV, \_\_\_ SW3d \_\_\_, 11-09-22)

23-0183 IN RE JAMES A. RUBIO; from Montgomery County; 9th Court of Appeals District (09-22-00219-CV, \_\_\_ SW3d \_\_\_, 07-27-23)

motion requesting instruction and status of petition for writ of mandamus dismissed as moot

23-0211 IN RE CERTAIN UNDERWRITERS AT LLOYD'S LONDON SUBSCRIBING TO POLICY NO. CSXNWFQP0000165-00; CERTAIN UNDERWRITERS AT LLOYD'S LONDON SUBSCRIBING TO POLICY NO. W2D806200101; AND LANDMARK AMERICAN INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-23-00213-CV, \_\_\_ SW3d \_\_\_, 03-17-23)

stay order issued March 20, 2023, lifted



23-0249 IN RE DIAMOND OFFSHORE GENERAL, LLC; from Harris County; 1st Court of Appeals District (01-22-00837-CV, \_\_\_ SW3d \_\_\_, 03-14-23)

23-0307 IN RE PRABHAKAR GOPALAN; from Travis County; 3rd Court of Appeals District (03-23-00061-CV, \_\_\_ SW3d \_\_\_, 03-23-23)

23-0312 IN RE KERESA RICHARDSON; from Collin County; 5th Court of Appeals District  
emergency motion to expedite dismissed as moot

23-0519 SAMMIE MAYS v. BRYAN COLLIER AND DAVID GUTIERREZ

23-0682 IN RE STEVEN HOTZE, M.D., ALLESAN PAIGE STREETER, AND HONORABLE MOLLY WHITE; from Travis County  
relators' emergency motion for temporary relief denied

Justice Devine filed an opinion dissenting to the denial of the petition for writ of mandamus.

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

23-0202 IN RE JANE DOE CASES

motion for stay granted in part  
stay order issued

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

(Justice Huddle not participating)