



# THE SUPREME COURT OF TEXAS

Orders Pronounced November 10, 2023

## ORDERS ON CAUSES

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

23-0656 THE STATE OF TEXAS; OFFICE OF ATTORNEY GENERAL OF TEXAS; ANGELA COLMENERO, IN HER OFFICIAL CAPACITY AS PROVISIONAL ATTORNEY GENERAL; OFFICE OF THE TEXAS SECRETARY OF STATE; AND JANE NELSON, IN HER OFFICIAL CAPACITY AS TEXAS SECRETARY OF STATE v. HARRIS COUNTY, TEXAS; from Travis County

unopposed motion to present oral argument granted in part

Time allotted to argue: 20/15/5 minutes

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

21-1117 THE DUNCAN HOUSE CHARITABLE CORPORATION v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 14th Court of Appeals District (14-20-00461-CV, 672 SW3d 897, 12-09-21)

## **ORDERS ON CASES GRANTED**

### THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

22-1046 RICHARD J. MALOUF, D.D.S. v. THE STATE OF TEXAS EX RELS. DR. CHRISTINE ELLIS, D.D.S., AND MADELAYNE CASTILLO; from Travis County; 8th Court of Appeals District (08-20-00235-CV, 656 SW3d 402, 10-14-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 31, 2024.]

Time allotted to argue: 20/20 minutes  
(Justice Blacklock not participating)

### THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS SET FOR ORAL ARGUMENT:

22-1167 IN RE RICHARDSON MOTORSPORTS, LTD.; from Dallas County; 5th Court of Appeals District (05-22-00938-CV, 655 SW3d 658, 11-23-22)

[**Note:** Oral argument of this case will be conducted on Thursday, February 1, 2024 at 9:00 a.m. at University of Texas at El Paso, El Paso, Texas. *See* Tex. Const. art. V, § 3(a).]

Time allotted to argue: 20/20 minutes

## **ORDERS ON PETITIONS FOR REVIEW**

### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0997 CITGO PETROLEUM CORPORATION v. GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS; AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-21-00011-CV, 636 SW3d 281, 10-14-21)  
as reinstated

22-0643 DANIEL REGLADO, INDIVIDUALLY AND AS NEXT FRIEND OF D.A.R., A MINOR, CECILIA P. ALONSO, AND SYLVIA VELA v. CITY OF BROWNSVILLE; from Cameron County; 13th Court of Appeals District (13-21-00149-CV, \_\_\_ SW3d \_\_\_, 06-23-22)

- 22-0790 CONAGRA BRANDS, INC. v. GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS; AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-21-00111-CV, \_\_\_ SW3d \_\_\_, 08-24-22)
- 22-0921 MOTOR COACH INDUSTRIES, INC. AND MOTOR COACH INDUSTRIES LIMITED v. MARIA DEL REFUGIO AS NEXT FRIEND OF LAURA NANEZ, ET AL; from Harris County; 14th Court of Appeals District (14-20-00825-CV, \_\_\_ SW3d \_\_\_, 08-30-22)  
(Justice Lehrmann not participating)
- 22-1084 JASON KOWNSLAR v. THE CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-19-00963-CV, 654 SW3d 472, 04-19-22)
- 22-1142 THE STATE OF TEXAS; THE TEXAS DEPARTMENT OF TRANSPORTATION; THE TEXAS TRANSPORTATION COMMISSION; J. BRUCE BUGG, JR.; AND JAMES M. BASS v. LBJ/BROOKHAVEN INVESTORS, L.P.; from Dallas County; 5th Court of Appeals District (05-21-00518-CV, \_\_\_ SW3d \_\_\_, 07-29-22)
- 23-0009 ROCKEY PIAZZA, LINDA PIAZZA, AND PAUL DENUCCI, AS ASSIGNEES OF BEST BUY STORES, INC. v. GLENN HEGAR, IN HIS CAPACITY AS COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND KEN PAXTON, IN HIS CAPACITY AS ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-19-00246-CV, \_\_\_ SW3d \_\_\_, 04-16-21)
- 23-0107 H.O. SALINAS & SONS PAVING, INC. v. COX PAVING OF TEXAS, INC.; from Blanco County; 8th Court of Appeals District (08-20-00164-CV, 657 SW3d 756, 10-12-22)
- 23-0130 DANIEL RAWLS v. LA FOGATA MEXICAN GRILL, LOURDES GALINDO AND JOHN DOE; from Andrews County; 8th Court of Appeals District (08-21-00197-CV, 658 SW3d 898, 12-22-22)

- 23-0153 IN THE INTEREST OF J.D.A.S. A/K/A J.S., K.V.S. A/K/A K.S., J.N.S. A/K/A J.S., P.K.J. A/K/A P.J., CHILDREN; from Harris County; 14th Court of Appeals District (14-22-00115-CV, \_\_\_ SW3d \_\_\_, 08-16-22)
- 23-0172 ROBERT M. CONDON AND CKC PARTNERS, LLC v. ALPESH KADAKIA; RUCHIR KADAKIA; JEFF HODGSON; MANTICORE FUELS LLC AND GLADIEAUX ENERGY LLC; from Harris County; 14th Court of Appeals District (14-21-00014-CV, 661 SW3d 443, 01-19-23)  
(Justice Huddle and Justice Young not participating)
- 23-0234 AARON WHITELOCK AND DONNA WHITELOCK v. JENNIFER STEWART, DONALD STEWART, STEVEN STEWART, AND KATHY STEWART, AND D/B/A ROYAL HORSE FARMS; from Navarro County; 8th Court of Appeals District (08-21-00185-CV, 661 SW3d 583, 02-08-23)
- 23-0283 MICROSOFT CORP. v. TURNBULL LEGAL GROUP, PLLC AND EDWARD RANDOLPH TURNBULL IV; from Harris County; 1st Court of Appeals District (01-20-00851-CV, \_\_\_ SW3d \_\_\_, 10-27-22)
- 23-0286 ROBERT M. ROACH v. CONSTELLATION BRANDS, INC. AND FREDERICK H. SCHRADER; from Harris County; 1st Court of Appeals District (01-21-00155-CV, \_\_\_ SW3d \_\_\_, 12-29-22)  
2 petitions
- 23-0318 COG OPERATING, LLC, BAYSWATER FUND III-A LLC, BAYSWATER FUND III-B LLC, BAYSWATER RESOURCES LLC, COLBURN OIL, LP, DITTO LAND COMPANY, LLC, FALL LAND & CATTLE, LLC, PEGASUS RESOURCES, LLC, AND ROBBINS FAMILY MINERALS, LP v. ROYALTY ASSET HOLDINGS II, LP, CHARLOTTE POE, TRUSTEE OF THE GERHARDT FAMILY TRUST, HAROLD SCHNEIDER, TD MINERALS LLC AND SOURCING ROCK, LLC; from Reeves County; 8th Court of Appeals District (08-22-00108-CV, \_\_\_ SW3d \_\_\_, 03-15-23)

- 23-0372 DOUBLE DIAMOND, INC., DOUBLE DIAMOND-DELAWARE, INC., WHITE BLUFF CLUB CORP., NATIONAL RESORT MANAGEMENT GROUP, AND WHITE BLUFF PROPERTY OWNERS ASSOCIATION v. JOHN AND CATHY WALKINSHAW, ET AL.; from Dallas County; 5th Court of Appeals District (05-22-00591-CV, \_\_\_ SW3d \_\_\_, 01-27-23)
- 23-0403 JOHN ROBERTS AUSTIN I, LP D/B/A LEXUS OF AUSTIN AND D/B/A LEXUS OF LAKEWAY; VICKI ROBERTS; ABBY ELIZABETH ARGO; RANDY PHILLIP HOFF; STEVEN DERRICK WALKER; MICHAEL LEE COBB; AND EDWARD COOKE v. VIJAY NETAJI; BALIJEPALLI NETAJI, M.D.; AND PRABHA MURTHY; from Travis County; 3rd Court of Appeals District (03-21-00540-CV, \_\_\_ SW3d \_\_\_, 04-20-23)
- 23-0458 CERTAIN UNDERWRITERS AT LLOYD’S, LONDON, SUBSCRIBING TO POLICY NOS. AOP-170109 AND AQS-170213, HDI GLOBAL SPECIALTY, SE, F/K/A INTERNATIONAL INSURANCE COMPANY OF HANNOVER, SE, GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA, AND PENINSULA INSURANCE BUREAU v. BILL WENDLANDT, 120-MP VICTORIA LTD, AND LAURENT TOWER, LLC; from Victoria County; 13th Court of Appeals District (13-21-00323-CV, \_\_\_ SW3d \_\_\_, 03-30-23)
- 23-0489 KELLY SHANE HEARNE v. RIVERSOURCE LIFE INSURANCE COMPANY AND AMERIPRISE FINANCIAL SERVICES, LLC; from Lamar County; 6th Court of Appeals District (06-22-00046-CV, 670 SW3d 360, 05-16-23)
- 23-0501 S.T. v. H.K.; from Tarrant County; 2nd Court of Appeals District (02-21-00408-CV, \_\_\_ SW3d \_\_\_, 03-23-23)
- 23-0508 GE OIL & GAS PRESSURE CONTROL, L.P. v. CARRIZO OIL & GAS, INC.; from Harris County; 1st Court of Appeals District (01-21-00285-CV, \_\_\_ SW3d \_\_\_, 05-18-23)

(Justice Lehrmann not participating)

- 23-0538 MINERVA M. PENA v. MARISA F. LEAL; from Cameron County; 13th Court of Appeals District (13-22-00204-CV, \_\_\_ SW3d \_\_\_, 04-27-23)
- 23-0556 CITY OF FORT WORTH, TEXAS v. RONALD BURKE; from Dallas County; 5th Court of Appeals District (05-22-00381-CV, \_\_\_ SW3d \_\_\_, 04-26-23)
- 23-0612 IN THE INTEREST OF R.R.G. IV, A CHILD; from Nueces County; 13th Court of Appeals District (13-23-00032-CV, \_\_\_ SW3d \_\_\_, 07-06-23)
- 23-0618 STANLEY C. NWOKENKWO, INDIVIDUALLY, ADEWUMI ADENIYI, INDIVIDUALLY, AND OLUWATOYIN ADENIYI, INDIVIDUALLY v. JP MORGAN CHASE BANK, N.A.; from Harris County; 14th Court of Appeals District (14-22-00001-CV, \_\_\_ SW3d \_\_\_, 04-27-23)
- 23-0631 JOSE M. GALLEGOS v. ELLA PARK TERRACE CIVIC CLUB; from Harris County; 14th Court of Appeals District (14-22-00203-CV, \_\_\_ SW3d \_\_\_, 03-30-23)
- 23-0638 COUNTY OF EL PASO, TEXAS v. MICHAEL FLORES; from El Paso County; 8th Court of Appeals District (08-22-00060-CV, \_\_\_ SW3d \_\_\_, 03-09-23)
- 23-0725 IN THE INTEREST OF J.D., A CHILD; from Hutchinson County; 7th Court of Appeals District (07-23-00091-CV, \_\_\_ SW3d \_\_\_, 07-25-23)  
2 petitions
- 23-0734 IN THE MATTER OF W.A.; from Harris County; 1st Court of Appeals District (01-23-00139-CV, \_\_\_ SW3d \_\_\_, 08-08-23)

- 23-0735 IN THE MATTER OF W.A.; from Harris County; 1st Court of Appeals District (01-23-00137-CV, \_\_\_ SW3d \_\_\_, 08-08-23)
- 23-0740 IN THE INTEREST OF J.A.A.A., M.L.T. A/K/A M.T., J.H.M., JR., A/K/A J.N., CHILDREN; from Harris County; 14th Court of Appeals District (14-23-00119-CV, \_\_\_ SW3d \_\_\_, 07-13-23)  
counsel's motion to withdraw granted
- 23-0891 IN THE INTEREST OF N.C., A CHILD; from Taylor County; 11th Court of Appeals District (11-23-00138-CV, \_\_\_ SW3d \_\_\_, 09-14-23)
- 23-0897 IN THE INTEREST OF D.R., R.R., A.R., AND J.R., CHILDREN; from Tarrant County; 2nd Court of Appeals District (02-23-00093-CV, \_\_\_ SW3d \_\_\_, 09-14-23)

#### **ORDERS ON MOTIONS FOR REHEARING**

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

- 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)
- 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)
- 23-0377 ROBERT CROYSDILL v. OLD REPUBLIC INSURANCE COMPANY; from El Paso County; 8th Court of Appeals District (08-21-00191-CV, 668 SW3d 782, 02-09-23)

## MISCELLANEOUS

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

- 23-0134 IN RE CONSUELO KIGHT AND ANDREW RYAN KIGHT A/K/A RYAN KIGHT; from Harris County; 1st Court of Appeals District (01-21-00434-CV, \_\_\_ SW3d \_\_\_, 08-04-22)  
stay order issued March 15, 2023, lifted
- 23-0494 IN RE D.R.; from Bexar County; 4th Court of Appeals District (04-23-00141-CV, \_\_\_ SW3d \_\_\_, 05-31-23)
- 23-0504 IN RE BARBARA J. STANFIELD, INDIVIDUALLY, AS A DIRECT-ACTION PLAINTIFF, AND DERIVATIVELY ON BEHALF OF INTERVENOR TIG TRANSPORTATION, LLC; from Harris County; 1st Court of Appeals District (01-21-00674-CV, \_\_\_ SW3d \_\_\_, 05-16-23)
- 23-0517 IN RE ROBERT H. CRANE; from Hidalgo County; 13th Court of Appeals District (13-23-00125-CV, \_\_\_ SW3d \_\_\_, 05-17-23)  
emergency motion to stay dismissed as moot
- 23-0579 IN RE RETRACTABLE TECHNOLOGIES, INC.; from Dallas County; 5th Court of Appeals District (05-23-00550-CV, \_\_\_ SW3d \_\_\_, 07-03-23)
- 23-0752 IN RE JOHN PHILLIP BENDER; from Travis County; 3rd Court of Appeals District (03-23-00019-CR, \_\_\_ SW3d \_\_\_, 02-10-23)