



Orders of the Supreme Court of Texas
Fiscal Year 2013
(September 1, 2012 – August 31, 2013)

Assembled by
The Supreme Court of Texas Clerk's Office

Blake A. Hawthorne, Clerk of the Court
Monica Zamarripa, Deputy Clerk

THE SUPREME COURT OF TEXAS

Orders Pronounced September 6, 2012

ORDERS ON CAUSES

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS GRANTED:

11-0050 FPL ENERGY, LLC, FPL ENERGY PECOS WIND I, L.P., FPL ENERGY PECOS WIND II, L.P. AND INDIAN MESA WIND FARM, L.P. v. TXU PORTFOLIO MANAGEMENT COMPANY, L.P. N/K/A LUMINANT ENERGY COMPANY, LLC; from Dallas County; 5th Court of Appeals District (05-08-01584-CV, 328 SW3d 580, 07-27-10)

unopposed emergency motion to postpone oral argument setting granted

[**Note:** This case has been reset for oral argument at 9:00 a.m., October 15, 2012.]

Time allotted to argue: 20/20 minutes

THE SUPREME COURT OF TEXAS

Orders Pronounced September 7, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0324 HARVEY VORWERK v. WILLIAMSON COUNTY GRAIN, INC.; from Williamson County; 3rd Court of Appeals District (03-10-00549-CV, ___ SW3d ___, 02-23-12)
- 12-0500 JEFFREY C. MATA v. THE CITY OF SAN ANTONIO AND SAN ANTONIO FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION; from Bexar County; 4th Court of Appeals District (04-11-00311-CV, ___ SW3d ___, 04-18-12)
- 12-0574 PRICE OTTO HUBBARD, JR. v. MARC G. ROSENTHAL, ROSENTHAL & WATSON, PC, ERNEST GARCIA, SCOTT HENDLER, DWIGHT E. JEFFERSON AND ROSHAUNDA DESHAE HAMILTON; from Brazos County; 10th Court of Appeals District (10-10-00267-CV, ___ SW3d ___, 05-30-12)
as corrected
- 12-0596 JAMIE IDA CORNER v. COUNTY OF EASTLAND; from Eastland County; 11th Court of Appeals District (11-10-00157-CV, ___ SW3d ___, 06-07-12)

ORDERS ON MOTIONS FOR REHEARING

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

12-0158 MARY LAVERNE SMITH v. DAVID DILLARD GRAYSON; from Travis County; 3rd Court of Appeals District (03-10-00238-CV, ___ SW3d ___, 10-12-11)

12-0265 TODD-WARREN ALTSCHUL v. TDCJ - INMATE TRUST FUND DIVISION; from Walker County; 10th Court of Appeals District (10-11-00084-CV, ___ SW3d ___, 03-14-12)

12-0339 CAMMACK THE COOK, L.L.C., JASON CAMMACK, LAUREN CAMMACK AND MILTON CAMMACK v. MARTA BEYEN EASTBURN; from Gregg County; 6th Court of Appeals District (06-11-00062-CV, ___ SW3d ___, 03-06-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0629 IN RE 21ST CENTURY GROUP, LLC; from Lamar County; 6th Court of Appeals District (06-12-00064-CV, ___ SW3d ___, 07-17-12)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

12-0252 IN RE DANIEL ROY SETTLE; from Hale County

motion to dismiss granted

THE SUPREME COURT OF TEXAS

Orders Pronounced September 11, 2012

ORDERS ON CAUSES

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

12-0518 IN RE NESTLE USA, INC.

unopposed motion for leave for amicus curiae to share argument granted

Time allotted to argue: 15/20/5 minutes

THE SUPREME COURT OF TEXAS

Orders Pronounced September 12, 2012

MISCELLANEOUS

THE MOTION IN THE FOLLOWING CASE IS DENIED:

12-0342 JAMES ALLEN MCGUIRE v. FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Tarrant County; 2nd Court of Appeals District (02-11-00312-CV, ___ SW3d ___, 03-22-12)
emergency motion for injunction denied

[**Note:** The motion for rehearing remains pending before this Court

THE SUPREME COURT OF TEXAS

Orders Pronounced September 14, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0378 DONALD L. CHILDRESS v. CASA DEL MAR ASSN., INC.; from Galveston County; 1st Court of Appeals District (01-10-00913-CV, ___ SW3d ___, 11-17-11)
- 12-0384 GEORGE ATA v. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES, ET AL.; from Harris County; 1st Court of Appeals District (01-11-00565-CV, ___ SW3d ___, 03-29-12)
abatement order issued May 18, 2012, lifted
petition reinstated
motion to amend petition for review dismissed as moot
- 12-0517 HIXON FAMILY PARTNERSHIP, LTD. v. COLLIN COUNTY, TEXAS; from Collin County; 5th Court of Appeals District (05-10-00601-CV, 365 SW3d 860, 05-09-12)
2 petitions
- 12-0537 KEITH SPOONER, M.D. AND CLEVELAND REGIONAL MEDICAL CENTER v. DINAH PLANT AND FREEMAN GRAVITT AS NEXT FRIEND AND ON BEHALF OF JAMES GRAVITT; from Harris County; 14th Court of Appeals District (14-11-00075-CV, ___ SW3d ___, 05-15-12)
- 12-0549 ALVIE CAMPBELL AND JULIE CAMPBELL v. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LENDER AND LENDER'S SUCCESSORS AND ASSIGNS; WELLS FARGO BANK, N.A.; STEPHEN C. PORTER; DAVID SEYBOLD; RYAN BOURGEOIS; MATTHEW CUNNINGHAM AND JOHN DOE 1-100; from

Williamson County; 3rd Court of Appeals District (03-11-00429-CV, ___ SW3d ___, 05-18-12)

12-0600 BRENDA YOUNG v. TISA MCKIM AND JAQUELINE MCKIM; from Harris County; 14th Court of Appeals District (14-11-00376-CV, ___ SW3d ___, 05-31-12)

12-0602 1.9 LITTLE YORK, LTD. v. ALLICE TRADING INC.; from Harris County; 1st Court of Appeals District (01-11-00390-CV, ___ SW3d ___, 03-15-12)

12-0684 IN THE INTEREST OF A.J.M. AND E.A.M., CHILDREN; from Parker County; 2nd Court of Appeals District (02-11-00137-CV, ___ SW3d ___, 07-16-12)

ORDERS ON MOTIONS FOR REHEARING

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

12-0190 MARY RIGGINS v. RONALD HILL AND LINDA C. HILL, ET AL.; from Brazoria County; 14th Court of Appeals District (14-09-00495-CV, ___ SW3d ___, 11-03-11)

12-0464 NATHAN P. PHILIPELLO AND SHARI K. PHILIPELLO v. BRETT G. TAYLOR, THE BILL W. CLEMENTS AND VELMA F. CLEMENTS REVOCABLE LIVING TRUST, BILLY R. CLEMENTS, AND LARRY B. CLEMENTS; from Robertson County; 10th Court of Appeals District (10-11-00014-CV, ___ SW3d ___, 04-25-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0613 IN RE DONALD D. WILLIS; 2nd Court of Appeals District (02-12-00213-CV, ___ SW3d ___, 05-30-12)

12-0689 IN RE LONE STAR TRANSMISSION, LLC; from Eastland County; 11th Court of Appeals District (11-12-00216-CV, ___ SW3d ___, 08-16-12)
motion for expedited consideration of petition for writ of mandamus dismissed

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

12-0260 IN RE COLLEEN MYERS; from McLennan County; 10th Court of Appeals District (10-12-00052-CV, ___ SW3d ___, 02-22-12)
motion for dismissal of petition for writ of mandamus granted

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DISMISSED:

12-0258 IN RE KATHLEEN ANN MONTAGUE; from Harris County; 1st Court of Appeals District (01-12-00294-CV, ___ SW3d ___, 03-30-12)
stay order issued March 30, 2012, lifted
relator's motion to dismiss petition for writ of habeas corpus granted
opposed motion to dismiss, dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

12-0458 IN RE KEVIN NEWMAN AND CHANTEL NEWMAN; from Jefferson County; 9th Court of Appeals District (09-12-00077-CV, ___ SW3d ___, 04-26-12)
unopposed motion to abate mandamus proceedings granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until November 13, 2012, by which time the parties must file either a status report or a motion to dismiss.]

THE SUPREME COURT OF TEXAS

Orders Pronounced September 18, 2012

ORDERS ON PETITIONS FOR REVIEW

THE MOTION IN THE FOLLOWING PETITION FOR REVIEW IS DENIED:

12-0585 KILLAM RANCH PROPERTIES, LTD. v. WEBB COUNTY, TEXAS; from Webb County; 4th Court of Appeals District (04-10-00324-CV, ___ SW3d ___, 05-11-11)

emergency motion for contempt and further temporary orders denied
motion to abate ruling on emergency motion for contempt and further
temporary orders dismissed as moot

[**Note:** The petition for review remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced September 20, 2012

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS
DENIED:

- 10-1022 NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA AND INDUSTRIAL RISK INSURERS v. JOHN ZINK COMPANY; FISHER CONTROLS COMPANY, INC.; FISHER CONTROLS INTERNATIONAL, INC.; FISHER CONTROLS INSTALLATION AND SERVICE COMPANY; AND VALTEK, INC.; from Nueces County; 13th Court of Appeals District (13-08-00589-CV, ___ SW3d ___, 11-10-10)

THE SUPREME COURT OF TEXAS

Orders Pronounced September 21, 2012

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

08-0751 TEXAS MUTUAL INSURANCE COMPANY v. TIMOTHY J. RUTTIGER; from Galveston County; 1st Court of Appeals District (01-06-00897-CV, 265 SW3d 651, 07-31-08)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0778 THE CITY OF HOUSTON, TEXAS v. ROGER BATES, MICHAEL L. SPRATT AND DOUGLAS SPRINGER; from Harris County; 14th Court of Appeals District (14-10-00542-CV, ___ SW3d ___, 08-16-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2013.]
Time allotted to argue: 20/20 minutes

11-0834 EL DORADO LAND COMPANY, L.P. v. CITY OF MCKINNEY; from Collin County; 5th Court of Appeals District (05-10-00381-CV, 349 SW3d 215, 08-30-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2013.]
Time allotted to argue: 20/20 minutes

12-0032 IN THE MATTER OF L.D.C., A CHILD; from Bexar County; 4th Court of Appeals District (04-10-00855-CV, 357 SW3d 124, 11-02-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 10, 2013.]

Time allotted to argue: 20/20 minutes

12-0047 CARLA STRICKLAND v. KATHRYN AND JEREMY MEDLEN; from Tarrant County; 2nd Court of Appeals District (02-11-00105-CV, 353 SW3d 576, 11-03-11)
as amended

[**Note:** This case has been set for oral argument at 9:00 a.m., January 10, 2013.]

Time allotted to argue: 20/20 minutes

12-0198 PHILLIPS PETROLEUM COMPANY, GPM GAS CORPORATION, PHILLIPS GAS MARKETING COMPANY, PHILLIPS GAS COMPANY, AND GPM GAS TRADING COMPANY v. ROYCE YARBROUGH; from Fort Bend County; 14th Court of Appeals District (14-11-00944-CV, ___ SW3d ___, 01-24-12)

- consolidated for oral argument with -

12-0199 IN RE CONOCOPHILLIPS COMPANY F/K/A PHILLIPS PETROLEUM COMPANY, DCP MIDSTREAM, LP F/K/A GPM GAS CORPORATION, CONOCOPHILLIPS GAS COMPANY F/K/A PHILLIPS GAS COMPANY, AND DCP MIDSTREAM MARKETING, LLC F/K/A GPM GAS TRADING COMPANY; from Fort Bend County; 14th Court of Appeals District (14-11-01004-CV, ___ SW3d ___, 01-24-12)

[**Note:** These cases have been set for oral argument at 9:00 a.m., January 10, 2013.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0485 LARRY T. LONG v. RIM OPERATING, INC.; from Dawson County; 11th Court of Appeals District (11-09-00328-CV, 345 SW3d 79, 04-14-11)

11-0809 GUITAR HOLDING COMPANY, L.P. v. HUDSPETH COUNTY UNDERGROUND WATER CONSERVATION DISTRICT NO. 1; from Hudspeth County; 8th Court of Appeals District (08-09-00156-CV, 355

SW3d 428, 08-26-11)

- 11-0950 MICHAEL C. SCALLY, M.D. v. TEXAS STATE BOARD OF MEDICAL EXAMINERS; from Travis County; 3rd Court of Appeals District (03-09-00667-CV, 351 SW3d 434. 08-04-11)
- 12-0141 GEICO GENERAL INSURANCE COMPANY v. AUSTIN POWER INC.; from Harris County; 14th Court of Appeals District (14-11-00049-CV, 357 SW3d 821, 01-05-12)
- 12-0157 IN THE MATTER OF EXPUNCTION OF R.B.; from El Paso County; 8th Court of Appeals District (08-10-00165-CV, 361 SW3d 184, 01-11-12)
- 12-0280 ENERGICO PRODUCTION, INC., GREEN MEADOW OIL & GAS CORP. AND STEPHEN KNIGHT v. THE FROST NATIONAL BANK; from Tarrant County; 2nd Court of Appeals District (02-11-00148-CV, ___ SW3d ___, 01-26-12)
2 petitions
- 12-0298 ALANA NICOLE MUELLER v. SEAN AUGUST MUELLER; from Harris County; 1st Court of Appeals District (01-11-00247-CV, ___ SW3d ___, 03-01-12)
motion for damages for frivolous appeal denied
- 12-0328 WIDNER PRODUCT FINISHING COMPANY v. SOUTHWOOD DOOR COMPANY, A DEFUNCT MISSISSIPPI CORPORATION, OSHKOSH DOOR COMPANY, A WISCONSIN CORPORATION, AND TODD A. ROBINSON, AN INDIVIDUAL; from Bell County; 3rd Court of Appeals District (03-10-00188-CV, ___ SW3d ___, 03-01-12)

12-0374 K. C. CUNNINGHAM v. MIKE TARSKI & CURRAN TOMKO TARSKI LLP; from Dallas County; 5th Court of Appeals District (05-10-01159-CV, 365 SW3d 179, 03-27-12)

12-0380 VELMA ANN MYLES v. XTO ENERGY, INC., ET AL.; from Tarrant County; 2nd Court of Appeals District (02-10-00397-CV, ___ SW3d ___, 03-29-12)

(Justice Lehrmann not sitting)

12-0381 EASTERN EXPRESS, L.P. v. XTO ENERGY, INC., PERMIAN LAND COMPANY, A DIVISION OF DEVONIAN ENTERPRISES, INC., AND FRED W. JONES, INDIVIDUALLY AND/OR D/B/A DEVONIAN ENTERPRISES, INC.; from Tarrant County; 2nd Court of Appeals District (02-10-00395-CV, ___ SW3d ___, 03-29-12)

(Justice Lehrmann not sitting)

12-0383 VICKIE ANNE MAKEHAM, STEVEN D. NGUYEN, AND WIFE, Y. MINH NGUYEN, RICK SCIVALLY, AND WIFE, JENETH SCIVALLY, ROMEO SUN, AND FLORDELIZA DUE v. XTO ENERGY, INC., PERMIAN LAND COMPANY, A DIVISION OF DEVONIAN ENTERPRISES, INC., AND FRED W. JONES, INDIVIDUALLY AND/OR D/B/A DEVONIAN ENTERPRISES, INC.; from Tarrant County; 2nd Court of Appeals District (02-10-00396-CV, ___ SW3d ___, 03-29-12)

(Justice Lehrmann not sitting)

12-0389 VERONICA HERNANDEZ GOMEZ, INDIVIDUALLY, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF VICTOR GOMEZ, DECEASED, AND ON BEHALF OF ALL WRONGFUL DEATH BENEFICIARIES v. CHARTER BUILDERS, LTD.; from McLennan County; 10th Court of Appeals District (10-10-00415-CV, ___ SW3d ___, 02-29-12)

- 12-0414 TOMMY L. PARKER v. RON MCLAURIN, JESSE MENDEZ AND VILSEN SALINAS; from Harris County; 1st Court of Appeals District (01-11-00507-CV, ___ SW3d ___, 06-07-12)
- 12-0425 ANITA CAVAZOS RENTFRO, INDIVIDUALLY AND AS SUCESSOR TRUSTEE OF THE ANITA R. CAVAZOS LIVING TRUST v. MANUEL CAVAZOS, IV AND ERNESTO CAVAZOS; from Zapata County; 4th Court of Appeals District (04-10-00617-CV, ___ SW3d ___, 02-15-12)
- 12-0446 BETHEL STANDLEY v. W. B. SANSOM, COUNTY JUDGE, MANUEL RUBIO, COUNTY COMMISSIONER PCT. 1, WADE REAGOR, COUNTY COMMISSIONER PCT. 2, CASTULO SAN MIGUEL, COMMISSIONER PCT. 3, JOE W. CONNELL, COMMISSIONER PCT. 4 AND JIM WILSON, APPOINTED CONSTABLE; from Real County; 4th Court of Appeals District (04-11-00034-CV, 367 SW3d 343, 03-07-12)
- 12-0460 FRED SAMSON v. COLONIAL COUNTY MUTUAL, ET AL.; from Harris County; 1st Court of Appeals District (01-11-00203-CV, ___ SW3d ___, 03-29-12)
- 12-0465 CHARTER OAK FIRE INSURANCE CO. v. GENE SWANIGAN; from Tarrant County; 2nd Court of Appeals District (02-11-00147-CV, ___ SW3d ___, 04-26-12)
- 12-0466 DAVID J. KANTNER, ET AL. v. CHESAPEAKE ENERGY CORP., ET AL.; from Tarrant County; 2nd Court of Appeals District (02-11-00378-CV, ___ SW3d ___, 05-10-12)

(Justice Lehrmann not sitting)

- 12-0496 TJFA, L.P. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND BFI WASTE SYSTEMS OF NORTH AMERICA, INC.; from Travis County; 3rd Court of Appeals District (03-10-00677-CV, 368 SW3d 727, 05-04-12)
- 12-0509 DANIEL C. PARRA v. THE STATE OF TEXAS; from Harris County; 1st Court of Appeals District (01-11-00300-CV, ___ SW3d ___, 02-02-12)
- 12-0510 JULIO FRANCISCO LERMA TORRES, CLAUDIO LERMA TORRES, VICTOR MANUEL LERMA TORRES AND ADRIAN LERMA MARTINEZ v. CARMEN VIERA-PEÑA DE LERMA; from Webb County; 4th Court of Appeals District (04-11-00332-CV, ___ SW3d ___, 04-18-12)
- 12-0558 ALICE HEJL v. DALLAS COUNTY; from Dallas County; 5th Court of Appeals District (05-12-00437-CV, ___ SW3d ___, 05-15-12)
- 12-0573 IN RE COMMITMENT OF DENNIS JAMES CAMPBELL; from Montgomery County; 9th Court of Appeals District (09-11-00407-CV, ___ SW3d ___, 06-28-12)
- 12-0579 CHARLES THIELEMANN v. ALAN KETHAN; from Washington County; 1st Court of Appeals District (01-10-01111-CV, ___ SW3d ___, 01-19-12)
- 12-0586 ANTHONY BRINKER AND KELLEY BRINKER v. JIMMY EVANS COMPANY, LTD.; from Travis County; 7th Court of Appeals District (07-11-00044-CV, ___ SW3d ___, 04-25-12)
- 12-0633 MARIA DE LOS ANGELES GUERRERO, AS REPRESENTATIVE OF THE ESTATE OF MELCHOR GUERRERO, THE ESTATE OF MELCHOR GUERRERO, AND FERNANDO GUERRERO, AS TEMPORARY ADMINISTRATOR OF THE ESTATE OF MELCHOR GUERRERO v.

JERRY R. HENDERSON; from Camp County; 6th Court of Appeals District (06-12-00014-CV, 370 SW3d 1, 06-08-12)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

12-0231 BOBBY MCADAMS, ET AL. v. HATTIE JOHNSON, REBECCA LUCHAK, R.N., AND CYNTHIA HUNTER, R.N.; from Walker County; 10th Court of Appeals District (10-11-00105-CV; 10-11-00106-CV, ___ SW3d ___, 02-01-12)
motion to dismiss appeal granted

12-0528 PASADENA REFINING SYSTEM, INC. v. MIKE MCCRAVEN; from Harris County; 14th Court of Appeals District (14-10-00837-CV, ___ SW3d ___ 05-15-12)
unopposed motion to dismiss petition for review granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

12-0616 JAMES RAMEY, SEAN RAMEY AND ALL OCCUPANTS v. BANK OF NEW YORK; from Harris County; 14th Court of Appeals District (14-11-00992-CV, ___ SW3d ___, 03-27-12)

ORDERS ON MOTIONS FOR REHEARING

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

11-0940 PATRICIA KALLENBERGER SINGLETON, ET AL. v. ERNESTINE NICHOLS AND TRAVIS AVENUE BAPTIST CHURCH; from Tarrant County; 2nd Court of Appeals District (02-10-00060-CV, ___ SW3d ___, 08-18-11)

12-0332 IN RE C.M.H., A.H., J.G., AND K.G.; from Harris County; 1st Court of Appeals District (01-11-00385-CV, ___ SW3d ___, 02-23-12)
motion to substitute counsel, being treated as a motion to withdraw, dismissed as moot

12-0371 IN RE C.M.H., A.H., J.G., AND K.G.; from Harris County; 1st Court of Appeals District (01-11-00454-CV, ___ SW3d ___, 02-23-12)
motion to substitute counsel, being treated as a motion to withdraw, dismissed as moot

12-0372 IN RE C.M.H., A.H., J.G., AND K.G.; from Harris County; 1st Court of Appeals District (01-11-00455-CV, ___ SW3d ___, 02-23-12)
motion to substitute counsel, being treated as a motion to withdraw, dismissed as moot

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE ABATED:

11-0875 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 14th Court of Appeals District (14-11-00713-CV, ___ SW3d ___, 09-20-11)
unopposed motion to abate proceedings granted
abatement order issued
[**Note:** This case is removed from the Court's active docket until November 20, 2012, by which time the parties must file either a status report or a motion to dismiss.]

12-0124 IN RE CONTINENTAL TIRE THE AMERICAS, LLC; from Harris County; 1st Court of Appeals District (01-11-00984-CV, ___ SW3d ___, 01-19-12)
joint motion to abate pursuant to Texas Rule of Appellate Procedure 7.2(b) granted
abatement order issued
[**Note:** The case is abated under Tex. R. App. P. 7.2(b) until further order of this Court.]

12-0176 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 1st Court of Appeals District (01-11-00710-CV, ___ SW3d ___, 02-23-12)
unopposed motion to abate proceedings granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until November 20, 2012, by which time the parties must file either a status report or a motion to dismiss.]

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0015 IN RE PENNIE FAYE GREEN; from Johnson County; 10th Court of Appeals District (10-11-00050-CV, ___ SW3d ___, 11-16-11)

12-0581 IN RE VERTEX HOLDINGS, INC.; from Harris County; 14th Court of Appeals District (14-12-00443-CV, ___ SW3d ___, 06-01-12)

12-0662 IN RE VIRGINIA JANE BRIAN, DAVID BRIAN AND THE DAVID AND VIRGINIA BRIAN FAMILY MANAGEMENT CO., LLC; from Parker County; 2nd Court of Appeals District (02-12-00239-CV, ___ SW3d ___, 06-14-12)

12-0663 IN RE JAMES M. CALHOUN AND THE DAVID AND VIRGINIA BRIAN FAMILY MANAGEMENT CO., LLC; from Parker County; 2nd Court of Appeals District (02-12-00240-CV, ___ SW3d ___, 06-14-12)

STAY ORDERS ARE ISSUED IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS:

12-0163 IN RE MARK FISHER AND REECE BOUDREAUX; from Wise County; 2nd Court of Appeals District (02-11-00013-CV, ___ SW3d ___, 02-01-12)
motion for temporary relief to stay all trial court proceedings granted

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

12-0178 IN RE BANK OF AMERICA, N.A.; from Wise County; 2nd Court of Appeals District (02-11-00014-CV, ___ SW3d ___, 02-01-12)
motion for temporary relief to stay trial court proceedings granted

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

THE SUPREME COURT OF TEXAS

Orders Pronounced September 24, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

12-0765 IN RE WENZAL HARDWICK; from Denton County; 2nd Court of
 Appeals District (02-12-00370-CV, ___ SW3d ___, 09-17-12)
 motion for emergency relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced September 28, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0595 SHELTER MUTUAL INSURANCE COMPANY v. DALLAS COUNTY HOSPITAL DISTRICT D/B/A PARKLAND HEALTH & HOSPITAL SYSTEM; from Dallas County; 5th Court of Appeals District (05-11-00488-CV, ___ SW3d ___, 05-07-12)
- 12-0656 STAR PROPERTIES, LLC v. THE REX GROUP, INC.; from Harris County; 1st Court of Appeals District (01-11-00328-CV, ___ SW3d ___, 04-19-12)

THE FOLLOWING PETITIONS FOR REVIEW ARE STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 12-0428 DAVID DARELL GALBRAITH AND VIVIAN MARIE GALBRAITH v. NATALIA HARRIS AND MARGIE HARRIS; from Bexar County; 4th Court of Appeals District (04-11-00404-CV, ___ SW3d ___, 02-22-12)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 53.2(d), (k), 53.6, and Misc. Docket No. 11-9152 - Electronic-Filing Rule 5(c) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by October 8, 2012."

- 12-0757 RAMONA IBARRA AND MARIBEL I. RODRIGUEZ v. THE CITY OF LAREDO, AS TRUSTEE FOR ITSELF AND FOR LAREDO INDEPENDENT SCHOOL DISTRICT, LAREDO COMMUNITY COLLEGE, AND WEBB COUNTY; from Webb County; 4th Court of Appeals District (04-11-00035-CV, ___ SW3d ___, 07-25-12)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.2 (k)(1)(C) and Misc. Docket No. 11-9152 - Electronic-Filing Rules 5(b), (c) and 8(b) and is

struck. Petitioner is ordered to redraw; the petition is due to be filed by October 8, 2012."

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

12-0533 GREGORY S. STRANGE v. SHANE ALLEN, ET AL.; from Collin County; 5th Court of Appeals District (05-11-00881-CV, ___ SW3d ___, 05-17-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0670 IN RE MICHAEL GLYN BROWN; from Harris County; 14th Court of Appeals District (14-12-00641-CV, ___ SW3d ___, 08-08-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced October 5, 2012

ORDERS ON CAUSES

11-0155 ANN WOOD SHOOK v. DAVID GRAY; from Victoria County; 13th Court of Appeals District (13-09-00255-CV, 329 SW3d 186, 11-30-10)

denial of petition for review on March 9, 2012, withdrawn
motion for rehearing granted
petition for review reinstated

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 remands the case to the trial court.

Per Curiam Opinion

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0497 FRED KETTRICK AND JUDY KETTRICK v. LUANNE APPELL COLES; from Washington County; 1st Court of Appeals District (01-10-00855-CV, ___ SW3d ___, 08-25-11)

12-0524 BOCCARD USA CORPORATION v. RAYTHEON COMPANY; from Harris County; 1st Court of Appeals District (01-10-00950-CV, 369 SW3d 626, 05-10-12)

motion to certify question denied

12-0567 ROD SCHLOTTE, AS AGENT AND/OR ASSIGNEE OF LINDA PARRAS v. OPTION ONE MORTGAGE CORPORATION, AS SERVICING FOR WELLS FARGO BANK, N.A.; from Montgomery County; 9th Court of

Appeals District (09-11-00208-CV, ___ SW3d ___, 05-31-12)

12-0606 IN THE INTEREST OF K.D.; from Montgomery County; 9th Court of Appeals District (09-11-00535-CV, ___ SW3d ___, 05-17-12)

12-0611 MARY GRET MCKENZIE, D/B/A GEN'S ANTIQUES v. POSITIVE ACTION INTERNATIONAL, INC., D/B/A GRACE HART & COMPANY; from Harris County; 1st Court of Appeals District (01-10-01073-CV, ___ SW3d ___, 04-26-12)

12-0612 AGAPE NORTHWEST HOUSING, INC., AOH-DOVETAIL VILLAS, LLC, AMERICAN OPPORTUNITY FOR HOUSING-RIVERMILL, LLC, AMERICAN OPPORTUNITY FOR HOUSING-SADDLEBROOK APARTMENTS LP AND AMERICAN OPPORTUNITY FOR HOUSING, INC. v. MAINTENANCE SUPPLY HEADQUARTERS, LP; from Tarrant County; 2nd Court of Appeals District (02-11-00161-CV, ___ SW3d ___, 06-14-12)

12-0614 4180 BELT LINE, LTD, ET AL v. LONE STAR VALET SERVICES, INC.; from Dallas County; 5th Court of Appeals District (05-10-00943-CV, ___ SW3d ___, 02-24-12)

12-0618 JACKI KING v. SHERIFF BRIAN THOMAS AND POTTER COUNTY, TEXAS; from Potter County; 7th Court of Appeals District (07-11-00457-CV, ___ SW3d ___, 06-18-12)

12-0650 JAMES COSENTINO v. SALLY PETERS; from Hidalgo County; 13th Court of Appeals District (13-10-00445-CV, ___ SW3d ___, 06-28-12)

- 12-0659 IN THE INTEREST OF J.H. AND M.H., CHILDREN; from Midland County; 11th Court of Appeals District (11-11-00361-CV, ___ SW3d ___, 06-07-12)
- 12-0706 CARL POSTON AND SHEREA POSTON v. WACHOVIA MORTGAGE CORPORATION, ET AL.; from Harris County; 14th Court of Appeals District (14-11-00485-CV, ___ SW3d ___, 05-08-12)
- 12-0751 IN THE INTEREST OF C.J., I.H., AND B.H., CHILDREN; from Dallas County; 5th Court of Appeals District (05-11-00697-CV, ___ SW3d ___, 08-02-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0180 JAMES G. GARTRELL, JR. v. JOSEPH WREN, ET UX.; from Galveston County; 1st Court of Appeals District (01-11-00586-CV, ___ SW3d ___, 12-08-11)
- 12-0342 JAMES ALLEN MCGUIRE v. FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Tarrant County; 2nd Court of Appeals District (02-11-00312-CV, ___ SW3d ___, 03-22-12)
- 12-0442 FRANKLIN L. COX v. JESUS J. ROJAS AND JESUS J. ROJAS, JR.; from Dallas County; 5th Court of Appeals District (05-10-01572-CV, ___ SW3d ___, 04-18-12)
- 12-0503 KAREN B. DYER AND RUSSELL A. DYER v. ACCREDITED HOME LENDERS, INC.; from Denton County; 2nd Court of Appeals District (02-11-00046-CV, ___ SW3d ___, 02-02-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0644 IN RE STEVEN L. AMIS; 4th Court of Appeals District (04-12-00272-CV, ___ SW3d ___, 05-23-12)

12-0694 IN RE JOHN HAMES HARKINS, ET AL.; from Goliad County; 13th Court of Appeals District (13-12-00444-CV, ___ SW3d ___, 08-01-12)

(Justice Hecht not sitting)

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

12-0779 IN RE CRIMSON EXPLORATION, INC.; from Lavaca County; 13th Court of Appeals District (13-12-00427-CV, ___ SW3d ___, 09-17-12)

unopposed motion for temporary relief granted
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced October 12, 2012

ORDERS ON CAUSES

11-0713 IN THE INTEREST OF E.N.C., J.A.C., S.A.L., N.A.G. AND C.G.L.; from Lamar County; 6th Court of Appeals District (06-10-00131-CV, ___ SW3d ___, 08-16-11)

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

Justice Green delivered the opinion of the Court.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

10-0970 NICHOLAS TRAXLER v. ENTERGY GULF STATES, INC.; from Orange County; 9th Court of Appeals District (09-09-00362-CV, 320 SW3d 553, 08-19-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

12-0487 COURTNEY NOEL MARTIN AND ROBIN THOMAS MARTIN v. SCOTT D. MARTIN; from Gregg County; 6th Court of Appeals District (06-10-00005-CV, ___ SW3d ___, 03-20-12)

joint rule 56.3 motion to dismiss granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. The Court sets aside the judgment of the trial court without reference to the merits and dismisses the case with prejudice pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0506 PATRICK EARL CONELY v. TEXAS BOARD OF CRIMINAL JUSTICE, ET AL.; from Travis County; 3rd Court of Appeals District (03-11-00094-CV, ___ SW3d ___, 05-30-12)
- 12-0540 HECTOR GARZA v. ZACHRY CONSTRUCTION CORP., ET AL.; from Bexar County; 4th Court of Appeals District (04-11-00101-CV, 373 SW3d 715, 05-23-12)
- 12-0619 NORIS ROGERS v. UNIFUND CCR PARTNERS; from Harris County; 1st Court of Appeals District (01-10-01146-CV, ___ SW3d ___, 04-19-12)
- 12-0641 ELIZABETH CORONADO, M.D. AND COMMUNITY MEDICAL ASSOCIATES v. TARA STONE AND ERIC STONE; from Tom Green County; 3rd Court of Appeals District (03-11-00243-CV, ___ SW3d ___, 06-06-12)
- 12-0642 BUSINESS STAFFING, INC., TRANSGLOBAL INDEMNITY LTD., HARRY SEWILL, RICHARD GABLE CHAPMAN, BART BOGUS, BSI INSURANCE SERVICES, INC. TRANSGLOBAL MORTGAGE, INC., AND LHR ENTERPRISES v. JACKSON HOT OIL SERVICE D/B/A JACKSON BROTHERS HOT OIL SERVICE AND CODY JACKSON; from Andrews County; 8th Court of Appeals District (08-11-00092-CV, ___ SW3d ___, 07-05-12)
- 12-0656 STAR PROPERTIES, LLC v. THE REX GROUP, INC.; from Harris County; 1st Court of Appeals District (01-11-00328-CV, ___ SW3d ___, 04-19-12)
- 12-0713 HERMAN TAFOYA D/B/A ABUNDANT LIGHT ELECTRIC v. JEWELRY MANUFACTURER'S EXCHANGE, INC. A/K/A CASH 4 GOLD A/K/A CASH 4 GOLD JME A/KA JME; from Collin County; 5th Court of Appeals District (05-11-00065-CV, ___ SW3d ___, 07-16-12)

**THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE
OF APPELLATE PROCEDURE 9.4(i):**

- 12-0578 RAUL ADAM TREVIÑO v. LAWRENCE RAVENBURG, ET AL.; from Coryell County; 10th Court of Appeals District (10-11-00245-CV, ___ SW3d ___, 04-25-12)
motion to extend length of petition for review denied

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by October 22, 2012."

**THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF
JURISDICTION:**

- 12-0788 IRMA G. GALVAN v. ESTATE OF RICHARD S. BARBOZA, DECEASED; from Harris County; 14th Court of Appeals District (14-11-00338-CV, ___ SW3d ___, 05-08-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0546 EMPIRE EQUIPMENT INTERNATIONAL, INC. AND ROBERT RUSSELL v. PIPELINE MACHINERY INTERNATIONAL, L.P.; from Tarrant County; 2nd Court of Appeals District (02-09-00124-CV, ___ SW3d ___, 03-03-11)
- 12-0394 DAVID SCOT LYND v. STATE FAIR OF TEXAS AND THE CITY OF DALLAS; from Dallas County; 5th Court of Appeals District (05-10-00831-CV, ___ SW3d ___, 01-11-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0808 IN RE JC GLASS INC.; from Harris County; 1st Court of Appeals District (01-12-00826-CV, ___ SW3d ___, 09-20-12)
motion for emergency relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

12-0803 IN RE DAVID GETZ; from Lubbock County; 7th Court of Appeals District
(07-12-00278-CV, ___ SW3d ___, 07-09-12)

The Court strikes the petition for writ of mandamus with the following notation: "The petition violates Misc. Docket No. 11-9152 - Electronic-Filing Rules 1, 2, 5, 6, and 8-10 and is struck. Relator is ordered to redraw; the petition is due to be filed by October 22, 2012."

THE SUPREME COURT OF TEXAS

Orders Pronounced October 15, 2012

ORDERS ON CAUSES

THE MOTIONS IN THE FOLLOWING CAUSE ARE GRANTED:

- 11-0265 THE EPISCOPAL DIOCESE OF FORT WORTH, ET AL. v. THE EPISCOPAL CHURCH, ET AL.; from Tarrant County
- motion for leave to file additional brief granted
response to appellee's motion to file an additional brief, being treated as a
motion to file a post-submission brief, granted

THE SUPREME COURT OF TEXAS

Orders Pronounced October 19, 2012

ORDERS ON CAUSES

12-0518 IN RE NESTLE USA, INC.

The Court denies the petition for writ of mandamus.

Justice Hecht delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Medina, Justice Green, Justice Johnson, and Justice Guzman joined.

Justice Willett delivered a dissenting opinion, in which Justice Lehrmann joined.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0226 IN THE INTEREST OF J.T.G., O.M.G., M.T.G., J.R.G., D.N.G., L.G., and M.G.; from Harris County; 14th Court of Appeals District (14-10-00972-CV, ___ SW3d ___, 01-19-12)

as supplemented

12-0507 ROGER K. PARSONS v. ROBERT M. GREENBERG; ET AL.; from Tarrant County; 2nd Court of Appeals District (02-10-00131-CV, ___ SW3d ___, 02-02-12)

12-0544 DREW CONGLETON v. DARCI E SHOEMAKER; from Montgomery County; 9th Court of Appeals District (09-11-00453-CV, ___ SW3d ___, 04-

12-12)

12-0550 EMMA LEE DOYLE v. KONTEMPORARY BUILDERS, INC., JASPREET S. BAINS AND ELEGANT IMPROVEMENTS, LLC; from Collin County; 5th Court of Appeals District (05-10-01510-CV, 370 SW3d 448, 05-08-12)

12-0566 MARK HADDARD, PERSONAL REPRESENTATIVE FOR THE ESTATE OF VIRGINIA L. POTTER AND VIRGINIA L. POTTER v. MARY MEDINA RIOS; from Hidalgo County; 13th Court of Appeals District (13-07-00648-CV, ___ SW3d ___, 04-05-12)

12-0630 NEALEY MICHELLE MALHAM v. GOVERNMENT EMPLOYEES INSURANCE COMPANY; from Bell County; 3rd Court of Appeals District (03-11-00006-CV, ___ SW3d ___, 02-08-12)

12-0664 JOHN MICHAEL DALBOSCO v. MELISSA RUTH SIEBERT; from Fort Bend County; 14th Court of Appeals District (14-11-00429-CV, ___ SW3d ___, 05-17-12)

12-0693 DAWSON-CONWAY RANCH, LTD. v. MARK HARRINGTON; from Shackelford County; 11th Court of Appeals District (11-10-00124-CV, 372 SW3d 711, 06-07-12)

12-0734 CHIQUITA MITCHELL, ET AL. v. THE METHODIST HOSPITAL, ET AL.; from Harris County; 1st Court of Appeals District (01-11-01099-CV, ___ SW3d ___, 07-26-12)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

12-0728 IN THE INTEREST OF KML, A CHILD; from San Jacinto County; 9th Court of Appeals District (09-11-00083-CV, ___ SW3d ___, 05-31-12)

The Court strikes the petition for review with the following notation: "The

petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by October 26, 2012."

ORDERS ON MOTIONS FOR REHEARING

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

11-0851 U.S. LAWN, INC. v. RODOLFO LUIS CASTILLO, JR. AND YADIRA IVETTE ARROYO; from Hidalgo County; 13th Court of Appeals District (13-10-00669-CV, 347 SW3d 844, 07-28-11)

12-0244 JOSEPH AND JAMIE SCHWARTZOTT v. MARAVILLA OWNERS ASSOCIATION, INC.; from Galveston County; 14th Court of Appeals District (14-10-01151-CV, ___ SW3d ___, 01-05-12)

12-0556 JERRY, MARSHA AND JASON CHAMBERS v. TEXAS DEPARTMENT OF TRANSPORTATION; from Kaufman County; 5th Court of Appeals District (05-11-00519-CV, ___ SW3d ___, 05-16-12)

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

12-0482 IN RE ROBERT C. MORRIS

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0008 IN RE JPMORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST AND GARY P. AYMES; from Bexar County; 4th Court of Appeals District (04-11-00914-CV, ___ SW3d ___, 01-04-12)
motion for temporary relief denied

12-0570 IN RE TED LAWRENCE ROBERTSON; from Harris County; 14th Court of Appeals District (14-12-00561-CV, ___ SW3d ___, 07-10-12)

(Justice Guzman not sitting)

12-0749 IN RE CARL J. NICHOLS; from Dallas County; 5th Court of Appeals District
(05-12-00971-CV, ___ SW3d ___, 07-25-12)

12-0829 IN RE PRESTON HUGHES, III; from Harris County

THE SUPREME COURT OF TEXAS

Orders Pronounced October 22, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0821 IN RE RICKEY L. HOLLAND AND KAREN HOLLAND; from Dallas County; 5th Court of Appeals District (05-12-01185-CV, ___ SW3d ___, 09-28-12)
emergency motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced October 26, 2012

ORDERS ON CAUSES

09-0495 TEXAS MUTUAL INSURANCE COMPANY v. P. LANCE MORRIS; from Harris County; 14th Court of Appeals District (14-06-00651-CV, 287 SW3d 401, 06-04-09)

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

11-0362 WEST HARDIN COUNTY CONSOLIDATED INDEPENDENT SCHOOL DISTRICT v. WALLACE MAURY POOLE D/B/A L&B PRODUCTION; from Hardin County; 9th Court of Appeals District (09-10-00222-CV, ___ SW3d ___, 03-10-11)

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 dismissing the case.

Per Curiam Opinion

11-0647 MILESTONE OPERATING, INC. AND DSTJ, L.L.P. v. EXXONMOBIL CORPORATION; from Harris County; 14th Court of Appeals District (14-09-00765-CV, 346 SW3d 101, 07-07-11)

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

(Justice Lehrmann not sitting)

11-0650 NED B. MORRIS III, ET AL. v. HOUSTON INDEPENDENT SCHOOL DISTRICT, ET AL.; from Harris County; 1st Court of Appeals District (01-10-00043-CV, 355 SW3d 668, 05-19-11)

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

11-0728 TEXAS DEPARTMENT OF CRIMINAL JUSTICE-COMMUNITY JUSTICE ASSISTANCE DIVISION v. LUZELMA CAMPOS, BETTY JO GONZALEZ, AND MISTY VALERO; from Nueces County; 13th Court of Appeals District (13-10-00594-CV, ___ SW3d ___, 08-11-11)

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

12-0038 RANCHO LA VALENCIA, INC. AND CHARLES R. "RANDY" TURNER v. AQUAPLEX, INC. AND JAMES EDWARD JONES, JR.; from Travis County; 7th Court of Appeals District (07-06-00157-CV, 357 SW3d 137, 11-09-11)

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

Per Curiam Opinion

THE FOLLOWING CAUSE IS SET FOR SUBMISSION:

12-0626 GARY SAWYER; DOUG KEMPF; PETER BARNABA, SR.; GEOFF RORREV; TIM GREGORY; ET AL. v. E. I. DUPONT DE NEMOURS & CO.

[**Note:** Oral argument of this case will be conducted on Tuesday, February 26, 2013 at 9:00 a.m. at Austin College, Sherman, Texas. *See* Tex. Const. art. V, § 3(a).]

Time allotted to argue: 20/20 minutes

THE FOLLOWING CAUSE IS DISMISSED:

12-0035 IN RE SPECIALTY RENTAL TOOLS & SUPPLY, LP AND COY FRANK KUYKENDALL, JR.; from Webb County; 4th Court of Appeals District (04-11-00750-CV, ___ SW3d ___, 01-04-12)

unopposed motion to dismiss as moot granted
stay order issued January 25, 2012, lifted

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

10-0615 ASHFORD PARTNERS, LTD. v. ECO RESOURCES, INC.; from Fort Bend County; 1st Court of Appeals District (01-09-00809-CV, ___ SW3d ___, 07-29-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0447 LEE C. RITCHIE, ET AL. v. ANN CALDWELL RUPE, AS TRUSTEE FOR THE DALLAS GORDON RUPE, III 1995 FAMILY TRUST; from Dallas County; 5th Court of Appeals District (05-08-00615-CV, 339 SW3d 275, 03-28-11)

[**Note:** Oral argument of this case will be conducted on Tuesday, February 26, 2013 at 9:00 a.m. at Austin College, Sherman, Texas. *See* Tex. Const. art. V, § 3(a).]

Time allotted to argue: 20/20 minutes

12-0732 DAEWOO SHIPBUILDING & MARINE ENGINEERING, CO., LTD. D/B/A DSME v. IKANCO, INC.; from Harris County; 14th Court of Appeals District (14-11-00040-CV, 376 SW3d 229, 07-26-12)

joint motion to grant petition for review and render judgment to effectuate settlement granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without hearing oral argument or considering the merits, the Court grants the petition for review, vacates the court of appeals' judgment, and remands the case to the trial court

for rendition of judgment pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 10-0775 SUSAN ELAINE BOSTIC, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE HEIRS AND ESTATE OF TIMOTHY SHAWN BOSTIC, DECEASED; HELEN DONNAHOE; AND KYLE ANTHONY BOSTIC v. GEORGIA-PACIFIC CORPORATION; from Dallas County; 5th Court of Appeals District (05-08-01390-CV, 320 SW3d 588, 08-26-10)
Chief Justice Jefferson and Justice Lehrmann note their dissent to the denial of the petition for review.
- 11-0564 RANDY CANNON v. DARLENE STANFORD, INDIVIDUALLY, AND JACK M. THOMAS, M.D., D/B/A COSMETIC SKIN LASER AND HAIR REMOVAL OF GREENVILLE; from Hunt County; 6th Court of Appeals District (06-11-00011-CV, ___ SW3d ___, 06-23-11)
- 11-0593 EDWARD DOUGLASS, INDIVIDUALLY, AND BARRY JAMES MORGAN, INDIVIDUALLY, AND D.B.A. CONCRETE STRUCTURES v. WAYNE NEAL, INDIVIDUALLY, AND D.B.A. MIRAGE CONSTRUCTION COMPANY; from Calhoun County; 13th Court of Appeals District (13-11-00008-CV, ___ SW3d ___, 03-07-11)
- 11-0612 SHELL OIL COMPANY AND CH2M HILL IDC FACILITIES SERVICES, INC. v. TRACY GRIFFIN; from Harris County; 1st Court of Appeals District (01-09-01089-CV, ___ SW3d ___, 06-23-11)
2 petitions
- 11-0773 BIODERM SKIN CARE, LLC AND QUAN NGUYEN, M.D. v. VEASNA "SANDEE" SOK; from Dallas County; 5th Court of Appeals District (05-10-00044-CV, 345 SW3d 189, 06-28-11)

- 11-0792 DEAN FOODS COMPANY, A CERTIFIED SELF-INSURED v. COVENANT HEALTH SYSTEM D/B/A COVENANT MEDICAL CENTER; from Lubbock County; 7th Court of Appeals District (07-09-00348-CV, ___ SW3d ___, 08-24-11)
- 11-0912 SOUTHLAND LLOYDS INSURANCE COMPANY v. DAVID ONOFRE CANTU AND GUADALUPE CANTU; from Zavala County; 4th Court of Appeals District (04-09-00705-CV, ___ SW3d ___, 03-30-11)
- 11-0963 MUMBOJUMBO, LLC, MUMBOJUMBO DISTRIBUTION, LLC, JAY DINUCCI AND MARK COTTAM v. POPCAP GAMES, INC.; from Dallas County; 5th Court of Appeals District (05-10-00301-CV, 350 SW3d 699, 08-31-11)
- 11-0973 ACE AMERICAN INSURANCE COMPANY v. CHARLES THOMPSON; from Harris County; 1st Court of Appeals District (01-10-00810-CV, ___ SW3d ___, 08-25-11)
- 11-0987 WILFREDO AVILES, M.D. AND WILFREDO AVILES, M.D., P.A. v. ALBERT AGUIRRE; FRANCISCO J. RODRIGUEZ; RODRIGUEZ, PRUNEDA, TOVAR & CALVILLO, ET AL.; from Hidalgo County; 13th Court of Appeals District (13-10-00305-CV, ___ SW3d ___, 08-31-11)
- 12-0003 MARK CAMERON MCKEEHAN AND ROBIN LEIGH MULLENIX v. MARCIA MCKEEHAN, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF W. DALE MCKEEHAN AND ALLISON SCHIRMER; from Travis County; 3rd Court of Appeals District (03-10-00025-CV, 355 SW3d 282, 07-06-11)
respondents' motion to take judicial notice denied

- 12-0030 PETE VILLEGAS v. DEL MAR COLLEGE; from Nueces County; 13th Court of Appeals District (13-10-00379-CV, ___ SW3d ___, 12-08-11)
- 12-0066 CITY OF HOUSTON, TEXAS AND HARRIS COUNTY-HOUSTON SPORTS AUTHORITY v. HOTELS.COM, L.P., ET AL.; from Harris County; 14th Court of Appeals District (14-10-00349-CV, 357 SW3d 706, 10-25-11)
- 12-0090 IN THE INTEREST OF J.P.L., A CHILD; from Bexar County; 4th Court of Appeals District (04-10-00646-CV, 359 SW3d 695, 11-23-11)
- 12-0101 STARVIN MARVIN'S BAR AND GRILL, L.L.C. v. THE CITY OF BEAUMONT AND MAYOR BECKY AMES, IN HER OFFICIAL CAPACITY AS MAYOR OF THE CITY OF BEAUMONT; from Jefferson County; 9th Court of Appeals District (09-11-00229-CV, ___ SW3d ___, 12-22-11)
2 petitions
- 12-0138 TEON MANAGEMENT, LLC AND REPUBLIC OIL & GAS COMPANY v. TURQUOISE BAY CORPORATION D/B/A BAY OPERATORS, ET AL; from Midland County; 11th Court of Appeals District (11-10-00050-CV, 357 SW3d 719, 10-27-11)
2 petitions
- 12-0194 EDITORIAL CABALLERO, S.A. DE C.V., ET AL. v. PLAYBOY ENTERPRISES, INC.; from Hidalgo County; 13th Court of Appeals District (13-10-00586-CV, 359 SW3d 318, 01-12-12)
- 12-0303 EX PARTE: KASSANDRA MEAD; from Brewster County; 8th Court of Appeals District (08-12-00023-CR, ___ SW3d ___, 02-22-12)

- 12-0319 ROBERT SALINAS v. TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES; from Travis County; 3rd Court of Appeals District (03-04-00065-CV, ___ SW3d ___, 08-26-04)
motion to amend petition for review dismissed as moot
- 12-0365 GULF COAST WINDOW & ENERGY PRODUCTS, INC. v. WAYNE D. CULVER & CARYN CAIN; from Harris County; 1st Court of Appeals District (01-11-00080-CV, ___ SW3d ___, 01-19-12)
- 12-0479 TERRY WALDEN AND JOY WALDEN v. STANLEY SHOOK; from Bastrop County; 3rd Court of Appeals District (03-09-00576-CV, 368 SW3d 604, 03-16-12)
- 12-0484 KAREN ROBESON v. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AND MIDFIRST BANK; from Tarrant County; 2nd Court of Appeals District (02-10-00227-CV, ___ SW3d ___, 01-05-12)
- 12-0515 MARY FRANCES HAFERKAMP v. LEONARD GRUNSTEIN AND MURRAY FORMAN; from McLennan County; 11th Court of Appeals District (11-10-00194-CV, ___ SW3d ___, 05-10-12)
- 12-0582 TAKASHI SODA v. MICHAEL CANEY; from Dallas County; 2nd Court of Appeals District (02-12-00108-CV, ___ SW3d ___, 06-05-12)
- 12-0583 ALL AMERICAN SIDING & WINDOWS, INC. AND EAGLEONE FINANCIAL, INC. v. BANK OF AMERICA, NATIONAL ASSOCIATION; from Dallas County; 6th Court of Appeals District (06-11-00104-CV, 367 SW3d 490, 04-20-12)

- 12-0584 GLENN SMITH v. CLEMENT ALDRIDGE, JR.; from Galveston County; 14th Court of Appeals District (14-11-00673-CV, ___ SW3d ___, 03-29-12)
- 12-0598 JAMES O. AINSWORTH, JR. v. CACH, LLC; from Fort Bend County; 14th Court of Appeals District (14-11-00502-CV, ___ SW3d ___, 04-10-12)
- 12-0622 MICHAEL EASTON AND PETER RIGA v. CAROLYN JAMES; from Harris County; 14th Court of Appeals District (14-11-00053-CV, 368 SW3d 799, 05-15-12)
petitioners' motion to take judicial notice denied
- 12-0674 CORPUS CHRISTI DAY CRUISE, LLC AND DAY CRUISES MARITIME, LLC v. CHRISTUS SPOHN HEALTH SYSTEM CORPORATION D/B/A CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI-MEMORIAL; from Nueces County; 13th Court of Appeals District (13-11-00117-CV, ___ SW3d ___, 07-05-12)
- 12-0675 KEVIN B. MILLER, INDIVIDUALLY AND AS NEXT FRIEND OF J.M., A MINOR CHILD v. VICTOR ALESSANDRO; from Bexar County; 4th Court of Appeals District (04-11-00772-CV, ___ SW3d ___, 07-05-12)
- 12-0692 SUSAN BROWN v. HARBOR VENTURES, INC., RAND FOREST D/B/A SHORELINE DEVELOPMENT AND LTYH, LLC; from Travis County; 3rd Court of Appeals District (03-10-00690-CV, ___ SW3d ___, 05-18-12)
- 12-0700 MINNIE R. SUAREZ v. GLORIA CASTILLO, AS EXECUTRIX OF THE ESTATE OF SANTIAGO SUAREZ, DECEASED; from Scurry County; 11th Court of Appeals District (11-10-00263-CV, ___ SW3d ___, 07-12-12)
- 12-0729 ANTHONY JOHNSON v. THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.; from Brazoria County; 14th Court of Appeals District

(14-11-00410-CV, ___ SW3d ___, 05-22-12)

12-0735 MARY EWING v. ACT CATASTROPHE TEXAS, L.C.; from Harris County; 14th Court of Appeals District (14-10-00939-CV, 375 SW3d 545, 07-10-12)

12-0747 L.J. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Hays County; 3rd Court of Appeals District (03-11-00435-CV, ___ SW3d ___, 08-01-12)

12-0851 IN THE INTEREST OF J.A.T., ET AL., CHILDREN; from Bexar County; 4th Court of Appeals District (04-12-00183-CV, ___ SW3d ___, 08-29-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

11-0711 JESSE F. REECE, SR. v. TEXOMA FLEET AND AUTO REPAIR AND JOHN WELKER; from Wichita County; 2nd Court of Appeals District (02-10-00154-CV, ___ SW3d ___, 07-07-11)
agreed motion to dismiss appeal granted

ORDERS ON MOTIONS FOR REHEARING

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

10-0513 MATTHEW W. WASSERMAN, M.D. v. CHRISTINA BERGERON GUGEL; from Harris County; 14th Court of Appeals District (14-09-00450-CV, ___ SW3d ___, 05-30-10)

11-0317 REGION XIX SERVICE CENTER v. MARIA BANDA; from El Paso County; 8th Court of Appeals District (08-08-00232-CV, 343 SW3d 480, 02-09-11)

- 11-0462 AMOCO D.T. COMPANY, AMOCO X.T. COMPANY, AMOCO Y.T. COMPANY, SWEPI LP, SHELL LAND & ENERGY COMPANY, SHELL ONSHORE VENTURES INC., SHELL K2, INC., AND SHELL EVEREST, INC. v. OCCIDENTAL PETROLEUM CORPORATION, OCCIDENTAL PERMIAN MANAGER, LLC, OCCIDENTAL PERMIAN LTD., AND OXY USA, INC.; from Harris County; 14th Court of Appeals District (14-09-00651-CV, 343 SW3d 837, 05-17-11)
- 11-0734 MIKE AND JANET GAINES, INDIVIDUALLY, AND AS NEXT FRIENDS FOR MARTHA MICHELLE GAINES, NON-COMPOS MENTIS v. JOSEPH P. PRITCHETT; from Anderson County; 12th Court of Appeals District (12-10-00167-CV, ___ SW3d ___, 07-13-11)
- 11-1031 EMERITUS CORPORATION v. LILLIAN BLANCO; from El Paso County; 8th Court of Appeals District (08-09-00007-CV, 355 SW3d 270, 07-06-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0873 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 14th Court of Appeals District (14-11-00726-CV, ___ SW3d ___, 09-20-11)
- 12-0018 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 1st Court of Appeals District (01-11-00714-CV, ___ SW3d ___, 12-15-11)
- 12-0025 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 1st Court of Appeals District (01-11-00717-CV, ___ SW3d ___, 12-22-11)
- 12-0418 IN RE VALARIE THOMAS BAHAR, M.D., P.A. AND VALERIE THOMAS BAHAR, M.D.; from Travis County; 3rd Court of Appeals District (03-12-00227-CV, ___ SW3d ___, 05-18-12)

12-0645 IN RE TERRY JAMES; 5th Court of Appeals District (05-12-00990-CV, ___ SW3d ___, 07-24-12)

12-0746 IN RE ROBERT LEE MARTIN; from Travis County; 3rd Court of Appeals District (03-12-00457-CV, ___ SW3d ___, 07-26-12)

12-0764 IN RE LESTER ERWIN CARROLL, IV; from Harris County; 1st Court of Appeals District (01-12-00637-CR, ___ SW3d ___, 07-30-12)

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

12-0852 IN RE NABILCO INC. AND D. HOUSTON INC. D/B/A TREASURES; from Harris County; 14th Court of Appeals District (14-12-00832-CV)

motion for temporary stay of trial court's temporary injunction order granted in part

stay order issued

response requested due by November 5, 2012

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

Justice Guzman would deny the petition for writ of mandamus and the motion for temporary stay.

THE DECISION OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING APPEAL IS AFFIRMED:

12-0132 IN THE MATTER OF SCOTT M. TIDWELL - STATE BAR CARD NO. 20020730

THE SUPREME COURT OF TEXAS

Orders Pronounced November 2, 2012

ORDERS ON CAUSES

11-0312 THE STATE OF TEXAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION v. NICO-WF1, L.L.C.; from Cameron County; 13th Court of Appeals District (13-09-00315-CV, ___ SW3d ___, 12-16-10)

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

Justice Medina delivered the opinion of the Court.

(Justice Johnson not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0673 MICHAEL S. DUHART v. BRIGIETTE DUHART; from Fort Bend County; 1st Court of Appeals District (01-10-00714-CV, ___ SW3d ___, 02-16-12)

12-0705 ROBERT KANE v. RON CARTER, INC., RON-CARTER FORD, INC. AND WILSON-HALL IMPORTS, INC.; from Brazoria County; 1st Court of Appeals District (01-10-00815-CV, ___ SW3d ___, 10-27-11)

12-0710 ESTEBAN HURTADO, GERARDO HURTADO, SAN JUANITA DAVILA, AND CRISTELA HURTADO, INDIVIDUALLY AND AS NEXT FRIEND OF J.L.H. III, .A.H., AND B.A.H., MINORS, AND CRISTELA HURTADO, AS ADMINISTRATRIX OF THE ESTATE OF ALMA ROSA HUERTA, DECEASED v. MARIA DE JESUS GAMEZ, INDIVIDUALLY AND AS HEIR OF JUAN JOSE GAMEZ, DECEASED, AND AS NEXT FRIEND OF J.J.G. JR., AND C.M.G., MINORS, AND ADRIAN GARCIA D/B/A

MAGNUM FORCE SECURITY; from Hidalgo County; 13th Court of Appeals District (13-11-00354-CV, ___ SW3d ___, 06-07-12)

12-0742 DR. CHAD KELLY v. TOMMY HENRY; from Harris County; 14th Court of Appeals District (14-11-00444-CV, 375 SW3d 531, 07-10-12)

12-0771 IN THE INTEREST OF A.M. AND E.M., CHILDREN; from McLennan County; 10th Court of Appeals District (10-12-00029-CV, ___ SW3d ___, 08-09-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

11-0580 POST-NEWSWEEK STATIONS, HOUSTON, INC. d/b/a KPRC-TV, POSTNEWSWEEK STATIONS, HOUSTON GP, INC., POST-NEWSWEEK STATIONS, INC., POST-NEWSWEEK HOUSTON HOLDINGS (LIMITED), INC., STEPHEN DEAN, SKIP VALET, RICK MCFARLAND, AND BRIAN SASSER v. DANIEL DUGI, M.D.; from De Witt County; 13th Court of Appeals District (13-10-00366-CV, ___ SW3d ___, 06-16-11)

joint motion to dismiss appeal granted

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

12-0602 1.9 LITTLE YORK, LTD. v. ALLICE TRADING INC.; from Harris County; 1st Court of Appeals District (01-11-00390-CV, ___ SW3d ___, 03-15-12)

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

11-0541 DYNEGY INC. v. TERRY W. YATES, INDIVIDUALLY AND TERRY W. YATES, P.C.; from Harris County; 4th Court of Appeals District (04-10-00041-CV, 345 SW3d 516, 02-23-11)

respondents' motion to reinstate granted
abatement order issued July 13, 2012, lifted
petitions reinstated

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0777 IN RE TV AZTECA, S.A.B. DE C.V. AND PATRICIA CHAPOY; from Hidalgo County; 13th Court of Appeals District

emergency motion to stay denied
motion for leave to file surrepley dismissed as moot

12-0864 IN RE NACHIAPPAN SUBBIAH MUTHUKUMAR; from Dallas County

motion for emergency stay denied

12-0874 IN RE NORTH CYPRESS MEDICAL CENTER OPERATING COMPANY, LTD. AND NORTH CYPRESS MEDICAL CENTER OPERATING COMPANY GP, LLC; from Harris County; 1st Court of Appeals District (01-12-00942-CV, ___ SW3d ___, 10-26-12)

emergency motion to stay denied

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

12-0410 IN RE HEALTH CARE UNLIMITED, INC.; from Brooks County; 4th Court of Appeals District (04-12-00192-CV, ___ SW3d ___, 04-04-12)

relator's motion to stay trial granted
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced November 5, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0890 IN RE ROCKET RED LTD., ROCKET RED GENERAL PARTNER LLC,
AND GAYDEN DAY; from Travis County; 3rd Court of Appeals District (03-
12-00378-CV, ___ SW3d ___, 11-05-12)
motion for emergency temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced November 9, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0283 SENDERO RESOURCES, INC., TED W. WALTERS & ASSOCIATES, LP, TWW TYLER, INC. AND TED W. WALTERS v. HARDING COMPANY AND HARDING ENERGY PARTNERS, LLC; from Angelina County; 6th Court of Appeals District (06-11-00005-CV, 365 SW3d 732, 02-29-12)
- 12-0647 MARY FRANCES HAFERKAMP v. SSC WACO GREENVIEW OPERATING COMPANY, LP; PASADENA VISTA OPERATING COMPANY, LP; SAVASENIORCARE, LLC; SAVASENIORCARE ADMINISTRATIVE SERVICES, LLC; MARINER HEALTHCARE MANAGEMENT COMPANY; from McLennan County; 10th Court of Appeals District (10-10-00171-CV, ___ SW3d ___, 03-14-12)
- 12-0655 FH PARTNERS LLC AND FH PROPERTIES LP v. GUS H. COMISKEY, III A/K/A TREY COMISKEY AND TC3, INC.; from Harris County; 14th Court of Appeals District (14-10-01001-CV, 373 SW3d 620, 04-12-12)
- 12-0671 JOHN F. BURRUSS v. CITIBANK [SOUTH DAKOTA] N.A.; from Collin County; 5th Court of Appeals District (05-10-01376-CV, ___ SW3d ___, 07-31-12)
- 12-0722 J.H. BALDWIN, JR. v. ARABELLA PETROLEUM COMPANY, LLC; from Kerr County; 4th Court of Appeals District (04-11-00370-CV, ___ SW3d ___, 06-27-12)

- 12-0731 DALLAS COUNTY, TEXAS v. CRESTVIEW CORNERS CAR WASH (A TEXAS JOINT VENTURE) AND TRINITY MILLS CAR WASH, MANAGER OF VENTURE, THS MANAGEMENT, INC., A TEXAS CORPORATION, WARREN LIMITED LIABILITY CO., A TEXAS CORPORATION; from Dallas County; 5th Court of Appeals District (05-09-00623-CV, ___ SW3d ___, 02-16-12)
- 12-0783 CAJUN CONSTRUCTORS, INC. v. VELASCO DRAINAGE DISTRICT; from Brazoria County; 14th Court of Appeals District (14-11-00004-CV, ___ SW3d ___, 08-14-12)
- 12-0784 BRETT HATTON v. CITY OF HOUSTON; from Harris County; 1st Court of Appeals District (01-11-01068-CV, ___ SW3d ___, 08-16-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0896 E-Z MART STORES, INC., ET AL. v. RONALD HOLLAND'S A-PLUS TRANSMISSION & AUTOMOTIVE, INC., ET AL.; from Bexar County; 4th Court of Appeals District (04-10-00192-CV, 358 SW3d 665, 08-03-11)
2 motions for rehearing
- 12-0280 ENERGICO PRODUCTION, INC., GREEN MEADOW OIL & GAS CORP. AND STEPHEN KNIGHT v. THE FROST NATIONAL BANK; from Tarrant County; 2nd Court of Appeals District (02-11-00148-CV, ___ SW3d ___, 01-26-12)
- 12-0414 TOMMY L. PARKER v. RON MCLAURIN, JESSE MENDEZ AND VILSEN SALINAS; from Harris County; 1st Court of Appeals District (01-11-00507-CV, ___ SW3d ___, 06-07-12)
- 12-0537 KEITH SPOONER, M.D. AND CLEVELAND REGIONAL MEDICAL CENTER v. DINAH PLANT AND FREEMAN GRAVITT AS NEXT

FRIEND AND ON BEHALF OF JAMES GRAVITT; from Harris County;
14th Court of Appeals District (14-11-00075-CV, 371 SW3d 465, 05-15-12)

12-0579 CHARLES THIELEMANN v. ALAN KETHAN; from Washington County;
1st Court of Appeals District (01-10-01111-CV, 371 SW3d 286, 01-19-12)

12-0586 ANTHONY BRINKER AND KELLEY BRINKER v. JIMMY EVANS
COMPANY, LTD.; from Travis County; 7th Court of Appeals District (07-
11-00044-CV, 370 SW3d 416, 04-25-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0881 MICHAEL FRANCIS PALMA v. HOUSTON INDEPENDENT SCHOOL
DISTRICT, FOR ITSELF AND ON BEHALF OF HARRIS COUNTY
EDUCATIONAL DISTRICT AND LINEBARGER, GOGGAN, BLAIR, &
SAMPSON, L.L.P.; from Harris County; 1st Court of Appeals District (01-
07-00898-CV)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

12-0865 IN RE GEORGE DE LOS SANTOS; from Tarrant County; 2nd Court of
Appeals District (02-12-00353-CV, ___ SW3d ___, 10-08-12)

The Court strikes the petition for writ of mandamus with the following
notation: "The petition violates Texas Rules of Appellate Procedure 52.6 and
is struck."

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

12-0748 IN RE HAL CREWS AND DEBRA LEITCH; from Dallas County; 5th
Court of Appeals District (05-12-01144-CV, ___ SW3d ___, 08-29-12)
relators' emergency motion to stay trial court proceedings, granted in part
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced November 16, 2012

ORDERS ON CAUSES

- 10-0319 SEVERIANO DELEON v. ROYAL INDEMNITY COMPANY; from Hays County; 3rd Court of Appeals District (03-08-00532-CV, ___ SW3d ___, 01-27-10)
as reinstated

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

- 11-0437 TEXAS DEPARTMENT OF TRANSPORTATION v. JOSE LUIS PERCHES, SR. AND ALMA DELIA PERCHES, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JOSE LUIS PERCHES, JR., DECEASED; from Hidalgo County; 13th Court of Appeals District (13-10-00231-CV, 339 SW3d 241, 03-24-11)

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

Per Curiam Opinion

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

- 11-0934 LIBERTY MUTUAL INSURANCE COMPANY v. RICKY ADCOCK; from Tarrant County; 2nd Court of Appeals District (02-11-00059-CV, 353 SW3d 246, 10-20-11)
unopposed motion to realign the parites denied

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 10-0353 PRAIRIE VIEW A&M UNIVERSITY v. DILJIT K. CHATHA; from Waller County; 1st Court of Appeals District (01-09-00840-CV, 317 SW3d 402, 04-01-10)
- 10-0491 HEARTS BLUFF GAME RANCH, INC. v. THE STATE OF TEXAS AND THE TEXAS WATER DEVELOPMENT BOARD; from Travis County; 3rd Court of Appeals District (03-09-00598-CV, 313 SW3d 479, 05-13-10)
- 11-0057 ROBERT V. BUCK AND QUEEN ISABELLA DEVELOPMENT JOINT VENTURE v. G. J. PALMER, JR.; from Hidalgo County; 13th Court of Appeals District (13-09-00192-CV, ___ SW3d ___, 12-21-10)
- 11-0429 CHARLES MANBECK v. AUSTIN INDEPENDENT SCHOOL DISTRICT; from Travis County; 3rd Court of Appeals District (03-09-00682-CV, 338 SW3d 147, 03-23-11)
- 11-0644 TEXAS COMMISSION ON HUMAN RIGHTS, TEXAS WORKFORCE COMMISSION, DAVID POWELL, AND ROBERT GOMEZ v. MARILOU MORRISON; from Travis County; 3rd Court of Appeals District (03-09-00726-CV, 346 SW3d 838, 07-08-11)
- 11-0888 CITY OF BEAUMONT v. YVONNE COMO; from Jefferson County; 9th Court of Appeals District (09-10-00192-CV, ___ SW3d ___, 06-02-11)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 12-0183 ROSSCER CRAIG TUCKER, II v. LIZABETH THOMAS; from Harris County; 14th Court of Appeals District (14-09-01081-CV, ___ SW3d ___, 12-20-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 5, 2013.]

Time allotted to argue: 20/20 minutes

12-0357 CHCA WOMAN'S HOSPITAL, L.P. D/B/A THE WOMAN'S HOSPITAL OF TEXAS AND WOMAN'S HOSPITAL OF TEXAS, INC. v. SCOTT LIDJI AND ANGELA LIDJI, AS NEXT FRIENDS OF R.L., A MINOR; from Harris County; 1st Court of Appeals District (01-11-00879-CV, 369 SW3d 488, 03-22-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 5, 2013.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

10-0378 ROBERT SCOTT, COMMISSIONER OF EDUCATION v. ALPHONSO CRUTCH LIFE SUPPORT CENTER; from Travis County; 3rd Court of Appeals District (03-06-00003-CV, ___ SW3d ___, 07-02-09)

10-0411 BETTIE BELL v. ZURICH AMERICAN INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-09-00284-CV, 311 SW3d 507, 10-20-09)
as reinstated

10-0929 ALPHONSO CRUTCH LIFE SUPPORT CENTER CHARTER SCHOOL, INC., DENISE RUSSELL AS NEXT FRIEND OF W.H., J.H.; CHAIRMAN ROBERT MUHAMMAD; ANDREA BERNAL; ROBERT SORTO; JOHN ROBINSON; JOSEPH OMOWALE; BRITNEE BURLESON, ET AL. v. ROBERT SCOTT, COMMISSIONER OF EDUCATION; from Travis County; 3rd Court of Appeals District (03-09-00423-CV, ___ SW3d ___, 08-20-2010)
2 petitions

10-0981 SUSAN POEHLER v. AMERICAN HOME ASSURANCE COMPANY; from Gregg County; 12th Court of Appeals District (12-09-00293-CV, 323 SW3d 626, 10-20-10)

- 11-0219 JOHN W. OVERTON v. MAE W. OVERTON; from Harris County; 14th Court of Appeals District (14-09-00865-CV, ___ SW3d ___, 02-08-11)
- 11-0385 MANUEL R. ISAACS v. JULIA ANN MCKINNEY ISAACS; from Harris County; 14th Court of Appeals District (14-09-01091-CV, 338 SW3d 184, 04-05-11)
- 11-0578 ADVENTIST HEALTH SYSTEM/TEXAS, INC., METROPLEX HEALTH SYSTEM D/B/A METROPLEX HOSPITAL, BARBARA WIEDEBUSCH, R.N., KRISTIEN WILLIAMS, R.N., BETTY S. THORP AND WARREN VOEGELE v. CHAUNCEY DREWERY; from Bell County; 3rd Court of Appeals District (03-10-00334-CV, 344 SW3d 498, 05-20-11)
- 11-0806 STATE OFFICE OF RISK MANAGEMENT v. LINDA RODRIGUEZ; from El Paso County; 8th Court of Appeals District (08-10-00278-CV, 355 SW3d 439, 08-26-11)
- 11-0853 IN THE INTEREST OF R.G., A MINOR CHILD; from Bexar County; 4th Court of Appeals District (04-10-00187-CV, 362 SW3d 118, 05-11-11)
- 11-0881 ROBERT GENE CUNNINGHAM, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF PATRICIA MAUDINE CUNNINGHAM v. ZURICH AMERICAN INSURANCE COMPANY, ASSURANCE COMPANY OF AMERICA, AND TEXAS MEDICAL LIABILITY INSURANCE UNDERWRITING ASSOCIATION; from Tarrant County; 2nd Court of Appeals District (02-09-00177-CV, 352 SW3d 519, 09-15-11)
- 11-1018 KIRBY TOWER, L.P. v. ELENA MARKOVSKY; from Harris County; 1st Court of Appeals District (01-10-00738-CV, ___ SW3d ___, 11-10-11)

- 12-0046 THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON v. JERRY CHEATHAM; from Harris County; 14th Court of Appeals District (14-11-00340-CV, 357 SW3d 747, 11-03-11)
- 12-0243 THE CITY OF NEW BRAUNFELS, TEXAS v. WWGAF, INC., D/B/A ROCKIN "R" RIVER RIDES, TEXAS TUBES AND CORNER TUBES, INC.; from Comal County; 11th Court of Appeals District (11-10-00009-CV, ___ SW3d ___, 02-02-12)
- 12-0338 JOE HUGHES, PHIL JOHNSON, RANDY CATLIN, DAVID MARSTON, TOM FITZGERALD, RAY BOUTWELL, THOMAS E. VENHAUS, BLAINE KIDWELL, MARK KYLE, JEANETTE BITNER, TAMI LIGON AND ROBERT J. WILSON v. WILLIAM H. ALEXANDER AND DORA ALEXANDER; from Wichita County; 2nd Court of Appeals District (02-10-00367-CV, ___ SW3d ___, 02-23-12)
- 12-0409 TRANSTEXAS GAS CORPORATION (N/K/A SANDRIDGE ONSHORE LLC) v. FORCENERGY ONSHORE, INC.; from Wharton County; 13th Court of Appeals District (13-10-00446-CV, ___ SW3d ___, 04-12-12)
- 12-0445 T.L.M. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Williamson County; 3rd Court of Appeals District (03-11-00122-CV, ___ SW3d ___, 04-19-12)
- 12-0456 JOYCE I. BAYLESS v. TEXAS REAL ESTATE COMMISSION; from Tarrant County; 2nd Court of Appeals District (02-11-00005-CV, 366 SW3d 808, 04-19-12)
- 12-0568 WILLIE GENDKE v. ROBERT HOOPER; from Shelby County; 12th Court of Appeals District (12-11-00330-CV, ___ SW3d ___, 05-31-12)

- 12-0648 IN THE INTEREST OF W.B.W.; from Stephens County; 11th Court of Appeals District (11-11-00269-CV, ___ SW3d ___, 07-12-12)
- 12-0660 BRUCE SCAFF, M.D. v. JESSIE WHITE, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF CHRISTINA WHITE, DECEASED, AND RAMON AND FLORINDA CORONADO, INDIVIDUALLY; from Bosque County; 13th Court of Appeals District (13-10-00408-CV, ___ SW3d ___, 07-05-12)
- 12-0676 IN THE MATTER OF D.M.T., A JUVENILE; from Tarrant County; 2nd Court of Appeals District (02-11-00251-CV, ___ SW3d ___, 05-31-12)
- 12-0698 NICOLE HACKETT, INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED v. DENTON COUNTY ELECTRIC COOPERATIVE, INC. D/B/A COSERV ELECTRIC; from Denton County; 2nd Court of Appeals District (02-09-00425-CV, ___ SW3d ___, 05-10-12)
- 12-0714 TONY CANTU v. JACK PHILLIP SEEMAN; from Harris County; 1st Court of Appeals District (01-09-00545-CV, ___ SW3d ___, 05-03-12)
- 2 petitions
motion for sanctions denied

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0260 LORI COLLINS v. INDEMNITY INSURANCE COMPANY OF NORTH AMERICA; from Bexar County; 4th Court of Appeals District (04-09-00671-CV, ___ SW3d ___, 04-27-11)
- 11-0815 MAERSK LINE, LIMITED v. MIGUEL RUIZ, JOHN CRONAN AND RICHARD E. HICKS; from Harris County; 1st Court of Appeals District (01-

10-00516-CV, 355 SW3d 387, 08-25-11)

motion to re-institute stay denied

11-0950 MICHAEL C. SCALLY, M.D. v. TEXAS STATE BOARD OF MEDICAL EXAMINERS; from Travis County; 3rd Court of Appeals District (03-09-00667-CV, 351 SW3d 434, 08-04-11)

12-0212 BORIS TWAIN CLEWIS v. SCOTT K. BOATES, TEMPORARY ADMINISTRATOR WITH ANNEXED OF THE ESTATE OF REDELL CLEWIS, SR., DECEASED; from Harris County; 14th Court of Appeals District (14-10-01206-CV, ___ SW3d ___, 01-10-12)

12-0284 MICHAEL L. MALONE v. THE STATE OF TEXAS; from Tarrant County; 2nd Court of Appeals District (02-10-00383-CV, ___ SW3d ___, 12-08-11)

12-0460 FRED SAMSON v. COLONIAL COUNTY MUTUAL, ET AL.; from Harris County; 1st Court of Appeals District (01-11-00203-CV, ___ SW3d ___, 03-29-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0192 IN RE SANADCO, INC., MAHMOUD A. ISBA, WALID ABDERRAHMAN, MAJIC INVESTMENTS, INC., FAISAL KHAN, ISRA ENTERPRISES, INC., HATTAB AL-SHUDIFAT, HAIFA ENTERPRISES, INC., EID CORP., MOHAMMED S. AL HAJEID, MAJDI RAFE OKLA NSAIRAT, OMAR UNLIMITED, INC., ET AL.; from Travis County; 3rd Court of Appeals District (03-12-00110-CV, ___ SW3d ___, 02-24-12)
motion for emergency relief denied

12-0219 IN RE THE SMILE CENTER, P.A., SMILE CENTER DENTAL, P.A.,
STEPHEN SIMPTON, D.D.S. AND SONG H. HONG, D.D.S.; from Bexar
County; 4th Court of Appeals District (04-12-00122-CV, ___ SW3d ___, 03-
07-12)

12-0235 IN RE GREYHOUND LINES, INC.; from Cameron County; 13th Court of
Appeals District (13-12-00075-CV, ___ SW3d ___, 02-23-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced November 28, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0865 IN RE GEORGE DE LOS SANTOS; from Tarrant County; 2nd Court of Appeals District (02-12-00353-CV, ___ SW3d ___, 10-08-12)
as redrafted
relator's motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced November 30, 2012

ORDERS ON CAUSES

11-0252 AARON FELTON v. BROCK LOVETT, D.C.; from Potter County; 7th Court of Appeals District (07-10-00197-CV, 333 SW3d 389, 01-27-11)

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

Justice Hecht delivered the opinion of the Court.

(Justice Johnson not sitting)

THE FOLLOWING CAUSE IS SET FOR SUBMISSION:

12-0661 EWING CONSTRUCTION COMPANY, INCORPORATED v. AMERISURE INSURANCE COMPANY

[**Note:** This cause has been set for oral argument at 9:00 a.m., February 5, 2013.]

Time allotted to argue: 20/20 minutes

THE MOTIONS IN THE FOLLOWING CAUSE ARE GRANTED:

11-0438 JOSE L. ELIZONDO AND GUILLERMINA ELIZONDO v. RONALD D. KRIST, THE KRIST LAW FIRM, P.C., KEVIN D. KRIST AND WILLIAM T. WELLS; from Harris County; 14th Court of Appeals District (14-09-00267-CV, 338 SW3d 17, 12-14-10)

respondents' joint unopposed motion for three counsel to sit at counsel table granted

11-0934 LIBERTY MUTUAL INSURANCE COMPANY v. RICKY ADCOCK; from Tarrant County; 2nd Court of Appeals District (02-11-00059-CV, 353 SW3d 246, 10-20-11)

motion of amicus curiae to participate in oral argument granted

Time allotted to argue: 15/20/5 minutes

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0759 GREAT AMERICAN LLOYDS INSURANCE COMPANY v. AUDUBON INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-11-00021-CV)

motion to abate appeal, pursuant to Rule 56.3 of Texas Rules of Appellate Procedure, being treated as a petition for review, granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. Without hearing oral argument or considering the merits, the Court remands the case to the court of appeals for rendition of judgment pursuant to the parties' settlement agreement.

12-0797 DANIEL J. ROCKER v. CENTEX CORPORATION ET AL; from Dallas County; 5th Court of Appeals District (05-10-00903-CV, 377 SW3d 907, 08-10-12)

unopposed motion pursuant to Texas Rule of Appellate Procedure 56.3 granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, sets aside the judgment of the court of appeals and reinstates the judgment of the district court pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0428 DAVID DARELL GALBRAITH AND VIVIAN MARIE GALBRAITH v. NATALIA HARRIS AND MARGIE HARRIS; from Bexar County; 4th Court of Appeals District (04-11-00404-CV, ___ SW3d ___, 02-22-12)

as redrafted
as amended

- 12-0589 ERIC G. CARTER D/B/A ERIC G. CARTER & ASSOCIATES v. ESSEX CRANE RENTAL CORP. AND VINCENT A. MORANO; from Harris County; 1st Court of Appeals District (01-09-00813-CV, 371 SW3d 366, 03-29-12)
- 12-0615 RSL FUNDING, LLC v. AEGON STRUCTURED SETTLEMENTS, INC. AND MONUMENTAL LIFE INSURANCE COMPANY; from Midland County; 11th Court of Appeals District (11-10-00281-CV, ___ SW3d ___, 06-14-12)
- 12-0649 ELEXIS A. WHITE, INDEPENDENT EXECUTRIX FOR THE ESTATE OF ROY A. WHITE v. AUDREY NELDA WHITE DAVENPORT; from Angelina County; 12th Court of Appeals District (12-11-00107-CV, ___ SW3d ___, 05-16-12)
- 12-0702 TIM NESLER v. JIM SANDT; from Fort Bend County; 14th Court of Appeals District (14-09-00907-CV, ___ SW3d ___, 03-29-12)
- 12-0717 BOLIVER STEWART TAYLOR v. JAMES P. KAREN, MONICA BROWN, SEAN WHITE AND JONES DAY LAW FIRM; from Brazoria County; 1st Court of Appeals District (01-12-00392-CV, ___ SW3d ___, 07-26-12)
- 12-0723 KAREN KRISTINE SILVIO v. CITIFINANCIAL AUTO CREDIT, INC.; from Harris County; 1st Court of Appeals District (01-11-00392-CV, ___ SW3d ___, 08-02-12)
- 12-0760 LEONARD WILLIAMS v. ESTATE OF LAWRENCE BROWN; from Bexar County; 4th Court of Appeals District (04-11-00541-CV, ___ SW3d ___, 06-27-12)
- 12-0766 K2M3, LLC AND COCOON DATA, LLC v. COCOON DATA HOLDINGS PTY LTD ACN 127 993 300 AND COCOON DATA PTY LTD ACN 127

993 284; from Harris County; 13th Court of Appeals District (13-11-00194-CV, ___ SW3d ___, 06-28-12)

12-0774 G.P. PORTER v. JUAN OLIVARES; from Hunt County; 5th Court of Appeals District (05-11-01213-CV, ___ SW3d ___, 07-03-12)

12-0778 IN RE THE COMMITMENT OF RICHARD ALLEN HINCHEY; from Montgomery County; 9th Court of Appeals District (09-11-00286-CV, ___ SW3d ___, 09-06-12)

12-0780 MARTIN HUGH STROUD v. LATETIA MAE STROUD; from Collin County; 5th Court of Appeals District (05-10-00982-CV, 376 SW3d 346, 08-16-12)

12-0799 SIMI, INC., ARKI, INC., AND FRIXOS HRISINIS D/B/A MYKONOS ISLAND RESTAURANT v. HEB GROCERY COMPANY LLP; from Harris County; 1st Court of Appeals District (01-11-00506-CV, ___ SW3d ___, 04-05-12)

12-0812 LOUIS COGNATA v. DOWN HOLE INJECTION, INC. AND DOWN HOLE WATER MANAGEMENT, INC.; from Harris County; 14th Court of Appeals District (14-06-00976-CV, 375 SW3d 370, 06-19-12)

12-0844 AKHLAQ A. CHAWLA v. TEXAS WORKFORCE COMMISSION AND JUDGE TECHNICAL SERVICES, INC.; from Travis County; 3rd Court of Appeals District (03-10-00327-CV, ___ SW3d ___, 08-22-12)

12-0846 BOMAR OIL & GAS, INC. v. D. MARK LOYD; from Freestone County; 7th Court of Appeals District (07-11-00418-CV, ___ SW3d ___, 07-31-12)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

12-0763 BALTASAR D. CRUZ v. SCHELL, BEENE & VAUGHAN, L.L.P., REBECCA B. FISHER, RUSSELL W. SCHELL, R. MICHAEL BEENE AND JOHN K. VAUGHAN; from Dallas County; 5th Court of Appeals District (05-01-00565-CV, ___ SW3d ___, 08-07-12)

unopposed motion for leave to permit filing of petition for review in excess of page limit denied

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 9.4(e) and 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by December 10, 2012."

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

12-0795 KIMBERLY SOUKUP v. SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.; BRIDGESTONE RETAIL OPERATIONS, LLC D/B/A BSRO; BRIDGESTONE AMERICAS, INC.; FIRESTONE POLYMERS, INC. AND STEPHEN T. SMITH; from Harris County; 1st Court of Appeals District (01-11-00871-CV, ___ SW3d ___, 08-02-12)

unopposed motion to dismiss petition for review granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

12-0635 IN THE INTEREST OF L.M., A.M., AND N.H., CHILDREN; from Brazos County; 10th Court of Appeals District (10-11-00276-CV, ___ SW3d ___, 04-04-12)

petitioner's motion to extend time to file petition, incorporated within petition for review, denied

ORDERS ON MOTIONS FOR REHEARING

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

12-0181 ANA LOBERG AND JOHN LOBERG, INDIVIDUALLY, AND AS NEXT FRIEND OF C.L. v. HEB GROCERY CO., L.P. D/B/A HEB FOOD STORE; from Bexar County; 4th Court of Appeals District (04-10-00877-CV, ___ SW3d ___, 10-12-11)

- 12-0324 HARVEY VORWERK v. WILLIAMSON COUNTY GRAIN, INC.; from Williamson County; 3rd Court of Appeals District (03-10-00549-CV, ___ SW3d ___, 02-23-12)
- 12-0363 CRAIG E. MENDENHALL v. WARREN CLARK; from Potter County; 7th Court of Appeals District (07-11-00213-CV, ___ SW3d ___, 02-16-12)
- 12-0549 ALVIE CAMPBELL AND JULIE CAMPBELL v. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LENDER AND LENDER'S SUCCESSORS AND ASSIGNS; WELLS FARGO BANK, N.A.; STEPHEN C. PORTER; DAVID SEYBOLD; RYAN BOURGEOIS; MATTHEW CUNNINGHAM AND JOHN DOE 1-100; from Williamson County; 3rd Court of Appeals District (03-11-00429-CV, ___ SW3d ___, 05-18-12)

(Justice Johnson not sitting)

- 12-0558 ALICE HEJL v. DALLAS COUNTY; from Dallas County; 5th Court of Appeals District (05-12-00437-CV, ___ SW3d ___, 05-15-12)
- 12-0706 CARL POSTON AND SHEREA POSTON v. WACHOVIA MORTGAGE CORPORATION, ET AL.; from Harris County; 14th Court of Appeals District (14-11-00485-CV, ___ SW3d ___, 05-08-12)
- THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:
- 12-0015 IN RE PENNIE FAYE GREEN; from Johnson County; 10th Court of Appeals District (10-11-00050-CV, ___ SW3d ___, 11-16-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0847 IN RE WILLIE BERRY, JR.; from Brazoria County; 1st Court of Appeals District (01-09-00836-CV, ___ SW3d ___, 01-27-11)

12-0897 IN RE RAQUEL FRANK; from El Paso County; 8th Court of Appeals District

relator's motion for emergency relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED WITHOUT PREJUDICE:

12-0458 IN RE KEVIN NEWMAN AND CHANTEL NEWMAN; from Jefferson County; 9th Court of Appeals District (09-12-00077-CV, ___ SW3d ___, 04-26-12)

abatement order issued September 14, 2012, lifted
relators' unopposed motion to dismiss without prejudice granted

THE SUPREME COURT OF TEXAS

Orders Pronounced December 3, 2012

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS ABATED:

11-0161 LARRY T. LONG, L. ALLAN LONG, AND B. VIRGINIA LONG, IN THEIR CAPACITIES AS TRUSTEES OF THE LAWRENCE ALLAN LONG TRUST, THE CHARLES EDWARD LONG TRUST, THE LARRY THOMAS LONG TRUST AND THE JOHN STEPHEN LONG TRUST D/B/A THE LONG TRUSTS v. CASTLE TEXAS PRODUCTION LIMITED PARTNERSHIP; from Rusk County; 12th Court of Appeals District (12-09-00189-CV, 330 SW3d 749, 12-30-10)

abatement order issued

[**Note:** This cause is removed from the Court's active docket until February 1, 2013, by which time the parties must file either a status report or a motion to dismiss.]

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0951 IN RE AMANDA ALVAREZ; from Hidalgo County; 13th Court of Appeals District (13-12-00716-CV, ___ SW3d ___, 11-28-12)

request for emergency temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced December 7, 2012

Justice Boyd did not participate in the following orders (except Case Nos. 12-0852, 12-0908, and 12-0942):

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

12-0661 EWING CONSTRUCTION COMPANY, INCORPORATED v.
AMERISURE INSURANCE COMPANY

unopposed motion to reset oral argument granted

[**Note:** This cause has been reset for oral argument at 9:00 a.m., February 27,
2013.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0631 LONE STAR STRIPING AND PAVING, L.L.C. v. GEORGE O. ZENNER,
JR., TOMMYE H. ZENNER, THOMAS H. ZENNER AND MEREDITH
ELLEN MCCONN ZENNER; from Harris County; 1st Court of Appeals
District (01-11-00087-CV, 371 SW3d 311, 03-29-12)

12-0681 ROBERT C. MORRIS v. ARICA D. FLORES, ET AL.; from De Witt
County; 13th Court of Appeals District (13-11-00675-CV, ___ SW3d ___, 07-
26-12)

12-0743 RODWICK TERRENCE SMITH v. WRANDALL CARTER; from Jefferson
County; 13th Court of Appeals District (13-11-00639-CV, ___ SW3d ___, 08-
09-12)

- 12-0791 CHIA-YING PERSEPHONE CHEN v. MARC A. HERNANDEZ; from Travis County; 3rd Court of Appeals District (03-11-00222-CV, ___ SW3d ___, 08-28-12)
- 12-0792 DAVID MASON MONTGOMERY v. AURORA LOAN SERVICES, LLC; from Dallas County; 5th Court of Appeals District (05-11-00111-CV, 375 SW3d 617, 07-19-12)
- 12-0798 H & H SAND AND GRAVEL, INC., A TEXAS CORPORATION v. SUNTIDE SANDPIT, INC., A TEXAS CORPORATION, MIKE HURST, INDIVIDUALLY, PHIL HURST, INDIVIDUALLY, AND ERMA STILLWELL, DECEASED; from Nueces County; 13th Court of Appeals District (13-11-00323-CV, ___ SW3d ___, 07-19-12)
- 12-0802 CITY OF DALLAS, ET AL. v. PHYLLIS LISTER BROWN; from Dallas County; 5th Court of Appeals District (05-12-00116-CV, 373 SW3d 204, 07-05-12)
- 12-0871 CORILANT FINANCIAL, L.P. AND CORILANT FINANCIAL MANAGEMENT, LLC v. FIDUCIARY FINANCIAL SERVICES OF THE SOUTHWEST, INC.; PAUL WELCH, SONDR A WILSON; DONALD MCCOY; KATHY BOOBAR; RICHARD WRIGHT; CLARISSA RISNER; PHI DUONG; REGINA KOLKHORST; BRANDY BAILEY AND CECILIA FISHER; from Dallas County; 5th Court of Appeals District (05-10-00471-CV, 376 SW3d 253, 07-30-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-0753 DALLAS AREA RAPID TRANSIT v. WILBERT FAMILY LIMITED PARTNERSHIP AND CENTRAL HARDWOODS, INC.; from Dallas County; 5th Court of Appeals District (05-10-01240-CV, 371 SW3d 506, 05-23-12)

joint motion to dismiss petition for review granted

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0507 ROGER K. PARSONS v. ROBERT M. GREENBERG; ET AL.; from Tarrant County; 2nd Court of Appeals District (02-10-00131-CV, ___ SW3d ___, 02-02-12)
- 12-0566 MARK HADDARD, PERSONAL REPRESENTATIVE FOR THE ESTATE OF VIRGINIA L. POTTER AND VIRGINIA L. POTTER v. MARY MEDINA RIOS; from Hidalgo County; 13th Court of Appeals District (13-07-00648-CV, ___ SW3d ___, 04-05-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0842 IN RE DONALD GENE BLANTON
- 12-0908 IN RE NABILCO INC. AND D. HOUSTON, INC. D/B/A TREASURES; from Harris County; 14th Court of Appeals District (14-12-00832-CV)
relators' motion for temporary stay of December 10, 2012 trial setting denied
- 12-0942 IN RE WÄRTSILÄ NORTH AMERICA, INC.; from Harris County; 1st Court of Appeals District (01-10-00722-CV, ___ SW3d ___, 08-30-12)
motion for emergency stay denied

(Justice Hecht not sitting)

THE MOTION IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0852 IN RE NABILCO INC. AND D. HOUSTON INC. D/B/A TREASURES; from Harris County; 14th Court of Appeals District (14-12-00832-CV, ___ SW3d ___,)
relators' motion for clarification denied

[**Note:** The stay order issued October 26, 2012, remains in place. The Court asks the parties to provide a status report no later than January 7, 2013.]

THE SUPREME COURT OF TEXAS

Orders Pronounced December 11, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0988 IN RE BRIDGEPORT INDEPENDENT SCHOOL DISTRICT, ET AL.

request for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced December 12, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0973 IN RE GARY C. EVANS; from Dallas County; 5th Court of Appeals District
(05-12-01595-CV, ___ SW3d ___, 12-05-12)
emergency motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced December 14, 2012

ORDERS ON CAUSES

10-0451 NATURAL GAS PIPELINE COMPANY OF AMERICA v. WILLIAM JUSTISS, DARLENE JUSTISS, JOSEPH JUSTISS, TOMMY ASLPAUGH, JUDY ALSPAUGH, JOE DENTON MASHBURN, CHRISTINE MASHBURN, JOE DONALD MASHBURN, AND JUDY MASHBURN; from Lamar County; 6th Court of Appeals District (06-09-00047-CV, ___ SW3d ___, 04-30-10)

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

Chief Justice Jefferson delivered the opinion of the Court.

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

10-0316 CITY OF AUSTIN v. HARRY M. WHITTINGTON, ET AL.; from Travis County; 3rd Court of Appeals District (03-07-00729-CV, 379 SW3d 278, 02-18-10)

(Justice Boyd not sitting)

10-0950 ENBRIDGE PIPELINES (EAST TEXAS) L.P. v. AVINGER TIMBER, LLC; from Marion County; 6th Court of Appeals District (06-09-00046-CV, 326 SW3d 390, 10-27-10)

(Justice Boyd not sitting)

11-0059 EL PASO MARKETING, L.P. AND ENTERPRISE TEXAS PIPELINE LLC v. WOLF HOLLOW I, L.P.; from Harris County; 14th Court of Appeals District (14-09-00118-CV, 329 SW3d 628, 10-28-10)

(Justice Boyd not sitting)

11-0650 NED B. MORRIS III, ET AL. v. HOUSTON INDEPENDENT SCHOOL DISTRICT, ET AL.; from Harris County; 1st Court of Appeals District (01-10-00043-CV, 355 SW3d 668, 05-19-11)
judgment issued October 26, 2012, withdrawn
corrected judgment issued

(Justice Boyd not sitting)

12-0518 IN RE NESTLE USA, INC.

(Justice Boyd not sitting)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0195 MONCRIEF OIL INTERNATIONAL, INC. v. OAO GAZPROM, GAZPROM EXPORT, LLC AND GAZPROM MARKETING & TRADING, LTD.; from Tarrant County; 2nd Court of Appeals District (02-09-00336-CV, 332 SW3d 1, 11-24-10)

[**Note:** This cause has been set for oral argument at 9:00 a.m., February 6, 2013.]

Time allotted to argue: 20/20 minutes

11-0494 HOMER MERRIMAN v. XTO ENERGY, INC.; from Limestone County; 10th Court of Appeals District (10-09-00276-CV, ___ SW3d ___, 05-11-11)

as reinstated

[**Note:** This case has been set for oral argument at 9:00 a.m., February 5, 2013.]

Time allotted to argue: 20/20 minutes

11-0830 EL PASO COUNTY HOSPITAL DISTRICT d/b/a R. E. THOMASON GENERAL HOSPITAL; CONROE HOSPITAL CORPORATION d/b/a CONROEREGIONAL MEDICAL CENTER; BAY AREA HEALTHCARE GROUP, LTD., d/b/a CORPUS CHRISTI MEDICAL CENTER; SUNBELT REGIONAL MEDICAL CENTER, INC., ET AL. v. TEXAS HEALTH AND HUMAN SERVICES COMMISSION AND DR. KYLE JANEK, EXECUTIVE COMMISSIONER; from Travis County; 3rd Court of Appeals District (03-09-00318-CV, 351 SW3d 460, 08-04-11)

[Note: This case has been set for oral argument at 9:00 a.m., February 6, 2013.]

Time allotted to argue: 20/20 minutes

12-0257 BENNY P. PHILLIPS, M.D. v. DALE BRAMLETT, INDIVIDUALLY AND AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF VICKI BRAMLETT, DECEASED, SHANE FULLER AND MICHAEL FULLER; from Lubbock County; 7th Court of Appeals District (07-10-00061-CV, 359 SW3d 304, 01-04-12)

[Note: This case has been set for oral argument at 9:00 a.m., February 6, 2013.]

Time allotted to argue: 20/20 minutes

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

12-0308 IN RE JOHN W. COOK; MARC COOK; MARC BUMBERA; SUN DEVELOPMENT, L.L.P.; SD GP, L.L.C.; PETROLEUM WHOLESALE, L.P.; PWI GP, L.L.C.; AND J.C. CAPITAL, LP; from Travis County; 3rd Court of Appeals District (03-12-00153-CV, ___ SW3d ___, 04-10-12)

[Note: This case has been set for oral argument at 9:00 a.m., February 6, 2013.]

Time allotted to argue: 20/20 minutes

Justice Boyd did not participate in the following orders:

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0002 SUSAN E. APPELL, EXECUTRIX OF THE ESTATE OF RODNEY APPELL, M.D., DECEASED v. SHARI MUGUERZA AND CYRENE MUGUERZA; from Harris County; 14th Court of Appeals District (14-09-00932-CV, 329 SW3d 104, 11-23-10)
- 11-0502 DEPARTMENT OF AGING AND DISABILITY SERVICES v. DEBORAH K. POWELL; from Nueces County; 13th Court of Appeals District (13-10-00126-CV, ___ SW3d ___, 05-26-11)
- 11-0598 IN RE THE COMMITMENT OF RAYMOND SCOTT HINKLE; from Montgomery County; 9th Court of Appeals District (09-09-00548-CV, ___ SW3d ___, 06-16-11)
- 11-0613 THOMAS BABU AND BABU A. GEEVARGHESE v. BANK OF AMERICA; from Dallas County; 5th Court of Appeals District (05-09-00726-CV, 340 SW3d 917, 05-03-11)
- 11-0720 TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES v. NORMA PARRA; from El Paso County; 8th Court of Appeals District (08-10-00067-CV, 347 SW3d 362, 07-29-11)
- 11-0723 GPA HOLDING, INC. v. BAYLOR HEALTH CARE SYSTEM; from Dallas County; 5th Court of Appeals District (05-09-00586-CV, 344 SW3d 467, 05-18-11)
motion to strike denied
- 11-0787 TEXAS WORKFORCE COMMISSION v. MARIA ELENA OLIVAS; from El Paso County; 8th Court of Appeals District (08-10-00070-CV, 349 SW3d 174, 08-17-11)

- 11-0836 TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES v. ROSA MARIA BELTRAN; from El Paso County; 8th Court of Appeals District (08-10-00085-CV, 350 SW3d 410, 08-31-11)
- 11-0904 CONSTELLATION ENERGY COMMODITIES GROUP, INC. v. PUBLIC UTILITY COMMISSION OF TEXAS; LUMINANT ENERGY COMPANY LLC F/K/A TXU PORTFOLIO MANAGEMENT COMPANY LP; AND LUMINANT GENERATION COMPANY LLC, F/K/A GENERATION COMPANY, LP, ET AL.; from Travis County; 3rd Court of Appeals District (03-09-00417-CV, 351 SWd 588, 09-28-11)
- (Justice Hecht not sitting)
- 11-0939 HARRIS COUNTY, TEXAS, GREG YOUNG, DEMONTE GEHRING & JAMES CAVITT v. SHIRLEY NAGEL, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF JOEL DON CASEY; from Harris County; 14th Court of Appeals District (14-09-00780-CV, 349 SW3d 769, 08-25-11)
- 11-0970 OFFICE OF THE ATTORNEY GENERAL v. BELINDA DIAZ; from Hidalgo County; 13th Court of Appeals District (13-10-00479-CV, ___ SW3d ___, 10-20-11)
- 11-0982 TEXAS TECH UNIVERSITY/TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER v. RICKY L. GATLIN; from El Paso County; 8th Court of Appeals District (08-11-00056-CV, ___ SW3d ___, 10-26-11)
- 12-0034 IN RE COMMITMENT OF JONATHAN IRVING HITT; from Montgomery County; 9th Court of Appeals District (09-10-00295-CV, ___ SW3d ___, 12-01-11)
- 12-0041 ORIX CAPITAL MARKETS, LLC v. AMERICAN REALTY TRUST, INC.; from Dallas County; 5th Court of Appeals District (05-10-01005-CV, 356 SW3d 748, 12-14-11)

12-0057 IN THE INTEREST OF D.C.C., ET. AL.; from Bexar County; 4th Court of Appeals District (04-11-00294-CV, 359 SW3d 714, 12-07-11)

12-0152 UNITED PARCEL SERVICES, INC. v. TERRICA BARNES AS NEXT FRIEND OF KAINAN COOPER; from Harris County; 1st Court of Appeals District (01-09-00648-CV, ___ SW3d ___, 01-12-12)

12-0175 CHAPAL ZENRAY, INC. v. SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-10-00646-CV, 357 SW3d 751, 11-18-11)

(Justice Hecht not sitting)

12-0193 TOM BROWN MINISTRIES, WORD OF LIFE CHURCH OF EL PASO, TOM BROWN, EL PASOANS FOR TRADITIONAL FAMILY VALUES, SALVADOR GOMEZ, BEN MENDOZA AND ELIZABETH BRANHAM v. JOHN F. COOK; from El Paso County; 8th Court of Appeals District (08-11-00367-CV, ___ SW3d ___, 02-17-12)
motion to supplement appellate record dismissed as moot

12-0242 IN THE INTEREST OF R.R., A CHILD; from Harris County; 1st Court of Appeals District (01-10-01069-CV, ___ SW3d ___, 10-20-11)

12-0281 IN RE THE COMMITMENT OF LESTER WINKLE; from Montgomery County; 9th Court of Appeals District (09-10-00109-CV, 362 SW3d 241, 03-08-12)

12-0312 LA TIERRA DE SIMMONS FAMILIA, LTD., INDIVIDUALLY AND AS ASSIGNEE OF MODELLE BRASHER BALLARD, ROBERT GERALD BALLARD, JOHN RICHARD BALLARD AND CHARLES WARREN BALLARD v. MAIN EVENT ENTERTAINMENT, LP; M.E.E.P. MANAGEMENT, LLC; STONECREST INVESTMENTS, LLC; STONECREST SERVICES, LTD.; SCMR ANDERSON ARBOR PHASE III GENERAL PARTNERSHIP; CONSORT ENVIRONMENTS, INC.; H&S HORIZONS, LLC; AND SPIRIT PORTFOLIO 2005-4, LP; from Williamson County; 3rd Court of Appeals District (03-10-00503-CV, ___ SW3d ___, 03-09-12)

(Justice Hecht not sitting)

12-0427 INTERNATIONAL BANK OF COMMERCE v. MONICA M. RIOS; from Cameron County; 13th Court of Appeals District (13-11-00524-CV, ___ SW3d ___, 04-12-12)

12-0440 IN THE INTEREST OF K.D.S; from Montgomery County; 9th Court of Appeals District (09-11-00367-CV, ___ SW3d ___, 03-29-12)

(Justice Green not sitting)

12-0443 CLIFFORD LAYNE HARRISON v. CONNIE VASQUEZ HARRISON; from Harris County; 14th Court of Appeals District (14-10-00759-CV, 367 SW3d 822, 04-26-12)

12-0526 KERRY CARL HAGAN AND KERRY CARL HAGAN, P.C. v. JAMES PITTMAN MCGEHEE AND JULES H. BOHNN, M.D.; from Harris County; 14th Court of Appeals District (14-10-00905-CV, 367 SW3d 848, 05-01-12)

12-0527 LINDA LEE BRUEGGEBORS v. RICHARD PAUL BRUEGGEBORS; from Harris County; 14th Court of Appeals District (14-11-01071-CV, ___ SW3d ___, 05-10-12)

- 12-0543 EL PASO COUNTY v. MOCTEZUMA KELLEY; from El Paso County; 8th Court of Appeals District (08-11-00131-CV, ___ SW3d ___, 05-16-12)
- 12-0551 NORRIS J. DEVOLL v. REBECCA DEMONBREUN AND WILLIAM DOWDS; from Bexar County; 4th Court of Appeals District (04-10-00375-CV, ___ SW3d ___, 03-21-12)
- 12-0594 MARILEE GARCIA v. BEXAR COUNTY CIVIL SERVICE COMMISSION; from Bexar County; 4th Court of Appeals District (04-11-00552-CV, ___ SW3d ___, 05-09-12)
- 12-0597 HARRY WILLIAMS v. WILLIAM H. NEALON, M.D., AND ERIC M. WALSER, M.D.; from Galveston County; 1st Court of Appeals District (01-05-00553-CV, ___ SW3d ___, 06-07-12)
- 12-0605 CITY OF SAN ANTONIO v. VALEMAS, INC.; from Bexar County; 4th Court of Appeals District (04-11-00678-CV, ___ SW3d ___, 06-13-12)
- 12-0620 RAHUL K. NATH, M.D. v. TEXAS CHILDREN'S HOSPITAL AND BAYLOR COLLEGE OF MEDICINE; from Harris County; 14th Court of Appeals District (14-11-00034-CV, 375 SW3d 403, 06-26-12)
- 12-0623 RICHARD RIEDEL v. GREG HILZ, INDIVIDUALLY AND AS NEXT FRIEND (AS FATHER AND SOLE LEGAL GUARDIAN) FOR CIARRA HILZ, AND CIARRA HILZ; from Tarrant County; 2nd Court of Appeals District (02-11-00288-CV, ___ SW3d ___, 06-14-12)
- 12-0666 TEXAS OFFICE OF THE COMPTROLLER OF PUBLIC ACCOUNTS v. NANCY SAITO; from Dallas County; 5th Court of Appeals District (05-10-00297-CV, 372 SW3d 311, 07-05-12)

- 12-0697 JAMES F. O'LEARY, JR. v. JEFFREY A. FOX; from Travis County; 3rd Court of Appeals District (03-11-00270-CV, ___ SW3d ___, 07-10-12)
- 12-0724 SALVADOR ELISEO PENA v. THE STATE OF TEXAS; from Randall County; 7th Court of Appeals District (07-10-00503-CV, ___ SW3d ___, 07-09-12)
- 12-0757 RAMONA IBARRA AND MARIBEL I. RODRIGUEZ v. THE CITY OF LAREDO, AS TRUSTEE FOR ITSELF AND FOR LAREDO INDEPENDENT SCHOOL DISTRICT, LAREDO COMMUNITY COLLEGE, AND WEBB COUNTY; from Webb County; 4th Court of Appeals District (04-11-00035-CV, ___ SW3d ___, 07-25-12)
as redrafted
- 12-0770 TEXAS PARKS AND WILDLIFE DEPARTMENT v. FERNANDO FLORES; from Blanco County; 3rd Court of Appeals District (03-11-00605-CV, ___ SW3d ___, 08-10-12)
- 12-0790 EDDIE E. GODFREY, INDIVIDUALLY, AND EDDIE E. GODFREY AND JAY RANLEY GODFREY, CO-TRUSTEES OF THE EMMITT I. GODFREY MARITAL TRUST v. CHESAPEAKE EXPLORATION, LLC, CHESAPEAKE ENERGY CORPORATION, TLW INVESTMENTS, LP, CHESAPEAKE INVESTMENTS, LP, CHESAPEAKE SIGMA, LP, CHESAPEAKE ENERGY MARKETING, INC., AND ENCANA OIL & GAS (USA), INC.; from Johnson County; 11th Court of Appeals District (11-10-00186-CV, ___ SW3d ___, 07-12-12)
- 12-0800 DARLENE C. BALISTRERI-AMRHEIN AND ANTHONY J. BALISTRERI v. JERRY RIECHERT, LORI RIECHERT, RE MAX NORTH CENTRAL, AGENTS DARNALL, CALKINS, WILLILAMS, PALMER, REPUBLIC OF TEXAS, FIRST AMERICAN TITLE

INSURANCE COMPANY, AHI & AARON MILLER, STONEBRIDGE RANCH HOA, CMA & RTI, NEWLAND COMMUNITIES, THOMAS MURPHY, ET AL.; from Collin County; 5th Court of Appeals District (05-09-01377-CV, ___ SW3d ___, 07-31-12)

as supplemented
motion to recuse denied
motion to abate denied

- 12-0810 DAVID LEE CARPENTER, JR. v. SHARON K. CARPENTER, A/K/A SHARON KIMBERLY WEISE; from Tarrant County; 2nd Court of Appeals District (02-11-00266-CV, ___ SW3d ___, 07-05-12)
- 12-0819 LAURA MARIE STONE MAHON v. MICHAEL JOSEPH MAHON; from Williamson County; 3rd Court of Appeals District (03-12-00033-CV, ___ SW3d ___, 07-27-12)
- 12-0826 PETER ONG, GOLDEN AGRI-RESOURCES LTD, PT SINAR MAS AGRO RESOURCES AND TECHNOLOGY TBK v. FULCRUM ENERGY LLC, FULCRUM POWER SERVICES, L.P., JESSON A. BRADSHAW, GERARDO P. MANALAC, DOUBLE G. HOLDINGS, L.P., AND KIMBERLY J. CASEY; from Harris County; 1st Court of Appeals District (01-11-00922-CV, ___ SW3d ___, 08-30-12)
- 12-0849 KIRK WAYNE MCBRIDE, SR. v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE-CORRECTIONAL INSTITUTIONS DIVISION, ET AL.; from Bee County; 13th Court of Appeals District (13-12-00003-CV, ___ SW3d ___, 08-02-12)
- 12-0891 JUDY MCCOLLUM v. LISA AND ROGER FRENCH; from Ellis County; 10th Court of Appeals District (10-11-00002-CV, ___ SW3d ___, 07-19-12)

12-0896 CHEYENNE PATE v. DAWN GROUNDS, ET AL.; from Bowie County; 6th Court of Appeals District (06-12-00076-CV, ___ SW3d ___, 09-26-12)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF JURISDICTION:

11-0495 CHRISTIAN CARE CENTERS, FOUNDATION, INC. AND CHRISTIAN CARE CENTERS, INC. D/B/A CHRISTIAN CARE HOME HEALTH & HOSPICE v. PATRICIA OVERTURF GOOCH AND LADENA SCHOOLCRAFT, INDIVIDUALLY AND AS HEIRS OF VIOLET RUSHING, DECEASED; from Dallas County; 5th Court of Appeals District (05-10-00933-CV, ___ SW3d ___, 04-25-11)
motion to dismiss granted

12-0646 JERRY A. WEATHERBEE, JR. AND TERESA AND/OR ALL OCCUPANTS v. GMAC MORTGAGE, LLC; from Harris County; 1st Court of Appeals District (01-11-00546-CV, ___ SW3d ___, 04-26-12)

12-0736 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUND VIEW HOME LOAN TRUST 2006-3 v. JARVIS FONTAINE; from Dallas County; 5th Court of Appeals District (05-11-00067-CV, 372 SW3d 257, 06-15-12)

12-0857 CARY A. WILKE v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE - C.I.D.; from De Witt County; 13th Court of Appeals District (13-11-00698-CV, ___ SW3d ___, 07-19-12)

ORDERS ON MOTIONS FOR REHEARING

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

11-0847 LIFECARE MANAGEMENT SERVICES, L.L.C., AND LIFECARE HOSPITALS OF NORTH TEXAS, L.P., D/B/A LIFECARE HOSPITAL OF FORT WORTH v. CURTIS CHESSER, INDIVIDUALLY, AND THROUGH HIS SPOUSE AND POWER OF ATTORNEY, AVA CHESSER; from Tarrant County; 2nd Court of Appeals District (02-10-00291-CV, 356 SW3d 613, 08-31-11)

- 11-0871 METRO A, LLC, SUN HOLDINGS, LLC, POP RESTAURANTS, LLC, GOLDEN RESTAURANTS, INC., FIREBRAND PROPERTIES, LP, CORRAL GROUP, LP, KANSAS CORRAL, LLC, SUNNY CORRAL MANAGEMENT, LLC, GUILLERMO PERALES, FRYS MANAGEMENT, LLC, TAG CORRAL, LLC AND INDIE CORRAL, LLC v. JESSICA POLLEY; from Tarrant County; 2nd Court of Appeals District (02-09-00025-CV, ___ SW3d ___, 09-22-11)
- 11-0963 MUMBOJUMBO, LLC, MUMBOJUMBO DISTRIBUTION, LLC, JAY DINUCCI AND MARK COTTAM v. POPCAP GAMES, INC.; from Dallas County; 5th Court of Appeals District (05-10-00301-CV, 350 SW3d 699, 08-31-11)
- 11-0987 WILFREDO AVILES, M.D. AND WILFREDO AVILES, M.D., P.A. v. ALBERT AGUIRRE; FRANCISCO J. RODRIGUEZ; RODRIGUEZ, PRUNEDA, TOVAR & CALVILLO, ET AL.; from Hidalgo County; 13th Court of Appeals District (13-10-00305-CV, ___ SW3d ___, 08-31-11)
- 12-0194 EDITORIAL CABALLERO, S.A. DE C.V., ET AL. v. PLAYBOY ENTERPRISES, INC.; from Hidalgo County; 13th Court of Appeals District (13-10-00586-CV, 359 SW3d 318, 01-12-12)
- 12-0425 ANITA CAVAZOS RENTFRO, INDIVIDUALLY AND AS SUCESSOR TRUSTEE OF THE ANITA R. CAVAZOS LIVING TRUST v. MANUEL CAVAZOS, IV AND ERNESTO CAVAZOS; from Zapata County; 4th Court of Appeals District (04-10-00617-CV, ___ SW3d ___, 02-15-12)
- 12-0664 JOHN MICHAEL DALBOSCO v. MELISSA RUTH SIEBERT; from Fort Bend County; 14th Court of Appeals District (14-11-00429-CV, ___ SW3d ___, 05-17-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE ABATED:

11-0859 IN RE CAMP MYSTIC, INC. AND RICHARD G. EASTLAND; from Kerr County; 4th Court of Appeals District (04-11-00694-CV, ___ SW3d ___, 09-28-11)
joint motion to abate granted
abatement order issued
[**Note:** This case is removed from the Court's active docket until January 3, 2013, by which time the parties must file either a status report or a motion to dismiss.]

12-0485 IN RE TERESA CORRAL-LERMA; from El Paso County; 8th Court of Appeals District (08-11-00134-CV)
abatement order issued

[**Note:** Effective as of November 9, 2012, the case is abated pursuant to Tex. R. App. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. Tex. R. App. P. 8.3. All motions and other documents pending or filed are abated subject to being reurged in the event the case is reinstated. Tex. R. App. P. 8.2 and 8.3. The Court directs the parties to notify the Court of all events affecting the status of this case, and, in any event, to file a status report by February 12, 2013.]

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0049 IN RE PETER MARCUS JONTE; from Harris County; 14th Court of Appeals District (14-12-00021-CV, ___ SW3d ___, 01-13-12)
stay order issued May 24, 2012, lifted

12-0224 IN RE TOM BROWN, SALVADOR GOMEZ, BEN MENDOZA, ELIZABETH BRANHAM, WORD OF LIFE CHURCH OF EL PASO, TOM BROWN MINISTRIES AND EL PASOANS FOR TRADITIONAL FAMILY VALUES; from El Paso County; 8th Court of Appeals District (08-11-00367-CV, ___ SW3d ___, 02-17-12)

12-0326 IN RE SAMUEL T. JACKSON; from Travis County; 3rd Court of Appeals District (03-07-00293-CV, 351 SW3d 363, 07-30-09)

12-0529 IN RE PETER MARCUS JONTE; from Harris County; 14th Court of Appeals District
stay order issued July 20, 2012, lifted
motion to make deemed findings denied

12-0848 IN RE TRACY PEOPLES FILES; from Harris County; 14th Court of Appeals District (14-12-00838-CV, ___ SW3d ___, 09-13-12)

12-0875 IN RE MARION LEWIS

12-0904 IN RE WILFRIDO GARCIA; from Hidalgo County; 13th Court of Appeals District (13-12-00440-CV, ___ SW3d ___, 08-31-12)

THE DECISIONS OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING
APPEALS ARE AFFIRMED:

12-0405 JAMES O. OKORAFOR v. COMMISSION FOR LAWYER DISCIPLINE

12-0658 KENNETH ALAN THOMAS v. COMMISSION FOR LAWYER DISCIPLINE

THE SUPREME COURT OF TEXAS

Orders Pronounced December 19, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

12-0419 IN RE BLUE SKY GOLDEN FPS, LTD.; from Harris County; 1st Court of Appeals District (01-12-00167-CV, ___ SW3d ___, 04-26-12)

motion to abate original proceeding pursuant to Rule 7.2 of the Texas Rules of Appellate Procedure granted
abatement order issued

[**Note:** The case is abated under Tex. R. App. P. 7.2(b) until further order of this Court

THE SUPREME COURT OF TEXAS

Orders Pronounced December 20, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF PROHIBITION IS DENIED:

12-1016 IN RE RANDY GOURLEY; from Williamson County; 3rd Court of Appeals
District (03-12-00756-CV, ___ SW3d ___, 11-28-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced December 21, 2012

ORDERS ON CAUSES

10-0648 EL PASO FIELD SERVICES, L.P. AND GULFTERRA SOUTH TEXAS, L.P. F/K/A EL PASO SOUTH TEXAS, L.P. v. MASTEC NORTH AMERICA, INC. AND MASTEC, INC.; from Harris County; 1st Court of Appeals District (01-07-00319-CV, 317 SW3d 431, 05-06-10)

The Court reverses the court of appeals' judgment and reinstates the judgment of the trial court.

Justice Green delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Johnson, Justice Willett, and Justice Boyd joined.

Justice Guzman filed a dissenting opinion, in which Justice Medina and Justice Lehrmann joined.

10-0755 THE CITY OF HOUSTON v. THE ESTATE OF KENNETH SAMUEL JONES, DECEASED; from Harris County; 14th Court of Appeals District (14-09-00812-CV, 321 SW3d 668, 08-03-10)

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 dismisses the appeal.

Per Curiam Opinion

11-0891 IN RE CARRIE DEAN; from Dallas County; 5th Court of Appeals District (05-11-01326-CV, ___ SW3d ___, 11-02-11)

stay order issued November 4, 2011, lifted

Pursuant to Texas Rule of Appellate Procedure 52.8(c), without hearing oral argument, the Court conditionally grants the writ of mandamus.

Chief Justice Jefferson delivered the opinion of the Court.

Justice Lehrmann delivered a concurring opinion.

(Justice Green not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0783 SOUTHERN ELECTRICAL SERVICES, INC., AS ASSIGNEE OF THE MORGANTI GROUP, INC. AND THE MORGANTI GROUP, INC. v. THE CITY OF HOUSTON; from Harris County; 1st Court of Appeals District (01-10-00649-CV, 355 SW3d 319, 08-18-11)
- 12-0687 MARIA TORRES, AS NEXT FRIEND OF DAREION TORRES v. DILLEY YOUTH ATHLETIC ASSOCIATION, ET AL.; from Frio County; 4th Court of Appeals District (04-11-00439-CV, ___ SW3d ___, 08-08-12)
- 12-0716 CHARLES CRUM v. RONNY BYNUM GOZA; from Harris County; 14th Court of Appeals District (14-11-00256-CV, ___ SW3d ___, 07-19-12)
- 12-0786 DAVID CHRISTOPHER RUSSELL v. JANNA RUSSELL; from Harris County; 14th Court of Appeals District (14-10-00494-CV, ___ SW3d ___, 08-21-12)
- 12-0832 CAROLYN R. MILTON v. VINH NGUYEN, D.D.S. A/K/A DANNY NGUYEN, D.D.S.; from Fort Bend County; 1st Court of Appeals District (01-11-00958-CV, ___ SW3d ___, 08-09-12)

- 12-0840 KIMBERLY BURNETT v. RAYSHUN JACKSON; from Dallas County; 5th Court of Appeals District (05-10-01534-CV, ___ SW3d ___, 04-17-12)
- 12-0850 FATEMA FAIYEZ AND MAHMOUD CHASEEKALILI v. CINEMACAR LEASING, INC.; from Tarrant County; 2nd Court of Appeals District (02-11-00454-CV, ___ SW3d ___, 08-09-12)
- 12-0854 IN THE INTEREST OF C.Y.C., A CHILD; from Harris County; 14th Court of Appeals District (14-11-00341-CV, ___ SW3d ___, 08-09-12)
- 12-0894 IN THE INTEREST OF C.T., A CHILD; from Van Zandt County; 12th Court of Appeals District (12-11-00384-CV, ___ SW3d ___, 09-28-12)

THE MOTIONS IN THE FOLLOWING PETITION FOR REVIEW ARE DENIED:

- 12-0949 ROBERT GREG COLLIER v. LEANNE FARRELL COLLIER; from Lubbock County; 7th Court of Appeals District (07-12-00084-CV, ___ SW3d ___, 08-30-12)
- motion for emergency stay denied
motion to allow modification suit to proceed in trial court pending petition for review denied

[**Note:** The petition for review remains pending before this Court.]

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0003 MARK CAMERON MCKEEHAN AND ROBIN LEIGH MULLENIX v. MARCIA MCKEEHAN, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF W. DALE MCKEEHAN AND ALLISON SCHIRMER; from Travis County; 3rd Court of Appeals District (03-10-00025-CV, 355 SW3d 282, 07-06-11)
- 12-0534 IN RE A PURPORTED LIEN OR CLAIM AGAINST ALVIE CAMPBELL AND JULIE CAMPBELL; from Williamson County; 3rd Court of Appeals

District (03-11-00524-CV, ___ SW3d ___, 05-18-12)

(Justice Johnson not sitting)

12-0635 IN THE INTEREST OF L.M., A.M., AND N.H., CHILDREN; from Brazos County; 10th Court of Appeals District (10-11-00276-CV, ___ SW3d ___, 04-04-12)

12-0851 IN THE INTEREST OF J.A.T., ET AL., CHILDREN; from Bexar County; 4th Court of Appeals District (04-12-00183-CV, ___ SW3d ___, 08-29-12)

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

12-0418 IN RE VALARIE THOMAS BAHAR, M.D., P.A. AND VALERIE THOMAS BAHAR, M.D.; from Travis County; 3rd Court of Appeals District (03-12-00227-CV, ___ SW3d ___, 05-18-12)

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

12-0870 DANIEL GOMEZ v. RON BRACKETT AND ROSE ROCHA; from Dallas County; 5th Court of Appeals District (05-11-01038-CV, ___ SW3d ___, 07-27-12)

abatement order issued November 20, 2012, lifted
petition reinstated

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0899 IN RE RONNIE JONES; from Jefferson County; 9th Court of Appeals District (09-12-00377-CV, ___ SW3d ___, 09-13-12)

motion for emergency relief denied

12-0941 IN RE LI LI; from Harris County

motion to stay denied

12-0955 IN THE INTEREST OF L.E.K. AND D.K., JR.; from Wood County; 12th
Court of Appeals District (12-11-00169-CV)

preventative injunction to stay appeal denied
motion for the appointment of counsel denied

THE SUPREME COURT OF TEXAS

Orders Pronounced December 27, 2012

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

11-0213 COINMACH CORP. F/K/A SOLON AUTOMATED SERVICES, INC. v. ASPENWOOD APARTMENT CORP.; from Harris County; 1st Court of Appeals District (01-08-00636-CV, 349 SW3d 621, 02-10-11)
motion to reschedule oral argument granted

[**Note:** This case has been reset for oral argument at 9:00 a.m., February 27, 2013.]

Time allotted to argue: 20/20 minutes

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-1036 IN RE VAN; from Harris County; 14th Court of Appeals District (14-12-01148-CV, ___ SW3d ___, 12-21-12)
emergency motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced January 4, 2013

Justice Devine did not participate in the following orders:

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0750 SECURITY NATIONAL INSURANCE CO. v. DUNCAN W. MURRELL; from Tarrant County; 2nd Court of Appeals District (02-11-00155-CV, ___ SW3d ___, 08-02-12)
- 12-0787 CROPMARK DIRECT, L.L.C. v. MARK URBANCZYK, MARVIN SPARKS AND AGRARIAN MANAGEMENT, INC.; from Carson County; 7th Court of Appeals District (07-11-00426-CV, 377 SW3d 761, 06-07-12)
- 12-0793 PACIWEST, INC. v. WARNER ALAN PROPERTIES, LLC AND WARNER ALAN/WESTCLIFF, LTD.; from Tarrant County; 2nd Court of Appeals District (02-10-00378-CV, __ SW3d ___, 05-31-12)
- 12-0837 RAQUEL FRANK v. GRACIELA BARAJAS; from El Paso County; 8th Court of Appeals District (08-10-00361-CV, ___ SW3d ___, 08-15-12)
- 12-0853 LINDA A. HAZELIP v. AMERICAN CASUALTY COMPANY OF READING, PA; from Harris County; 1st Court of Appeals District (01-09-00659-CV, ___ SW3d ___, 06-28-12)
- 12-0861 JUAN ENRIQUEZ v. BRAD LIVINGSTON; from Travis County; 3rd Court of Appeals District (03-11-00485-CV, ___ SW3d ___, 04-13-12)

- 12-0887 KENNETH D. LACKEY v. D. GREEN; from Anderson County; 12th Court of Appeals District (12-11-00209-CV, ___ SW3d ___, 08-08-12)
- 12-0912 KYLE L. GREENWOOD AND BEVERLY B. GREENWOOD v. MARTHA JOY LEE N/K/A MARTHA L. CLANTON; from Brazos County; 7th Court of Appeals District (07-11-00404-CV, ___ SW3d ___, 09-28-12)
- 12-0932 ARVID LEICK v. LG INSURANCE MANAGEMENT SERVICES, L.P., LG BENEFIT PARTNERS, INC., THOMAS J. GEORGE AND ELIZABETH W. WILMER; from Dallas County; 5th Court of Appeals District (05-10-01646-CV, 378 SW3d 632, 08-28-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-0559 RICHARD SEWING v. STEVEN WAYNE BOWMAN, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF WILLIAM C. BOWMAN; from Harris County; 1st Court of Appeals District (01-10-00230-CV, 371 SW3d 321, 03-29-12)
- motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0219 JOHN W. OVERTON v. MAE W. OVERTON; from Harris County; 14th Court of Appeals District (14-09-00865-CV, ___ SW3d ___, 02-08-11)
- 12-0484 KAREN ROBESON v. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AND MIDFIRST BANK; from Tarrant County; 2nd Court of Appeals District (02-10-00227-CV, ___ SW3d ___, 01-05-12)
- 12-0731 DALLAS COUNTY, TEXAS v. CRESTVIEW CORNERS CAR WASH (A TEXAS JOINT VENTURE) AND TRINITY MILLS CAR WASH, MANAGER OF VENTURE, THS MANAGEMENT, INC., A TEXAS CORPORATION, WARREN LIMITED LIABILITY CO., A TEXAS CORPORATION; from Dallas County; 5th Court of Appeals District (05-09-

00623-CV, ___ SW3d ___, 02-16-12)

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

- 12-0848 IN RE TRACY PEOPLES FILES; from Harris County; 14th Court of Appeals District (14-12-00838-CV, ___ SW3d ___, 09-13-12)
motion for emergency stay denied

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0940 IN RE TED L. ROBERTSON; from Harris County; 14th Court of Appeals District (14-12-00746-CV, ___ SW3d ___, 08-30-12)

(Justice Guzman not sitting)

- 12-1008 IN RE JOSEPHINE DOUGLAS-PETERS; from Denton County; 2nd Court of Appeals District (02-12-00433-CV, ___ SW3d ___, 11-01-12)
motion to stay denied

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

- 12-1000 IN RE FORD MOTOR COMPANY AND KEN STOEPPEL FORD, INC.; from Bexar County; 4th Court of Appeals District (04-12-00688-CV, ___ SW3d ___, 12-12-12)
motion for temporary relief granted in part and denied in part
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced January 9, 2013

ORDERS ON CAUSES

THE MOTIONS IN THE FOLLOWING CAUSES ARE GRANTED:

12-0198 PHILLIPS PETROLEUM COMPANY, GPM GAS CORPORATION, PHILLIPS GAS MARKETING COMPANY, PHILLIPS GAS COMPANY, AND GPM GAS TRADING COMPANY v. ROYCE YARBROUGH; from Fort Bend County; 14th Court of Appeals District (14-11-00944-CV, ___ SW3d ___, 01-24-12)

consolidated for oral argument with

12-0199 IN RE CONOCOPHILLIPS COMPANY F/K/A PHILLIPS PETROLEUM COMPANY, DCP MIDSTREAM, LP F/K/A GPM GAS CORPORATION, CONOCOPHILLIPS GAS COMPANY F/K/A PHILLIPS GAS COMPANY, AND DCP MIDSTREAM MARKETING, LLC F/K/A GPM GAS TRADING COMPANY; from Fort Bend County; 14th Court of Appeals District (14-11-01004-CV, ___ SW3d ___, 01-24-12)

joint unopposed motions for three counsel to sit at counsel table during oral argument granted

Time allotted to argue: 20/20 minutes

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

12-0047 CARLA STRICKLAND v. KATHRYN AND JEREMY MEDLEN; from Tarrant County; 2nd Court of Appeals District (02-11-00105-CV, 353 SW3d 576, 11-03-11)

motion to participate in oral argument granted

Time allotted to argue: 15/20/5 minutes

THE SUPREME COURT OF TEXAS

Orders Pronounced January 11, 2013

Justice Devine did not participate in the following orders:

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0253 DEVON ENERGY HOLDINGS, L.L.C., F/K/A CHIEF HOLDINGS, L.L.C., AND TREVOR D. REES-JONES v. ROBERT B. ALLEN; from Harris County; 1st Court of Appeals District (01-09-00643-CV, 367 SW3d 355, 03-09-12)

2 petitions

joint motion pursuant to Texas Rule of Appellate Procedure 56.3 granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, sets aside the judgments of the court of appeals and the trial court, and remands the case to the court of appeals for entry of judgment pursuant to the parties' settlement agreement.

12-0855 S. STACY EASTLAND v. CAMP MYSTIC, INC. AND RICHARD G. EASTLAND; 4th Court of Appeals District (04-10-00911-CV)

abatement order issued December 5, 2012, lifted

joint motion to resolve appeal pursuant to settlement, being treated as a petition for review, granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. Without hearing oral argument or considering the merits, the Court remands the case to the trial court for entry of judgment pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0668 DONOVAN DWIGHT SIMMS v. CHRISTY M. HOISINGTON, DAVID W. MCDOWELL, JONNI R. RANKIN, JORGE VASQUESZ AND JOHN D. VICKERY; from Anderson County; 12th Court of Appeals District (12-

12-00193-CV, ___ SW3d ___, 06-13-12)

- 12-0801 KIRK WAYNE MCBRIDE, SR. v. NORRIS D. JACKSON, ET AL.; from Bee County; 13th Court of Appeals District (13-11-00597-CV, ___ SW3d ___, 07-12-12)
- 12-0831 GLENN MICHAEL SHARP v. ELIJAH BUFFINGTON; from Galveston County; 14th Court of Appeals District (14-11-00588-CV, ___ SW3d ___, 08-30-12)
- 12-0892 MARCOS V. MASSON, M.D. v. MARK H. HENRY, M.D.; from Harris County; 1st Court of Appeals District (01-11-00915-CV, ___ SW3d ___, 05-03-12)
- 12-0900 ANGELLA SOILEAU v. FIRST HORIZON HOME LOANS AND MET LIFE HOME LOANS; from Jefferson County; 9th Court of Appeals District (09-12-00301-CV, ___ SW3d ___, 09-06-12)
motion for damages denied
- 12-0910 BOOKLAB, INC. v. KONICA MINOLTA BUSINESS SOLUTIONS USA, INC.; from Dallas County; 5th Court of Appeals District (05-10-00095-CV, ___ SW3d ___, 09-07-12)
- 12-0913 VANESSA JEFFERSON v. HELEN FULLER AND ASSOCIATES HEALTH INC.; from Harris County; 1st Court of Appeals District (01-11-00199-CV, ___ SW3d ___, 06-21-12)
- THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:
- 12-0877 ADIN GARCIA AND CATHY GARCIA v. RIVER CITY FEDERAL CREDIT UNION AND SCOTT M. NOEL; from Bexar County; 4th Court of Appeals District (04-11-00665-CV, ___ SW3d ___, 07-11-12)

motions to dismiss for lack of jurisdiction granted

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

- 12-0456 JOYCE I. BAYLESS v. TEXAS REAL ESTATE COMMISSION; from Tarrant County; 2nd Court of Appeals District (02-11-00005-CV, 366 SW3d 808, 04-19-12)

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

- 12-0124 IN RE CONTINENTAL TIRE THE AMERICAS, LLC; from Harris County; 1st Court of Appeals District (01-11-00984-CV, ___ SW3d ___, 01-19-12)

abatement order issued September 21, 2012, lifted
joint motion to reinstate granted
petition reinstated

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

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0889 IN RE MARCOS V. MASSON, M.D.; from Harris County; 1st Court of Appeals District (01-11-00840-CV, ___ SW3d ___, 05-03-12)
- 12-0980 IN RE TIMOTHY SCOTT HARRIMAN; from Dallas County; 5th Court of Appeals District (05-12-01302-CV, ___ SW3d ___, 10-26-12)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

- 11-0859 IN RE CAMP MYSTIC, INC. AND RICHARD G. EASTLAND; from Kerr County; 4th Court of Appeals District (04-11-00694-CV, ___ SW3d ___, 09-28-11)
- as reinstated
joint motion to dismiss original proceeding granted

11-0875 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 14th Court of Appeals District (14-11-00713-CV, ___ SW3d ___, 09-20-11)

as reinstated

unopposed motion to dismiss without prejudice granted

12-0176 IN RE CYPRESS TEXAS LLOYDS; from Harris County; 1st Court of Appeals District (01-11-00710-CV, ___ SW3d ___, 02-23-12)

as reinstated

unopposed motion to dismiss without prejudice granted

THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY APPEALS IS DISMISSED:

12-0898 IN THE MATTER OF SUZANNE H. WOOTEN

motion to dismiss appeal granted

THE SUPREME COURT OF TEXAS

Orders Pronounced January 18, 2013

ORDERS ON CAUSES

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 10-0605 IN RE COMMITMENT OF MICHAEL BOHANNAN; from Montgomery County; 9th Court of Appeals District (09-09-00165-CV, 379 SW3d 293, 07-22-10)
- 11-0647 MILESTONE OPERATING, INC. AND DSTJ, L.L.P. v. EXXONMOBIL CORPORATION; from Harris County; 14th Court of Appeals District (14-09-00765-CV, 346 SW3d 101, 07-07-11)

(Justice Lehrmann not sitting)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 11-0283 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS AND GREG ABBOTT, ATTORNEY GENERAL v. HEALTH CARE SERVICE CORPORATION; from Travis County; 3rd Court of Appeals District (03-09-00617-CV, ___ SW3d ___, 03-16-11)

consolidated for oral argument with

- 11-0652 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS v. HEALTH CARE SERVICES CORPORATION; from Travis County; 3rd Court of Appeals District (03-10-00675-CV, ___ SW3d ___, 07-07-11)

[**Note:** These cases have been set for oral argument at 9:00 a.m., February 27, 2013.]

Time allotted to argue: 20/20 minutes

(Justice Hecht not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0984 PAMELA KAY CARPENTER AND JEFFREY SCOTT CARPENTER v. ROBERT JOSEPH CARPENTER, DAVID TRENT DEATON, JAMES EARL WARD, EDMOND WAYNE CARPENTER, FRANKIE MARIE CARPENTER PERRY, MICHAEL D. HARRIS, EDMOND POWELL CARPENTER, JOE BETH ROSS, LAVERNE WARD WILLMOND, GARY DON CARPENTER, SAMMY HARRIS, GARY DON MOSLEY, ET AL; from Tarrant County; 2nd Court of Appeals District (02-10-00243-CV, ___ SW3d ___, 10-27-11)

(Justice Hecht not sitting)

12-0229 PINNACLE ANESTHESIA CONSULTANTS, P.A. v. ST. PAUL MERCURY INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-10-00711-CV, 359 SW3d 389, 02-09-12)

12-0266 SCOTT'S MARINA AT LAKE GRAPEVINE, LTD. D/B/A SILVER LAKE MARINA, JUST FOR FUN OF NORTH TEXAS, INC. AND SILVERLAKE MARINA STORE, INC. v. ALLEN JOHNATHAN BROWN; from Tarrant County; 7th Court of Appeals District (07-10-00277-CV, 365 SW3d 146, 01-23-12)

12-0277 BROOKSHIRE GROCERY COMPANY D/B/A BROOKSHIRE FOOD STORES v. JAVIER L. BELTRAN; from Kaufman County; 5th Court of Appeals District (05-09-01548-CV, 358 SW3d 263, 05-10-11)

12-0287 SANDION LTD D/B/A COLDWELL BANKER UNITED, REALTORS v. ARLINGTON HOME, INC.; from Harris County; 14th Court of Appeals District (14-10-01000-CV, 361 SW3d 773, 02-28-12)

2 petitions

- 12-0302 RWLS LLC v. GRAY WIRELINE SERVICE INC.; from Harris County; 14th Court of Appeals District (14-11-01053-CV, 359 SW3d 927, 03-01-12)
- 12-0335 AFFILIATED CROWN DEVELOPMENTS, LTD. v. DAVID CROMWELL; from Montgomery County; 9th Court of Appeals District (09-10-00458-CV, ___ SW3d ___, 02-23-12)
2 petitions
- 12-0340 IN THE ESTATE OF EDWARD W. MELCHIOR, DECEASED; from Bexar County; 4th Court of Appeals District (04-11-00052-CV, 365 SW3d 794, 02-15-12)
- 12-0421 J. MARK SWINNEA v. ERI CONSULTING ENGINEERS, INC. AND LARRY G. SNODGRASS; from Smith County; 12th Court of Appeals District (12-05-00428-CV, 364 SW3d 421, 03-30-12)
- 12-0453 SONYA THORN LOPEZ v. TEXAS STATE UNIVERSITY; from Hays County; 3rd Court of Appeals District (03-10-00867-CV, 368 SW3d 695, 04-20-12)
- 12-0493 ELLEN LYNNE PATRICK, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF DENNIS JAMES PATRICK, DECEASED, KRISTY L. PARKER AND JOSEPH P. PATRICK v. WILLIAM CONNER, M.D. AND JEFF W. FIDONE, M.D.; from Smith County; 12th Court of Appeals District (12-10-00405-CV, ___ SW3d ___, 04-04-12)
- 12-0520 FARM & RANCH INVESTORS, LTD. v. TITAN OPERATING, L.L.C.; BRUCE D. PFAFF; TERESA M. WALTER; DAVID NOVOTNY; DENNIS J. FEGAN II; MICHAEL C. AND KRIS ALJOE; JEFFREY J. AND DIANE S. BRUNDAGE; JOHN T. EUBANKS FAMILY LIVING TRUST; CHRISTOPHER M. AND NANCY L. HOLLOWAY; C.E. AND

SANDRA J. BYE; from Tarrant County; 2nd Court of Appeals District (02-11-00217-CV, 369 SW3d 679, 05-17-12)

12-0712 AMY WARMBROD v. USAA COUNTY MUTUAL COMPANY; from Bell County; 8th Court of Appeals District (08-10-00306-CV, ___ SW3d ___, 04-11-12)

petitioner's motion for leave to file reply brief with additional pages dismissed as moot

12-0726 DSTJ, L.L.P., SUCCESSOR TO DSTJ CORPORATION; AND MILESTONE OPERATING, INC. v. M & M RESOURCES, INC.; ENERGY LAND RESOURCES A/K/A ENERGY LAND RESOURCES LAND SERVICES; A. M. PHELAN, III; AND DANIEL PHELAN; from Jefferson County; 9th Court of Appeals District (09-11-00292-CV, ___ SW3d ___, 06-28-12)

2 petitions

12-0807 HEADWATERS COALITION, INC., A SPONSORED MINISTRY OF THE CONGREGATION OF SISTERS OF CHARITY OF THE INCARNATE WORD AND THE RIVER ROAD NEIGHBORHOOD ASSOCIATION v. CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-11-00344-CV, 381 SW3d 543, 04-25-12)

motion for emergency stay and writ of injunction denied

12-0820 THE CITY OF SAN ANTONIO v. THE ROGERS SHAVANO RANCH, LTD, ROGERS 1604 COMMERCIAL, LTD., BITTERBLUE, INC. AND DENTON DEVELOPMENT CORPORATION; from Bexar County; 4th Court of Appeals District (04-11-00871-CV; 04-11-00872-CV, 383 SW3d 234, 08-29-12)

12-0827 CHRISTINA OWENS v. JOHN HAWKINS, JANEL SUE SKRABANEK, JACK PAUL MOORE, WILLIAM RICHARD MOORE, AND BRUCE A. SKRABANEK; from Burleson County; 10th Court of Appeals District (10-

11-00297-CV, ___ SW3d ___, 04-18-12)

- 12-0917 DEBBIE ECHOLS AND RHONDA ECHOLS v. GULLEDGE & SONS, LLC, PATRICK SIMMONS, MARTHA LYNCH, GROESBECK ABSTRACT & TITLE CO., INC. AND CANNON & SIMMONS (CANNON & WILSON, PC); from Limestone County; 10th Court of Appeals District (10-12-00185-CV, ___ SW3d ___, 08-30-12)
- 12-0921 IN THE INTEREST OF E.G.L., A CHILD; from Collin County; 5th Court of Appeals District (05-11-00854-CV, 378 SW3d 542, 08-20-12)
- 12-0933 MICHAEL MILLER v. KARL CARTER AND CLIFFORD CARTER, INDIVIDUALLY AND D/B/A CLIFFORD CARTER CONSTRUCTION; from Dallas County; 5th Court of Appeals District (05-11-00193-CV, ___ SW3d ___, 08-28-12)
- 12-0935 TIMOTHY WADE PRICKETT v. GAYE DAWN HESTER; from Nueces County; 13th Court of Appeals District (13-11-00677-CV, ___ SW3d ___, 08-09-12)
- 12-0974 ULLJA KUNTZE v. MICHELLE HALL, ET AL.; from McLennan County; 10th Court of Appeals District (10-12-00087-CV, ___ SW3d ___, 10-18-12)
- 12-0975 ULLJA KUNTZE v. MICHELLE HALL, ET AL.; from McLennan County; 10th Court of Appeals District (10-12-00186-CV, ___ SW3d ___, 10-18-12)
- 12-1001 PETERSON REGIONAL MEDICAL CENTER v. LAURIE M. O'CONNELL, INDIVIDUALLY AND AS THE REPRESENTATIVE OF THE ESTATE OF KENNETH MAYHEW; from Kerr County; 4th Court of Appeals District (04-12-00319-CV, ___ SW3d ___, 11-14-12)

12-1003 TRANSWORLD LEASING CORPORATION v. WELLS FARGO AUTO FINANCE, INC.; from Bexar County; 4th Court of Appeals District (04-12-00036-CV, ___ SW3d ___, 10-03-12)

(Justice Johnson not sitting)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

13-0016 IN THE INTEREST OF M.W.H., C.L.H., S.D.L.H., AND T.M.H., CHILDREN; from Aransas County; 13th Court of Appeals District (13-12-00187-CV, ___ SW3d ___, 11-29-12)

motion to exceed word limit on the department's petition for review denied

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 9.4(i) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by January 28, 2013."

ORDERS ON MOTIONS FOR REHEARING

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

11-0973 ACE AMERICAN INSURANCE COMPANY v. CHARLES THOMPSON; from Harris County; 1st Court of Appeals District (01-10-00810-CV, ___ SW3d ___, 08-25-11)

12-0090 IN THE INTEREST OF J.P.L., A CHILD; from Bexar County; 4th Court of Appeals District (04-10-00646-CV, 359 SW3d 695, 11-23-11)

12-0428 DAVID DARELL GALBRAITH AND VIVIAN MARIE GALBRAITH v. NATALIA HARRIS AND MARGIE HARRIS; from Bexar County; 4th Court of Appeals District (04-11-00404-CV, ___ SW3d ___, 02-22-12)

12-0702 TIM NESLER v. JIM SANDT; from Fort Bend County; 14th Court of Appeals District (14-09-00907-CV, ___ SW3d ___, 03-29-12)

12-0766 K2M3, LLC AND COCOON DATA, LLC v. COCOON DATA HOLDINGS PTY LTD ACN 127 993 300 AND COCOON DATA PTY LTD ACN 127 993 284; from Harris County; 13th Court of Appeals District (13-11-00194-CV, ___ SW3d ___, 06-28-12)

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

12-0847 IN RE WILLIE BERRY, JR.; from Brazoria County; 1st Court of Appeals District (01-09-00836-CV, ___ SW3d ___, 01-27-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0820 IN RE LANDIS BARROW; from Potter County

as redrafted

11-0916 IN RE MANDIS BARROW

12-0730 IN RE KEITH RUSSELL JUDD; from Bowie County; 6th Court of Appeals District (06-12-00011-CV, ___ SW3d ___, 01-24-12)

motion to take judicial notice dismissed as moot

12-0755 IN RE D.M.W.; from Tarrant County; 2nd Court of Appeals District (02-12-00138-CV, 370 SW3d 799, 06-21-12)

(Justice Lehrmann not sitting)

THE FOLLOWING PETITIONS FOR WRIT OF HABEAS CORPUS ARE DENIED:

12-0417 IN RE DYANNE KUSTER; from Potter County; 7th Court of Appeals
District (07-12-00071-CV, 363 SW3d 287, 03-12-12)

13-0002 IN RE JOE DAVID ROGERS; from Smith County; 12th Court of Appeals
District (12-12-00395-CV, ___ SW3d ___, 12-21-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced January 25, 2013

ORDERS ON CAUSES

10-0142 ANGELA MAE BRANNAN, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF BOB ALBERT BRANNAN, DECEASED, ET AL. v. STATE OF TEXAS, ET AL.; from Brazoria County; 1st Court of Appeals District (01-08-00179-CV, 365 SW3d 1, 02-04-10)

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

(Chief Justice Jefferson, Justice Lehrmann, and Justice Boyd not sitting)

11-0597 LEXINGTON INSURANCE COMPANY, AS SUBROGEE OF BURR COMPUTER ENVIRONMENTS, INC. AND J. SUPOR AND SONS TRUCKING AND RIGGING CO. v. DAYBREAK EXPRESS, INC.; from Harris County; 14th Court of Appeals District (14-09-01032-CV, 342 SW3d 795, 05-26-11)

motion for rehearing granted in part

The Court's opinion and judgment issued August 31, 2012 are withdrawn and the opinion and judgment of this date are substituted.

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

11-0642 THE STATE OF TEXAS v. NINETY THOUSAND TWO HUNDRED THIRTY-FIVE DOLLARS AND NO CENTS IN UNITED STATES CURRENCY (\$90,235) AND 2000 BLACK LINCOLN NAVIGATOR VIN: 5LMPU28A7YLJ10865; from El Paso County; 8th Court of Appeals District (08-09-00151-CV, 346 SW3d 737, 05-27-11)

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

Justice Johnson delivered the opinion of the Court.

11-0818 FORD MOTOR COMPANY, ET AL. v. STEWART, COX, AND HATCHER, P.C. AND TURNER & ASSOCIATES, P.A.; from Montgomery County; 9th Court of Appeals District (09-10-00371-CV, 350 SW3d 369, 08-25-11)

I.F.'s petition for review is denied.

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

Per Curiam Opinion

11-0920 CTL/THOMPSON TEXAS, LLC v. STARWOOD HOMEOWNER'S ASSOCIATION, INC.; from Denton County; 2nd Court of Appeals District (02-11-00160-CV, 352 SW3d 854, 09-29-11)

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

12-0142 RICHMONT HOLDINGS, INC., NUKOTE HOLDINGS, INC., NUKOTE INTERNATIONAL, INC., INKBRARY, L.L.C., SUPERIOR ACQUISITIONS, L.L.C., CO., JOHN P. ROCHON, SR., JOHN P. ROCHON, JR., KELLY KITTRELL, RUSSELL MACK, C & R SERVICES, INC. AND KENNETH R. SCHLAG v. SUPERIOR RECHARGE SYSTEMS, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, AND JON BLAKE; from Denton County; 2nd Court of Appeals District (02-10-00161-CV, ___ SW3d ___, 11-03-11)

motion to strike granted

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS DENIED:

12-0869 IN THE INTEREST OF K.E.S.; from Tarrant County; 2nd Court of Appeals District (02-11-00420-CV, ___ SW3d ___, 09-20-12)

MISCELLANEOUS

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

12-0957 IN RE FORD MOTOR COMPANY; from Hidalgo County; 13th Court of Appeals District (13-12-00624-CV, ___ SW3d ___, 11-20-12)

relator's motion for temporary relief, as supplemented, granted
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced January 28, 2013

MISCELLANEOUS

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

12-0852 IN RE NABILCO INC. AND D. HOUSTON INC. D/B/A TREASURES;
from Harris County; 14th Court of Appeals District (14-12-00832-CV, ___
SW3d ___, 01-10-13)

relators' emergency motion for clarification of stay order granted in part
revised stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced February 1, 2013

ORDERS ON CAUSES

- 10-0511 DIEGO RODRIGUEZ-ESCOBAR, M.D. v. MICHAEL ALLEN GOSS, STEVEN GOSS, AND TIMOTHY LEE GOSS, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF BEVERLY GOSS; from Cameron County; 13th Court of Appeals District (13-07-00536-CV, ___ SW3d ___, 04-15-10)

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

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 11-0729 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. CITY OF WACO; from Travis County; 3rd Court of Appeals District (03-09-00005-CV, 346 SW3d 781, 06-17-11)

denial of petition for review on June 29, 2012, withdrawn
petition for review reinstated
motion for rehearing granted

[**Note:** This case has been set for oral argument at 9:00 a.m., February 28, 2013.]
Time allotted to argue: 20/20 minutes

- 11-0737 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. BOSQUE RIVER COALITION; from Travis County; 3rd Court of Appeals District (03-10-00475-CV, 347 SW3d 366, 08-02-11)

denial of petition for review on June 29, 2012, withdrawn
petition for review reinstated
motion for rehearing granted

[**Note:** This case has been set for oral argument at 9:00 a.m., February 28, 2013.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0688 IN THE INTEREST OF H.S.V., ET. AL, MINOR CHILDREN; from Bexar County; 4th Court of Appeals District (04-12-00150-CV, ___ SW3d ___, 07-11-12)
as amended
- 12-0773 ALLON R. HAHN, INDIVIDUALLY AND D/B/A HAHN'S GULF SERVICE v. BERTRAND R. LOVE; from Harris County; 1st Court of Appeals District (01-11-00264-CV, ___ SW3d ___, 06-14-12)
- 12-0950 PATRICK OLAJIDE AKINWAMIDE v. TRANSPORTATION INSURANCE COMPANY, CNA INSURANCE COMPANY AND AUTOMATIC DATA PROCESSING, INC.; from Harris County; 1st Court of Appeals District (01-11-00755-CV, ___ SW3d ___, 09-06-12)
- 12-0977 RICHARD ALAN HAASE v. PEARL RIVER POLYMERS, INC.; POLYCHEMIE, INC.; POLYDYNE, INC.; CHEMTALL, INC.; SNF HOLDING COMPANY, INC.; SNF, INC.; WRIGHT & CLOSE, LLP; PROVOST HUMPHREY, LLP; from Fort Bend County; 14th Court of Appeals District (14-11-00024-CV, ___ SW3d ___, 08-09-12)
- 12-0979 WILLIAM M. WESTMORELAND v. JOSEPH A. TURNER, P.C., JOSEPH A. TURNER AND CHRISTOPHER M. PERRI; from Potter County; 7th Court of Appeals District (07-12-00018-CV, ___ SW3d ___, 10-15-12)
- 12-0989 ROBERT ROWE AND THERESA ROWE v. JUDY DORMAN AND RONDA MILLER; from Gregg County; 6th Court of Appeals District (06-12-00024-CV, ___ SW3d ___, 10-18-12)

ORDERS ON MOTIONS FOR REHEARING

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

12-0597 HARRY WILLIAMS v. WILLIAM H. NEALON, M.D. AND ERIC M. WALSER, M.D.; from Galveston County; 1st Court of Appeals District (01-05-00553-CV, ___ SW3d ___, 06-07-12)

12-0774 G.P. PORTER v. JUAN OLIVARES; from Hunt County; 5th Court of Appeals District (05-11-01213-CV, ___ SW3d ___, 07-03-12)

12-0826 PETER ONG, GOLDEN AGRI-RESOURCES LTD, PT SINAR MAS AGRO RESOURCES AND TECHNOLOGY TBK v. FULCRUM ENERGY LLC, FULCRUM POWER SERVICES, L.P., JESSON A. BRADSHAW, GERARDO P. MANALAC, DOUBLE G. HOLDINGS, L.P., AND KIMBERLY J. CASEY; from Harris County; 1st Court of Appeals District (01-11-00922-CV, ___ SW3d ___, 08-30-12)

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

12-0842 IN RE DONALD GENE BLANTON

12-0865 IN RE GEORGE DE LOS SANTOS; from Tarrant County; 2nd Court of Appeals District (02-12-00353-CV, ___ SW3d ___, 10-08-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-1009 IN RE ANTONIO M. LACY; from Bee County; 13th Court of Appeals District
(13-12-00633-CV, ___ SW3d ___, 10-24-12)
- 12-1022 IN RE JIM HERBERT HAMILTON, JR.; from Anderson County; 12th Court of
Appeals District (12-07-00231-CV, ___ SW3d ___, 06-30-08)
- 13-0071 IN RE THE CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals
District (04-12-00783-CV, ___ SW3d ___, 01-16-13)

motion for emergency temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced February 5, 2013

MISCELLANEOUS

THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0018 IN RE ZOE MICHELLE JACKMAN; from Dallas County; 5th Court of Appeals
District (05-12-01700-CV, ___ SW3d ___, 01-03-13)

motion for temporary stay denied
response requested due by February 15, 2013

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

THE SUPREME COURT OF TEXAS

Orders Pronounced February 8, 2013

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

13-0090 ELEXIS WHITE v. AUDREY NELDA DAVENPORT; from Montgomery County; 9th Court of Appeals District (09-11-00282-CV, ___ SW3d ___, 09-13-12)

joint motion to grant petition for review, granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. Without hearing oral argument or considering the merits, the Court vacates the court of appeals' judgment and remands the case to the court of appeals for entry of a judgment to effectuate the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0578 RAUL ADAM TREVIÑO v. LAWRENCE RAVENBURG, ET AL.; from Coryell County; 10th Court of Appeals District (10-11-00245-CV, ___ SW3d ___, 04-25-12)

as redrafted

12-0925 JAMES R. CLEVELAND, ET AL. v. ROBERT G. TAYLOR, II, ET AL.; from Fort Bend County; 1st Court of Appeals District (01-11-00227-CV, ___ SW3d ___, 06-28-12)

12-0961 SAECO ELECTRIC & UTILITY, LTD. v. CHRISTOPHER D. GONZALES; from Bexar County; 4th Court of Appeals District (04-11-00305-CV, ___ SW3d ___, 10-17-12)

12-0985 ROBERT L. WYNNE, D.D.S. v. REBECCA A. KLEIN, ET AL.; from Travis County; 3rd Court of Appeals District (03-11-00574-CV, ___ SW3d ___, 10-31-12)

(Justice Hecht not sitting)

12-1004 DOROTHY OLLIE v. PLANO INDEPENDENT SCHOOL DISTRICT; from Collin County; 5th Court of Appeals District (05-12-00077-CV, 383 SW3d 783, 10-24-12)

12-1041 MBR & ASSOCIATES, INC. & MARION BRIAN RAMON v. WILLIAM S. LILE; from Tarrant County; 2nd Court of Appeals District (02-11-00431-CV, ___ SW3d ___, 10-04-12)

ORDERS ON MOTIONS FOR REHEARING

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

12-0527 LINDA LEE BRUEGGEBORS v. RICHARD PAUL BRUEGGEBORS; from Harris County; 14th Court of Appeals District (14-11-01071-CV, ___ SW3d ___, 05-10-12)

12-0786 DAVID CHRISTOPHER RUSSELL v. JANNA RUSSELL; from Harris County; 14th Court of Appeals District (14-10-00494-CV, ___ SW3d ___, 08-21-12)

12-0790 EDDIE E. GODFREY, INDIVIDUALLY, AND EDDIE E. GODFREY AND JAY RANLEY GODFREY, CO-TRUSTEES OF THE EMMITT I. GODFREY MARITAL TRUST v. CHESAPEAKE EXPLORATION, LLC, CHESAPEAKE ENERGY CORPORATION, TLW INVESTMENTS, LP, CHESAPEAKE INVESTMENTS, LP, CHESAPEAKE SIGMA, LP, CHESAPEAKE ENERGY MARKETING, INC., AND ENCANA OIL & GAS (USA), INC.; from Johnson County; 11th Court of Appeals District (11-10-00186-CV, ___ SW3d ___, 07-12-12)

12-0832 CAROLYN R. MILTON v. VINH NGUYEN, D.D.S. A/K/A DANNY NGUYEN, D.D.S.; from Fort Bend County; 1st Court of Appeals District (01-11-00958-CV, ___ SW3d ___, 08-09-12)

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

- 12-0955 IN THE INTEREST OF L.E.K. AND D.K., JR.; from Wood County; 12th Court of Appeals District (12-11-00169-CV, ___ SW3d ___, 12-20-12)
motion for appointment of counsel denied

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 13-0009 IN RE ENTRE NAX KARAGE

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

- 12-0852 IN RE NABILCO INC. AND D. HOUSTON INC. D/B/A TREASURES; from Harris County; 14th Court of Appeals District (14-12-00832-CV, ___ SW3d ___, 10-19-12)
relators' motion to dismiss without prejudice granted
stay order issued October 26, 2012, lifted
stay order issued January 28, 2013, lifted

- 12-0886 IN RE CHARLES ANTHONY ALLEN, SR.; from Karnes County; 4th Court of Appeals District (04-11-00234-CV, ___ SW3d ___, 04-20-11)

See Tex. R. App. P. 5.

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

- 13-0057 IN RE ST. LUKE'S SUGAR LAND PARTNERSHIP, L.L.P.; from Harris County; 1st Court of Appeals District (01-12-01065-CV, ___ SW3d ___, 01-02-13)
relator's expedited motion for temporary stay granted in part
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced February 11, 2013

MISCELLANEOUS

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

12-0967 IN RE DANIEL E. ARNOLD; from Hidalgo County; 13th Court of Appeals District
(13-12-00619-CV, ___ SW3d ___, 11-30-12)

relator's motion for emergency stay granted in part

stay order issued

response requested due by February 21, 2013

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

THE SUPREME COURT OF TEXAS

Orders Pronounced February 13, 2013

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 13-0031 IN RE KIMBERLY DIANE PUCKETT SOLLEY; from Harris County; 14th Court of Appeals District (14-12-01111-CV, ___ SW3d ___, 01-08-13)
motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced February 15, 2013

ORDERS ON CAUSES

11-0270 SOUTHERN CRUSHED CONCRETE, LLC v. CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-09-00873-CV, ___ SW3d ___, 11-17-10)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Lehrmann delivered the opinion of the Court.

11-0517 CERTIFIED EMS, INC. D/B/A CPNS STAFFING v. CHERIE POTTS; from Harris County; 1st Court of Appeals District (01-10-00106-CV, 355 SW3d 683, 05-19-11)

The Court affirms the court of appeals' judgment.

Chief Justice Jefferson delivered the opinion of the Court.

11-0729 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. CITY OF WACO; from Travis County; 3rd Court of Appeals District (03-09-00005-CV, 346 SW3d 781, 06-17-11)

- consolidated for oral argument only with -

11-0737 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. BOSQUE RIVER COALITION; from Travis County; 3rd Court of Appeals District (03-10-00475-CV, 347 SW3d 366, 08-02-11)

[**Note:** These causes remain set for oral argument at 9:00 a.m., February 28, 2013.]
Time allotted to argue: 20/20 minutes

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

10-0648 EL PASO FIELD SERVICES, L.P. AND GULFTERRA SOUTH TEXAS, L.P. F/K/A EL PASO SOUTH TEXAS, L.P. v. MASTEC NORTH AMERICA, INC. AND MASTEC, INC.; from Harris County; 1st Court of Appeals District (01-07-00319-CV, 317 SW3d 431, 05-06-10)

Justice Guzman notes her dissent to the denial of the motion for rehearing.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

10-0775 SUSAN ELAINE BOSTIC, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE HEIRS AND ESTATE OF TIMOTHY SHAWN BOSTIC, DECEASED; HELEN DONNAHOE; AND KYLE ANTHONY BOSTIC v. GEORGIA-PACIFIC CORPORATION; from Dallas County; 5th Court of Appeals District (05-08-01390-CV, 320 SW3d 588, 08-26-10)

denial of petition for review on October 26, 2012, withdrawn

petition for review reinstated

motion for rehearing granted

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

11-0709 KIA MOTORS CORPORATION AND KIA MOTORS AMERICA, INC. v. LAWRENCE RUIZ (INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ANDREA RUIZ), SHENEQUA RUIZ, CHRISTOPHER RUIZ, AND SUZANNA RUIZ; from Dallas County; 5th Court of Appeals District (05-10-00198-CV, 348 SW3d 465, 08-05-11)

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

(Justice Boyd not sitting)

11-0773 BIODERM SKIN CARE, LLC AND QUAN NGUYEN, M.D. v. VEASNA "SANDEE" SOK; from Dallas County; 5th Court of Appeals District (05-10-00044-CV, 345 SW3d 189, 06-28-11)

denial of petition for review on October 26, 2012, withdrawn

petition for review reinstated

motion for rehearing granted

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

11-0810 LAN/STV, A JOINT VENTURE OF LOCKWOOD, ANDREWS & NEWMAN, INC. AND STV INCORPORATED v. MARTIN K. EBY CONSTRUCTION COMPANY, INC.; from Dallas County; 5th Court of Appeals District (05-09-00946-CV, 350 SW3d 675, 08-29-11)

2 petitions

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

12-0102 TEXAS COAST UTILITIES COALITION v. RAILROAD COMMISSION OF TEXAS AND CENTERPOINT ENERGY RESOURCES CORP. D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS; from Travis County; 3rd Court of Appeals District (03-10-00242-CV, 357 SW3d 731, 10-27-11)

2 petitions

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

12-0744 IN THE INTEREST OF E.C.R., A CHILD; from Harris County; 1st Court of Appeals District (01-11-00791-CV, ___ SW3d ___, 03-15-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., April 23, 2013.]

Time allotted to argue: 20/20 minutes

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

12-0636 IN RE MELISSA BLEVINS; from Somervell County; 10th Court of Appeals District (10-12-00136-CV, ___ SW3d ___, 08-02-12)

motion for leave to file surreply brief granted

[**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:

- 11-0226 LASALLE PIPELINE, LP v. DONNELL LANDS, L.P.; from McMullen County; 4th Court of Appeals District (04-10-00272-CV, 336 SW3d 306, 12-15-10)
- 11-0780 KINGWOOD CROSSROADS, L.P. v. CHEVRON PHILLIPS CHEMICAL COMPANY, LP, EXXON LAND DEVELOPMENT, INC. AND KINGWOOD PLACE WEST COMMUNITY ASSOCIATION, INC.; from Montgomery County; 14th Court of Appeals District (14-08-00329-CV, 346 SW3d 37, 05-26-11)
3 petitions
- (Justice Lehrmann not sitting)
- 12-0051 W. GRAEME ROUSTAN v. MICHAEL SANDERSON, WIFE ANN GAINOUS AND RIDGLEA ENTERTAINMENT, INC.; from Tarrant County; 2nd Court of Appeals District (02-09-00377-CV, ___ SW3d ___, 09-29-11)
- 12-0060 RSL FUNDING, LLC v. JERRY WILKERSON; from Harris County; 1st Court of Appeals District (01-10-01001-CV, ___ SW3d ___, 08-11-11)
- 12-0129 SHEILA NEWMAN v. NATIONAL WESTERN LIFE INSURANCE COMPANY; from Parker County; 2nd Court of Appeals District (02-10-00133-CV, ___ SW3d ___, 10-13-11)
- 12-0154 BROKERS LOGISTICS, LTD. AND FOXWORTH-GALBRAITH LUMBER COMPANY v. M. W. SULLIVAN, AS TRUSTEE OF THE SULLIVAN CROSBY TRUST; from El Paso County; 8th Court of Appeals District (08-10-00267-CV, 357 SW3d 833, 01-11-12)
2 petitions

- 12-0179 IN THE INTEREST OF M.G.P., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-11-00038-CV, ___ SW3d ___, 12-22-11)
- 12-0282 KENNETH BARNES AND THOMAS LINDSEY v. LPP MORTGAGE, LTD.; from Dallas County; 5th Court of Appeals District (05-10-00605-CV, 358 SW3d 301, 07-12-11)
- 12-0311 BARBARA MARINO, M.D. v. WENDY WILKINS; from Harris County; 1st Court of Appeals District (01-11-00835-CV, ___ SW3d ___, 03-08-12)
as reinstated
- 12-0354 CONTINENTAL CASUALTY COMPANY, AS SUBROGEE OF TRAFFIC SYSTEMS, INC. v. AMERICAN SAFETY CASUALTY INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-10-01128-CV, 365 SW3d 165, 02-16-12)
- 12-0385 SAROSH MANAGEMENT, LLC D/B/A A-Z FOOD MART A/K/A ZRS MANAGEMENT, INC. v. RODERICK SANCHEZ, DIRECTOR, PLANNING AND DEVELOPMENT SERVICES DEPARTMENT, CITY OF SAN ANTONIO; from Bexar County; 8th Court of Appeals District (08-10-00200-CV, 387 SW3d 745, 02-22-12)
- 12-0408 FORT BEND INDEPENDENT SCHOOL DISTRICT v. ALICE GAYLE; from Fort Bend County; 1st Court of Appeals District (01-11-00788-CV, 371 SW3d 391, 04-05-12)
- 12-0552 THE STANLEY WORKS D/B/A STANLEY MECHANICS TOOLS (NOW KNOWN AS STANLEY BLACK & DECKER, INC.) v. WICHITA FALLS INDEPENDENT SCHOOL DISTRICT (INDIVIDUALLY AND AS AGENT FOR WICHITA COUNTY, TEXAS); from Wichita County; 8th Court of Appeals District (08-11-00015-CV, 366 SW3d 816, 04-25-12)

- 12-0575 IN RE COMMITMENT OF JOHN BERNARD; from Montgomery County; 9th Court of Appeals District (09-10-00462-CV, ___ SW3d ___, 06-14-12)
- 12-0580 W.H. SUTTON, CHRISTOPHER SUTTON, JULIE MUELLER, ANITA LOUISE BELL DAVIES, JANET LEE SMITH, FREDERICK JACKSON BELL, JR. AND ARCTIC ROYALTY LIMITED PARTNERSHIP v. SM ENERGY COMPANY, HUBER ENERGY, L.P. AND ROCKFORD ENERGY PARTNERS II, L.L.C.; from Webb County; 4th Court of Appeals District (04-11-00752-CV, 376 SW3d 787, 05-23-12)
- 12-0665 NEXION HEALTH AT BEECHNUT, INC. D/B/A BEECHNUT MANOR v. ESTATE OF SHAUNA THOMPSON KENT, DECEASED AND MATTHEW GERALD BRAY, AS TEMPORARY ADMINISTRATOR OF THE ESTATE OF SHAUNA THOMPSON KENT, DECEASED; from Harris County; 1st Court of Appeals District (01-11-01100-CV, ___ SW3d ___, 06-14-12)
- 12-0677 CABELTEL INTERNATIONAL CORPORATION N/K/A NEW CONCEPT ENERGY, INC. v. CHESAPEAKE EXPLORATION, L.L.C., F/K/A CHESAPEAKE EXPLORATION LIMITED PARTNERSHIP AND CHESAPEAKE OPERATING, INC.; from Tarrant County; 2nd Court of Appeals District (02-11-00224-CV, ___ SW3d ___, 07-12-12)
- 12-0690 ROBERT DEAN BETTS, JR. v. LOVER BETTS; from Fort Bend County; 14th Court of Appeals District (14-11-00267-CV, ___ SW3d ___, 07-10-12)
- 12-0699 NEXION HEALTH AT DUNCANVILLE, INC. D/B/A DUNCANVILLE HEALTH CARE AND REHABILITATION CENTER v. FRANKIE ROSS, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CONNIE D. HORSLEY, DECEASED; from Dallas County; 5th Court of Appeals District (05-11-01687-CV, 374 SW3d 619, 07-10-12)
- 12-0762 PRESBYTERIAN HOSPITAL OF PLANO, TEXAS, NARCISA A. DUSA, M.D., AND DANIEL J. HOPSON, M.D. v. JOHN MICHAEL MOCK, SR., ET AL.; from Collin County; 5th Court of Appeals District (05-11-00936-CV, 379 SW3d 391, 08-09-12)

- 12-0763 BALTASAR D. CRUZ v. SCHELL, BEENE & VAUGHAN, L.L.P., REBECCA B. FISHER, RUSSELL W. SCHELL, R. MICHAEL BEENE AND JOHN K. VAUGHAN; from Dallas County; 5th Court of Appeals District (05-01-00565-CV, ___ SW3d ___, 08-07-12)
as redrafted
- 12-0767 EP ENERGY E&P COMPANY, L.P. F/K/A EL PASO PRODUCTION OIL & GAS USA, L.P. v. KENNETH SELLERS; from Hidalgo County; 13th Court of Appeals District (13-10-00439-CV, ___ SW3d ___, 07-26-12)
- 12-0781 CITY OF WILLOW PARK, TEXAS, CITY OF ALEDO, TEXAS, PARKER COUNTY APPRAISAL DISTRICT, PARKER COUNTY APPRAISAL REVIEW BOARD, AND LARRY HAMMONDS IN HIS OFFICIAL CAPACITY v. TODD BRENNAN, ET AL.; from Parker County; 2nd Court of Appeals District (02-11-00265-CV, 376 SW3d 910, 08-16-12)
2 petitions
- 12-0794 LUCY ANN WALKER v. GREG WALKER; from Tyler County; 13th Court of Appeals District (13-11-00438-CV, ___ SW3d ___, 08-23-12)
- 12-0816 KAREN KRISTINE SILVIO v. JO-LYNN BOGGAN, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF SYBIL CHRISTINE SILVIO, REBECCA A. WAGLEY AND GARY E. SILVIO; from Harris County; 1st Court of Appeals District (01-10-00081-CV, ___ SW3d ___, 02-16-12)
- 12-0822 IWS GAS AND SUPPLY OF TEXAS, LTD. v. AIRGAS-SOUTHWEST, INC.; from Harris County; 1st Court of Appeals District (01-10-00938-CV, ___ SW3d ___, 08-30-12)

- 12-0833 APPROXIMATELY TWENTY-EIGHT THOUSAND NINE HUNDRED FIFTY DOLLARS (\$28,950.00 IN U.S. CURRENCY) v. THE STATE OF TEXAS; from Smith County; 12th Court of Appeals District (12-12-00042-CV, ___ SW3d ___, 08-30-12)
- 12-0859 PATRICIA FISH, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF TOBEY FISH, DECEASED v. BILLIE RUTH HODGES; from Schleicher County; 3rd Court of Appeals District (03-10-00532-CV, ___ SW3d ___, 07-12-12)
- 12-0882 ROBERT J. GREEN AND MARILYN GREEN v. JOE MCKAY; from Dallas County; 5th Court of Appeals District (05-10-01109-CV, ___ SW3d ___, 08-02-12)
- 12-0901 STATE BOARD FOR EDUCATOR CERTIFICATION v. ANDRA BARTON; from Travis County; 6th Court of Appeals District (06-11-00078-CV, 382 SW3d 405, 09-24-12)
- 12-0930 IN RE COMMITMENT OF THOMAS B. MATLOCK; from Montgomery County; 9th Court of Appeals District (09-11-00670-CV, ___ SW3d ___, 10-04-12)
- 12-0931 IN THE ESTATE OF LEONA HEBERT RIDER, DECEASED; from Montgomery County; 13th Court of Appeals District (13-12-00049-CV, ___ SW3d ___, 08-16-12)
- 12-0938 IN RE COMMITMENT OF CLARENCE DEWAYNE BROWN; from Montgomery County; 9th Court of Appeals District (09-10-00589-CV, ___ SW3d ___, 09-27-12)
- 12-0965 MARY KATHERINE NEISWENDER v. SLC CONSTRUCTION, LLC; from Nueces County; 13th Court of Appeals District (13-11-00669-CV, ___ SW3d ___, 07-26-12)

- 12-0978 IN RE COMMITMENT OF JOHN QUINCY WARREN; from Montgomery County; 9th Court of Appeals District (09-11-00010-CV, ___ SW3d ___, 10-11-12)
- 12-1017 VINCENT MAES AND CYNTHIA MAES, AS NEXT FRIEND OF I.M., A MINOR CHILD AND THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA v. EL PASO ORTHOPAEDIC SURGERY GROUP, P.A.; from El Paso County; 8th Court of Appeals District (08-11-00331-CV, 385 SW3d 694, 10-31-12)
- 12-1031 DAVID - RICHARD: LUTZ v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, TRAVIS MURRAY, AND HECTOR GOMEZ; from Medina County; 4th Court of Appeals District (04-12-00194-CV, ___ SW2d ___, 11-14-12)
- 12-1033 FINIS CROSS v. TOYO INK INTERNATIONAL, TOYO INK MFG. AMERICA, ET AL.; from Brazos County; 10th Court of Appeals District (10-12-00226-CV, ___ SW3d ___, 11-29-12)
- 13-0007 CORNELIUS C. SULLIVAN, JR., D.D.S. v. PETER T. TRIOLO, JR., D.D.S.; from Harris County; 1st Court of Appeals District (01-11-00973-CV, ___ SW3d ___, 11-29-12)
- THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:
- 12-0953 ELEFThERIOS KALDIS v. U.S. BANK NATIONAL ASSOCIATION, ET AL.; from Harris County; 14th Court of Appeals District (14-11-00607-CV, ___ SW3d ___, 08-09-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0677 ANSELL HEALTHCARE PRODUCTS INC. v. UNITED MEDICAL; from Harris County; 1st Court of Appeals District (01-10-00541-CV, 355 SW3d 736, 07-14-11)
- 12-0101 STARVIN MARVIN'S BAR AND GRILL, L.L.C. v. THE CITY OF BEAUMONT AND MAYOR BECKY AMES, IN HER OFFICIAL CAPACITY AS MAYOR OF THE CITY OF BEAUMONT; from Jefferson County; 9th Court of Appeals District (09-11-00229-CV, ___ SW3d ___, 12-22-11)
- 12-0551 NORRIS J. DEVOLL v. REBECCA DEMONBREUN AND WILLIAM DOWDS; from Bexar County; 4th Court of Appeals District (04-10-00375-CV, ___ SW3d ___, 03-21-12)
- 12-0723 KAREN KRISTINE SILVIO v. CITIFINANCIAL AUTO CREDIT, INC.; from Harris County; 1st Court of Appeals District (01-11-00392-CV, ___ SW3d ___, 08-02-12)
- 12-0840 KIMBERLY BURNETT v. RAYSHUN JACKSON; from Dallas County; 5th Court of Appeals District (05-10-01534-CV, ___ SW3d ___, 04-17-12)
- 12-0857 CARY A. WILKE v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE - C.I.D.; from De Witt County; 13th Court of Appeals District (13-11-00698-CV, ___ SW3d ___, 07-19-12)

MISCELLANEOUS

THE FOLLOWING DIRECT APPEAL IS DISMISSED:

12-0902 RICHARD LANCE MCLAREN v. STATE OF TEXAS, REPUBLIC OF TEXAS
AND UNITED STATES OF AMERICA, ET AL.; from Travis County

See Tex. R. App. P. 5.

THE FOLLOWING PETITION FOR WRIT OF PROHIBITION IS DENIED:

12-0966 IN RE CAROLYN BARNES; from Williamson County; 3rd Court of Appeals
District (03-11-00647-CV, ___ SW3d ___, 01-25-12)

motion for appointment of counsel denied

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0738 IN RE DEION L. SANDERS; from Collin County; 5th Court of Appeals District
(05-12-00873-CV, ___ SW3d ___, 07-31-12)

relator's motion for emergency stay denied

12-0960 IN RE CAROLYN BARNES; from Williamson County; 3rd Court of Appeals
District (03-12-00073-CV, ___ SW3d ___, 02-22-12)

motion for appointment of counsel denied

12-0962 IN RE CAROLYN BARNES; from Williamson County; 3rd Court of Appeals
District (03-11-00647-CV; 03-12-00073-CV, ___ SW3d ___, 01-25-12)

motion for appointment of counsel denied

12-0964 IN RE CAROLYN BARNES; from Williamson County; 3rd Court of Appeals
District (03-12-00647-CV, ___ SW3d ___, 01-25-12)

as supplemented

motion for appointment of counsel denied

12-0971 IN RE DALE ROY SLAVEN; from Tarrant County; 2nd Court of Appeals
District (02-12-00431-CV, ___ SW3d ___, 11-01-12)

12-1021 IN RE LAMBERT ADUMEKWE; from Harris County; 14th Court of Appeals
District (14-12-01022-CV, ___ SW3d ___, 11-20-12)

THE FOLLOWING PETITIONS FOR WRIT OF HABEAS CORPUS ARE DENIED:

12-0963 IN RE CAROLYN BARNES; from Williamson County; 3rd Court of Appeals
District (03-11-00647-CV, ___ SW3d ___, 01-25-12)

as supplemented
motion for appointment of counsel denied

13-0017 IN RE CAROLYN BARNES; from Williamson County; 3rd Court of Appeals
District (03-11-00647-CV, ___ SW3d ___, 01-25-12)

motion for leave to exceed page limit dismissed as moot

THE DECISION OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING
APPEAL IS AFFIRMED:

12-0593 IN THE MATTER OF HELEN TYNE MAYFIELD STATE BAR CARD NO.
24014721

THE SUPREME COURT OF TEXAS

Orders Pronounced February 22, 2013

ORDERS ON CAUSES

10-0582 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS v. LARRY M. GENTILELLO, M.D.; from Dallas County; 5th Court of Appeals District (05-07-00845-CV, 317 SW3d 865, 07-21-10)

The Court reverses the court of appeals' judgment and dismisses the case for lack of jurisdiction.

Justice Willett delivered the opinion of the Court.

11-0469 TEXAS A&M UNIVERSITY - KINGSVILLE v. GERTRUD MORENO; from Kleberg County; 13th Court of Appeals District (13-10-00083-CV, 339 SW3d 902, 05-05-11)

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 dismisses the case.

Per Curiam Opinion

11-0548 JIMMY GLEN RIEMER, ET AL. v. THE STATE OF TEXAS AND JERRY PATTERSON, AS COMMISSIONER OF THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; from Hutchinson County; 7th Court of Appeals District (07-10-00037-CV, 342 SW3d 809, 05-27-11)

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

Justice Green delivered the opinion of the Court.

(Chief Justice Jefferson not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0137 JAMES MULLINS v. DALLAS INDEPENDENT SCHOOL DISTRICT; from Dallas County; 5th Court of Appeals District (05-11-00465-CV, 357 SW3d 182, 01-05-12)
- 12-0516 RHONDA FALGOUST v. SANTA FE INDEPENDENT SCHOOL DISTRICT; from Galveston County; 14th Court of Appeals District (14-11-00447-CV, ___ SW3d ___, 05-08-12)
- 12-0576 WALLY YAMMINE v. WISE COUNTY AND BRIDGEPORT ISD; from Wise County; 2nd Court of Appeals District (02-11-00178-CV, ___ SW3d ___, 05-10-12)
- 12-0972 ESMERALDA MARTINEZ v. FORD MOTOR CREDIT COMPANY, ET AL.; from Bexar County; 4th Court of Appeals District (04-11-00307-CV, ___ SW3d ___, 08-29-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-0571 SHAMOUN & NORMAN, LLP, GREGORY SHAMOUN AND BRIAN NORMAN v. ROBERT YARTO, YARTO INTERNATIONAL GROUP, LP AND YARTO INTERNATIONAL GROUP, GP, LLC; from Hidalgo County; 13th Court of Appeals District (13-11-00087-CV, ___ SW3d ___, 05-31-12)
joint motion to dismiss granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

- 13-0120 HABIB SURANI v. FIRST NATIONAL BANK OF BURLESON, TEXAS; from Tarrant County; 2nd Court of Appeals District (02-12-00248-CV, ___ SW3d ___, 11-08-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0495 CHRISTIAN CARE CENTERS, FOUNDATION, INC. AND CHRISTIAN CARE CENTERS, INC. D/B/A CHRISTIAN CARE HOME HEALTH & HOSPICE v. PATRICIA OVERTURF GOOCH AND LADENA SCHOOLCRAFT, INDIVIDUALLY AND AS HEIRS OF VIOLET RUSHING, DECEASED; from Dallas County; 5th Court of Appeals District (05-10-00933-CV, ___ SW3d ___, 04-25-11)
- 11-0939 HARRIS COUNTY, TEXAS, GREG YOUNG, DEMONTE GEHRING & JAMES CAVITT v. SHIRLEY NAGEL, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF JOEL DON CASEY; from Harris County; 14th Court of Appeals District (14-09-00780-CV, 349 SW3d 769, 08-25-11)
- 12-0646 JERRY A. WEATHERBEE, JR. AND TERESA AND/OR ALL OCCUPANTS v. GMAC MORTGAGE, LLC; from Harris County; 1st Court of Appeals District (01-11-00546-CV, ___ SW3d ___, 04-26-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 10-0589 IN RE DALLAS COUNTY HOSPITAL DISTRICT D/B/A PARKLAND HEALTH AND HOSPITAL SYSTEM; from Dallas County
- 2 petitions

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 12-0569 IN RE SHAMOUN & NORMAN, LLP, GREGORY SHAMOUN, ESQ. AND BRIAN NORMAN, ESQ.; from Hidalgo County; 13th Court of Appeals District (13-12-00179-CV, ___ SW3d ___, 06-04-12)
- unopposed motion to dismiss granted

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DISMISSED:

13-0107 IN RE JEFFREY CLARK; from Collin County; 5th Court of Appeals District (05-13-00065-CV, ___ SW3d ___, 02-14-13)

motion to dismiss granted

motion for emergency relief dismissed

THE SUPREME COURT OF TEXAS

Orders Pronounced February 26, 2013

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF PROHIBITION IS DENIED:

13-0124 IN RE LEANNE FARRELL COLLIER; from Lubbock County; 7th Court of Appeals District (07-12-00336-CV, ___ SW3d ___, 10-18-12)

relator's motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced March 1, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0823 RAY BASALDUA v. FORESTWOODS SUBDIVISION PROPERTY OWNERS ASSOCIATION, INC.; from Medina County; 4th Court of Appeals District (04-11-00716-CV, ___ SW3d ___, 07-05-12)
- 12-0870 DANIEL GOMEZ v. RON BRACKETT AND ROSE ROCHA; from Dallas County; 5th Court of Appeals District (05-11-01038-CV, ___ SW3d ___, 07-27-12)
as reinstated
- 12-0924 KATRINA COTERILL-JENKINS, EXECUTRIX OF THE ESTATE OF CHARLES K. JENKINS, M.D. v. TEXAS MEDICAL ASSOCIATION HEALTH CARE LIABILITY CLAIM TRUST, AND HOUSTON NORTHWEST RADIOLOGY ASSOCIATION; from Harris County; 14th Court of Appeals District (14-11-00697-CV, 383 SW3d 581, 08-16-12)
- 12-0997 GARY FITZGERALD AND GAIL CHRISTIE v. BIGHAM AUTOMOTIVE & ELECTRIC CO.; from Lubbock County; 7th Court of Appeals District (07-12-00006-CV, ___ SW3d ___, 09-24-12)
- 13-0024 HANFORD-SOUTHPORT, LLC v. CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE SAN ANTONIO WATER SYSTEM; from Bexar County; 4th Court of Appeals District (04-12-00009-CV, 387 SW3d 849, 11-07-12)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

13-0085 AMADO YANEZ v. DANIELA DUCASSON; from Harris County; 1st Court of Appeals District (01-12-00173-CV, ___ SW3d ___, 12-20-12)

[**Note:**This case is abated until further order of this Court and is removed from the Court's active docket. It is the parties' responsibility to immediately notify this Court once the court of appeals' decision on the motion for rehearing is final.]

ORDERS ON MOTIONS FOR REHEARING

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

11-0002 SUSAN E. APPELL, EXECUTRIX OF THE ESTATE OF RODNEY APPELL, M.D., DECEASED v. SHARI MUGUERZA AND CYRENE MUGUERZA; from Harris County; 14th Court of Appeals District (14-09-00932-CV, 329 SW3d 104, 11-23-10)

11-0723 GPA HOLDING, INC. v. BAYLOR HEALTH CARE SYSTEM; from Dallas County; 5th Court of Appeals District (05-09-00586-CV, 344 SW3d 467, 05-18-11)

12-0792 DAVID MASON MONTGOMERY v. AURORA LOAN SERVICES, LLC; from Dallas County; 5th Court of Appeals District (05-11-00111-CV, 375 SW3d 617, 07-19-12)

12-0887 KENNETH D. LACKEY v. D. GREEN; from Anderson County; 12th Court of Appeals District (12-11-00209-CV, ___ SW3d ___, 08-08-12)

12-0896 CHEYENNE PATE v. DAWN GROUNDS, ET AL.; from Bowie County; 6th Court of Appeals District (06-12-00076-CV, ___ SW3d ___, 09-26-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0046 IN RE NANCY C. PEREZ AND JOSE A. PEREZ; from Travis County; 3rd Court of Appeals District (03-13-00021-CV, ___ SW3d ___, 01-11-13)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

13-0114 IN RE ALAMOWING LONGVIEW, LLC AND FOOD MANAGEMENT PARTNERS, INC.; from Bexar County; 4th Court of Appeals District (04-13-00125-CV, ___ SW3d ___, 02-15-13)
motion to dismiss granted
motion for emergency relief dismissed

THE SUPREME COURT OF TEXAS

Orders Pronounced March 8, 2013

ORDERS ON CAUSES

11-0104 KOPLOW DEVELOPMENT, INC. v. THE CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-09-00403-CV, 335 SW3d 288, 11-03-10)

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

Justice Guzman delivered the opinion of the Court.

11-0255 IN RE THE OFFICE OF THE ATTORNEY GENERAL; from Tarrant County; 2nd Court of Appeals District (02-09-00464-CV, 336 SW3d 389, 03-09-11)

2 petitions

The Court conditionally grants the writ of mandamus.

Justice Lehrmann delivered the opinion of the Court.

11-0261 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS v. ROARK AMUSEMENT AND VENDING, L.P.; from Travis County; 3rd Court of Appeals District (03-10-00105-CV, ___ SW3d ___, 01-26-11)

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

Justice Willett delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0348 DAVID HAMRICK, MAGGIE HAMRICK, SUE BERTRAM AND STEVE BERTRAM v. TOM WARD AND BETSEY WARD; from Harris County; 14th Court of Appeals District (14-10-00560-CV, ___ SW3d ___, 12-29-11)
2 petitions

[**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:

11-0590 LACK'S VALLEY STORES, LTD. v. HIDALGO COUNTY APPRAISAL DISTRICT; from Hidalgo County; 13th Court of Appeals District (13-10-00500-CV, ___ SW3d ___, 06-23-11)
as reinstated

11-0742 THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS AND DARLENE RAMOS v. LEOBARDO ARAGUZ; from Cameron County; 13th Court of Appeals District (13-09-00677-CV, ___ SW3d ___, 08-04-11)
2 petitions

12-0133 LFD HOLDINGS, LLP AND LACK'S VALLEY STORES, LTD. v. CAMERON COUNTY APPRAISAL DISTRICT AND CAMERON COUNTY APPRAISAL REVIEW BOARD; from Cameron County; 13th Court of Appeals District (13-10-00672-CV; 13-10-00673-CV, ___ SW3d ___, 01-05-12)

12-0150 SOUTHWESTERN ELECTRIC POWER COMPANY v. PUBLIC UTILITY COMMISSION OF TEXAS; from Travis County; 7th Court of Appeals District (07-10-00108-CV, ___ SW3d ___, 11-04-11)
2 petitions

- 12-0209 SOUTHWEST AIRLINES, CO. v. DALLAS CENTRAL APPRAISAL DISTRICT AND THE APPRAISAL REVIEW BOARD OF DALLAS COUNTY; from Dallas County; 5th Court of Appeals District (05-10-00682-CV, ___ SW3d ___, 01-24-12)
- 12-0249 IN THE ESTATE OF JOHN W. ISAACS, DECEASED, ET AL. v. L. H. CROCKETT, ET AL.; from Cherokee County; 12th Court of Appeals District (12-10-00048-CV, ___ SW3d ___, 02-15-12)
- 12-0331 RAVEN RESOURCES, LLC v. LEGACY RESERVES OPERATING, LP; from Midland County; 11th Court of Appeals District (11-09-00348-CV, 363 SW3d 865, 03-15-12)
- 12-0599 SCOTT FRIEDSON D/B/A NATIONAL INCOME PROPERTY LLC v. 839 E. 19TH STREET L.P.; from Harris County; 14th Court of Appeals District (14-11-00349-CV, 373 SW3d 674, 05-10-12)
- 12-0740 IN RE A.L.D.H, A CHILD; from Lubbock County; 7th Court of Appeals District (07-11-00489-CV, 373 SW3d 187, 06-25-12)
- 12-0756 EX PARTE C.S.S. v. TEXAS DEPARTMENT OF PUBLIC SAFETY; from Hays County; 3rd Court of Appeals District (03-10-00707-CV, ___ SW3d ___, 07-24-12)
- motion for judicial notice dismissed as moot
- 12-0885 FRED FISHER AND RUTH FISHER v. MARVIN LIONEL FRIDDLE; from Hopkins County; 6th Court of Appeals District (06-12-00018-CV, 378 SW3d 475, 08-17-12)

- 12-0903 RSUI INDEMNITY COMPANY AND UNITED STATES FIRE INSURANCE COMPANY v. THE LYND COMPANY; from Bexar County; 4th Court of Appeals District (04-11-00347-CV, ___ SW3d ___, 08-15-12)
3 petitions
- 12-0954 K.J. AND V.J., INDIVIDUALLY AND A/N/F E.J., A MINOR v. USA WATER POLO, INC., ET AL.; from Harris County; 14th Court of Appeals District (14-10-01188-CV, 383 SW3d 593, 08-21-12)
- 12-0998 ROBERT ZUNIGA v. EDINBURG REGIONAL MEDICAL CENTER, ET AL.; from Hidalgo County; 13th Court of Appeals District (13-11-00405-CV, ___ SW3d ___, 08-23-12)
- 13-0010 WILLIAM W. VAUGHN, III v. R. SEBASTIAN BENNETT, PH.D; from Cameron County; 13th Court of Appeals District (13-12-00117-CV, ___ SW3d ___, 09-20-12)
- 13-0030 IN THE INTEREST OF B.M.A.J., A CHILD; from Van Zandt County; 12th Court of Appeals District (12-12-00225-cv, ___ SW3d ___, 12-20-12)
- 13-0052 LARRY DON BIVINS v. CARMEN MARTINEZ; from Ellis County; 10th Court of Appeals District (10-11-00018-CV, ___ SW3d ___, 12-06-12)
- 13-0070 YIGAL BOSH v. CIRRO GROUP, INC. D/B/A CIRRO ENERGY, A SUBSIDIARY OF DOMINION RETAIL, INC.; from Collin County; 5th Court of Appeals District (05-11-01625-CV, ___ SW3d ___, 11-28-12)

**THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE
OF APPELLATE PROCEDURE 9.4(i):**

12-1005 KATHY GOLLA v. CANINE, INC.; from Dallas County; 5th Court of Appeals District (05-10-00221-CV, ___ SW3d ___, 07-09-12)

motion to exceed word count for petition for review denied

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 9.4(i) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by March 18, 2013."

**THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF
JURISDICTION:**

13-0108 STEPHEN T. LEAS v. COMMISSION FOR LAWYER DISCIPLINE; from Hidalgo County; 13th Court of Appeals District (13-10-00441-CV, ___ SW3d ___, 08-09-12)

motion for temporary relief dismissed as moot

ORDERS ON MOTIONS FOR REHEARING

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

10-0411 BETTIE BELL v. ZURICH AMERICAN INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-09-00284-CV, 311 SW3d 507, 10-20-09)

10-0981 SUSAN POEHLER v. AMERICAN HOME ASSURANCE COMPANY; from Gregg County; 12th Court of Appeals District (12-09-00293-CV, 323 SW3d 626, 10-20-10)

11-0984 PAMELA KAY CARPENTER AND JEFFREY SCOTT CARPENTER v. ROBERT JOSEPH CARPENTER, DAVID TRENT DEATON, JAMES EARL WARD, EDMOND WAYNE CARPENTER, FRANKIE MARIE CARPENTER PERRY, MICHAEL D. HARRIS, EDMOND POWELL CARPENTER, JOE BETH ROSS, LAVERNE WARD WILLMOND, GARY DON CARPENTER, SAMMY HARRIS, GARY DON MOSLEY, ET AL; from Tarrant County; 2nd Court of Appeals District (02-10-00243-CV, ___ SW3d ___, 10-27-11)

(Justice Hecht not sitting)

12-0041 ORIX CAPITAL MARKETS, LLC v. AMERICAN REALTY TRUST, INC.; from Dallas County; 5th Court of Appeals District (05-10-01005-CV, 356 SW3d 748, 12-14-11)

12-0668 DONOVAN DWIGHT SIMMS v. CHRISTY M. HOISINGTON, DAVID W. MCDOWELL, JONNI R. RANKIN, JORGE VASQUESZ AND JOHN D. VICKERY; from Anderson County; 12th Court of Appeals District (12-12-00193-CV, ___ SW3d ___, 06-13-12)

12-0974 ULLJA KUNTZE v. MICHELLE HALL, ET AL.; from McLennan County; 10th Court of Appeals District (10-12-00087-CV, ___ SW3d ___, 10-18-12)

12-0975 ULLJA KUNTZE v. MICHELLE HALL, ET AL.; from McLennan County; 10th Court of Appeals District (10-12-00186-CV, ___ SW3d ___, 10-18-12)

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

12-0730 IN RE KEITH RUSSELL JUDD; from Bowie County; 6th Court of Appeals District (06-12-00011-CV, ___ SW3d ___, 01-24-12)

MISCELLANEOUS

THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY
APPEALS IS DISMISSED FOR WANT OF PROSECUTION:

12-0720 EDWARD WADE GARRISON v. COMMISSION FOR LAWYER
DISCIPLINE

THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY
APPEALS IS DISMISSED:

13-0111 COMMISSION FOR LAWYER DISCIPLINE v. TEXAS ATTORNEY

motion to dismiss appeal granted

THE SUPREME COURT OF TEXAS

Orders Pronounced March 12, 2013

MISCELLANEOUS

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

13-0169 IN RE VAISHANGI, INC. ET. AL.; from Harris County; 14th Court of Appeals
District (14-12-01104-CV, ___ SW3d ___, 12-14-12)

emergency motion for stay granted
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced March 15, 2013

ORDERS ON CAUSES

12-0836 IN THE INTEREST OF J.M. AND Z.M., MINOR CHILDREN; from Nacogdoches County; 12th Court of Appeals District (12-11-00319-CV, ___ SW3d ___, 08-30-12)

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0761 LANCE M. AND YANET Y. v. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Grimes County; 1st Court of Appeals District (01-11-00137-CV, ___ SW3d ___, 07-12-12)

12-0809 IN THE INTEREST OF Z.C.J., JR., MINOR CHILD; from Bexar County; 4th Court of Appeals District (04-12-00010-CV, ___ SW3d ___, 08-22-12)

12-0915 BRIGITTE SHAMOUN v. LISA R. SHOUGH; from Dallas County; 5th Court of Appeals District (05-10-00455-CV, ___ SW3d ___, 06-07-12)

12-0936 IN THE INTEREST OF R.M.V. AND E.V., CHILDREN; from Burleson County; 10th Court of Appeals District (10-11-00298-CV, ___ SW3d ___, 10-04-12)

- 12-0995 HARTMAN INCOME REIT PPTY HOLDINGS, LLC v. DALLAS CENTRAL APPRAISAL DISTRICT, ET AL.; from Dallas County; 7th Court of Appeals District (07-11-00079-CV, ___ SW3d ___, 10-23-12)
- 13-0011 JAMES L. WIATREK, and wife ELAINE R. WIATREK and GARRET J. WIATREK v. TOMMIE S. DODD, LINDA LOU CROSLAND and CARLEY H. DODD; from Wilson County; 4th Court of Appeals District (04-11-00829-CV, ___ SW3d ___, 10-31-12)
- 13-0025 SOLUM ENGINEERING, INC. v. MARTHA M. J. STARICH, A/K/A MARIE J. STARICH, AND LORI A. HOOD; from Harris County; 14th Court of Appeals District (14-11-00891-CV, ___ SW3d ___, 10-11-12)
- 13-0081 DANIEL ROJAS, CARLA ROJAS, ATM'S OF EL PASO DANCAR ENTERPRISES, INC. AND DOCUMENT PROCESSING SYSTEMS, INC. v. DAVID DUARTE AND ELIZABETH DUARTE; from El Paso County; 8th Court of Appeals District (08-11-00072-CV, ___ SW3d ___, 11-30-12)
- 13-0086 JERRY VERNON v. WILLIAM PERRIEN AND ROXANNE PERRIEN; from El Paso County; 8th Court of Appeals District (08-11-00079-CV, 390 SW3d 47, 10-24-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0712 AMY WARMBROD v. USAA COUNTY MUTUAL COMPANY; from Bell County; 8th Court of Appeals District (08-10-00306-CV, ___ SW3d ___, 04-11-12)

(Justice Johnson not sitting)

- 12-0793 PACIWEST, INC. v. WARNER ALAN PROPERTIES, LLC AND WARNER ALAN/WESTCLIFF, LTD.; from Tarrant County; 2nd Court of Appeals District (02-10-00378-CV, ___ SW3d ___, 05-31-12)

12-0933 MICHAEL MILLER v. KARL CARTER AND CLIFFORD CARTER,
INDIVIDUALLY AND D/B/A CLIFFORD CARTER CONSTRUCTION; from
Dallas County; 5th Court of Appeals District (05-11-00193-CV, ___ SW3d ___, 08-
28-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-1020 IN RE HARDAM S. AZAD; from Harris County; 14th Court of Appeals District (14-
12-00165-CV, ___ SW3d ___, 12-04-12)

motion for emergency stay of enforcement of judgment denied

13-0055 IN RE TOM FRANKLIN; from Tarrant County; 2nd Court of Appeals District (02-
12-00453-CV)

motion to compel discovery denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

12-0967 IN RE DANIEL E. ARNOLD; from Hidalgo County; 13th Court of Appeals District
(13-12-00619-CV, ___ SW3d ___, 11-30-12)

motion to dismiss granted
stay order issued February 11, 2013, lifted

THE SUPREME COURT OF TEXAS

Orders Pronounced March 18, 2013

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0190 IN RE SMART CALL, LLC; from Harris County; 14th Court of Appeals District
(14-13-00225-CV, ___ SW3d ___, 03-15-13)

 motion for emergency relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced March 19, 2013

MISCELLANEOUS

THE MOTION TO STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0092 IN RE LESTER WINKLE; from Montgomery County
relator's emergency motion for stay and request for ruling on another emergency
motion for temporary relief denied

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

THE SUPREME COURT OF TEXAS

Orders Pronounced March 20, 2013

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0177 IN RE A&W INDUSTRIES, INC. AND HUMBERTO GEORGE; from Tarrant County; 2nd Court of Appeals District (02-13-00080-CV, ___ SW3d ___, 03-06-13)
emergency request for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced March 22, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-1032 IN THE INTEREST OF A.L.W. AND M.M.P., CHILDREN; from Denton County; 2nd Court of Appeals District (02-11-00480-CV, ___ SW3d ___, 11-08-12)

as amended

13-0016 IN THE INTEREST OF M.W.H., C.L.H., S.D.L.H., AND T.M.H., CHILDREN; from Aransas County; 13th Court of Appeals District (13-12-00187-CV, ___ SW3d ___, 11-29-12)

2 petitions
as redrafted

13-0033 SANDRA VEJARA v. LEVIOR INTERNATIONAL, LLC AND PIERRE GAMA; from Bexar County; 4th Court of Appeals District (04-11-00595-CV, ___ SW3d ___, 10-31-12)

13-0045 IN THE INTEREST OF A.C., A CHILD; from Cass County; 6th Court of Appeals District (06-12-00047-CV, 387 SW3d 673, 12-06-12)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

13-0142 NICOLAS CANTU v. HIDALGO COUNTY, TEXAS; from Hidalgo County; 13th Court of Appeals District (13-11-00245-CV, ___ SW3d ___, 11-01-13)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 53.2(k), Misc Docket No. 11-9152 - Electronic-Filing Rules 5(b), (c), and Misc. Docket No. 12-9190 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by April 1, 2013."

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0731 LOU ANN SMITH AND JIMMY JACKSON SMITH, INDIVIDUALLY AND AS NEXT FRIEND OF RACHEL AND GRAYSON SMITH v. BLACK+VERNOOY ARCHITECTS, J. SINCLAIR BLACK AND D. ANDREW VERNOOY; from Travis County; 3rd Court of Appeals District (03-09-00518-CV, 346 SW3d 877, 08-05-11)
- 12-0892 MARCOS V. MASSON, M.D. v. MARK H. HENRY, M.D.; from Harris County; 1st Court of Appeals District (01-11-00915-CV, 388 SW3d 719, 05-03-12)

**THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF
MANDAMUS IS DENIED:**

- 12-0889 IN RE MARCOS V. MASSON, M.D.; from Harris County; 1st Court of Appeals District (01-11-00840-CV, 388 SW3d 719, 05-03-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 13-0087 IN RE CARL STORCK AND VICKI STORCK; from Franklin County; 6th Court of Appeals District (06-12-00073-CV, ___ SW3d ___, 08-07-12)
- 13-0104 IN RE W.W. COLLINS, JR.; from Tarrant County; 2nd Court of Appeals District (02-12-00429-CV, ___ SW3d ___, 01-17-13)
- unopposed motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced March 29, 2013

ORDERS ON CAUSES

11-0311 NELDA GONZALES v. SOUTHWEST OLSHAN FOUNDATION REPAIR COMPANY, LLC, D/B/A OLSHAN FOUNDATION REPAIR COMPANY; from Bexar County; 4th Court of Appeals District (04-09-00232-CV, 345 SW3d 431, 01-19-11)

The Court affirms the court of appeals' judgment.

Justice Guzman delivered the opinion of the Court.

11-0834 EL DORADO LAND COMPANY, L.P. v. CITY OF MCKINNEY; from Collin County; 5th Court of Appeals District (05-10-00381-CV, 349 SW3d 215, 08-30-11)

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

Justice Devine delivered the opinion of the Court.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS GRANTED:

10-0887 WENDELL REEDER v. WOOD COUNTY ENERGY, LLC; WOOD COUNTY OIL & GAS, LTD.; NELSON OPERATING, INC.; DEKRFOUR, INC.; BOBBY NOBLE; EXZENA OIL CORPORATION; DAVID FRY AND PATRICIA FRY; from Wood County; 12th Court of Appeals District (12-08-00175-CV, 320 SW3d 433, 07-14-10)

judgment issued August 31, 2012, withdrawn
substituted judgment issued

Supplemental Per Curiam Opinion

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 10-0319 SEVERIANO DELEON v. ROYAL INDEMNITY COMPANY; from Hays County; 3rd Court of Appeals District (03-08-00532-CV, ___ SW3d ___, 01-27-10)
- 11-0517 CERTIFIED EMS, INC. D/B/A CPNS STAFFING v. CHERIE POTTS; from Harris County; 1st Court of Appeals District (01-10-00106-CV, 355 SW3d 683, 05-19-11)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 12-0255 GENE E. PHILLIPS, INDIVIDUALLY AND D/B/A PHILLIPS OIL INTERESTS, LLC, ET AL. v. CARLTON ENERGY GROUP, LLC; from Harris County; 1st Court of Appeals District (01-09-00997-CV, 369 SW3d 433, 02-14-12)
2 petitions

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

- 12-0490 MAN ENGINES & COMPONENTS, INC. AND MAN NUTZFAHRZEUGE AKTIENGESELLSCHAFT v. DOUG SHOWS; from Harris County; 14th Court of Appeals District (14-09-00895-CV, 364 SW3d 348, 03-15-12)

[**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:

- 10-0420 TEXAS DEPARTMENT OF LICENSING AND REGULATION v. CAROLYN K. MCCOLLUM; from Harris County; 1st Court of Appeals District (01-08-00414-CV, 321 SW3d 58, 04-22-10)
as reinstated

- 11-0841 LEONARD NIKOLAI AND SANDY NIKOLAI v. XTO ENERGY INC., ET AL.; from Denton County; 2nd Court of Appeals District (02-09-00299-CV, 357 SW3d 47, 08-30-11)
- 12-0349 KEITH E. MILLER, M.D. v. STEVEN F. HOTZE, M.D.; from Shelby County; 12th Court of Appeals District (12-10-00413-CV, 361 SW3d 707, 01-11-12)
- 12-0407 ROSEBUD-LOTT INDEPENDENT SCHOOL DISTRICT v. BAYSYSTEMS NORTH AMERICA LLC; from Falls County; 10th Court of Appeals District (10-08-00260-CV, ___ SW3d ___, 12-21-11)
- 12-0610 SAMUEL T. GARCIA, JR., M.D. v. SAVANNAH ROBINSON; from Hidalgo County; 13th Court of Appeals District (13-11-00263-CV, ___ SW3d ___, 06-14-12)
respondents' motion to dismiss denied
- 12-0701 HARDING BARS, LLC D/B/A THE AQUIFER BAR v. MARTIN VIESCA AND SANDRA VIESCA, INDIVIDUALLY AND AS REPRESENTATIVES FOR THE BENEFIT OF ALL PERSONS ENTITLED TO RECOVER FOR THE WRONGFUL DEATH OF KARLA VIESCA, DECEASED; from Maverick County; 4th Court of Appeals District (04-11-00629-CV, 374 SW3d 517, 06-13-12)
- 12-0796 TEXAS LAUREL RIDGE HOSPITAL, L.P. D/B/A LAUREL RIDGE TREATMENT CENTER v. MERARDO P. GARCIA AND CAROL GARCIA ON BEHALF OF THE ESTATE OF STEVEN SANTOS GARCIA, DECEASED; from Bexar County; 4th Court of Appeals District (04-12-00098-CV, ___ SW3d ___, 08-29-12)
- 12-0818 TEXAS HEALTH AND HUMAN SERVICES COMMISSION AND TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES v. JOSE P. BALDONADO; from Cameron County; 13th Court of Appeals District (13-11-00167-CV, ___ SW3d ___, 08-27-12)

- 12-0841 IN THE INTEREST OF C.M.C. AND C.E.C.; from Harris County; 14th Court of Appeals District (14-12-00186-CV, ___ SW3d ___, 08-30-12)
motion to supplement the clerk's record granted
- 12-0872 WENDY RUTHERFORD BRANHAM v. STATE FARM LLOYDS; from Bexar County; 4th Court of Appeals District (04-12-00190-CV, ___ SW3d ___, 09-12-12)
- (Justice Green not sitting)
- 12-0893 REBECCA JONES AND MARK JONES v. MARYANN PREWITT, M.D.; from Dallas County; 5th Court of Appeals District (05-09-01381-CV, ___ SW3d ___, 06-14-12)
- 12-0914 HIRING PARTNERS, INC. v. LAZER SPOT, INC.; from Lamar County; 6th Court of Appeals District (06-12-00044-CV, 387 SW3d 40, 10-18-12)
- 12-0916 HEALTHSOUTH OF HOUSTON, INC. D/B/A HEALTHSOUTH REHABILITATION HOSPITAL OF NORTH HOUSTON v. WILMA V. PARKS, INDIVIDUALLY AND AS THE INDEPENDENT EXECUTRIX OF THE ESTATE OF FRANK S. PARKS, DECEASED; from Montgomery County; 9th Court of Appeals District (09-12-00213-CV, ___ SW3d ___, 09-27-12)
- 12-0927 ALBERT KEVIN MARTIN v. CITY OF SAN ANTONIO AND ITS AGENT SAN ANTONIO WATER SYSTEM; from Bexar County; 4th Court of Appeals District (04-11-00402-CV, ___ SW3d ___, 08-29-12)
- 12-0943 MCLENNAN COUNTY APPRAISAL DISTRICT, BILLY HUBERT, RANDY RIGGS, JOHN EMBRY, IVAN GREEN AND ALLEN SYKES, IN THEIR OFFICIAL CAPACITIES AS BOARD MEMBERS OF THE MCLENNAN COUNTY APPRAISAL DISTRICT v. KAY DAVIDSON, RICHARD MARTIN AND MICHAEL JONES; from McLennan County; 10th Court of Appeals District (10-11-00061-CV, ___ SW3d ___, 08-30-12)

- 13-0020 IN RE COMMITMENT OF NORMAN LEWIS EVERS; from Montgomery County; 9th Court of Appeals District (09-11-00430-CV, ___ SW3d ___, 12-13-12)
- 13-0037 NICHOLAS SMITH v. TOWN NORTH BANK; from Dallas County; 5th Court of Appeals District (05-11-00520-CV, ___ SW3d ___, 11-13-12)
- 13-0091 THE EL PASO EDUCATION INITIATIVE, INC. D/B/A BURNHAM WOOD CHARTER SCHOOL DISTRICT v. AMEX PROPERTIES, LLC; from El Paso County; 8th Court of Appeals District (08-11-00378-CV, 385 SW3d 701, 10-31-12)
- 13-0101 HERITAGE ON THE SAN GABRIEL HOMEOWNERS ASSOCIATION, HUTTO CITIZENS GROUP, MOUNT HUTTO AWARE CITIZENS, MAHLON ARNETT, ROBBI ARNETT, TJFA, L.P., AND JONAH WATER S.U.D. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND WILLIAMSON COUNTY, TEXAS; from Travis County; 3rd Court of Appeals District (03-11-00129-CV, ___ SW3d ___, 12-28-12)
- 13-0105 CRAIG B. SINGER AND CAROL G. SINGER v. STATE OF TEXAS; from Denton County; 8th Court of Appeals District (08-11-00021-CV, ___ SW3d ___, 12-28-12)
- 13-0181 IN THE INTEREST OF M.K.C.D., ET AL., MINOR CHILDREN; from Wilson County; 4th Court of Appeals District (04-12-00558-CV, ___ SW3d ___, 01-30-13)
- 13-0193 IN THE INTEREST OF A.C., ET AL.; from Bexar County; 4th Court of Appeals District (04-12-00679-CV, ___ SW3d ___, 01-30-13)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0179 IN THE INTEREST OF M.G.P., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-11-00038-CV, ___ SW3d ___, 12-22-11)
- 12-0242 IN THE INTEREST OF R.R., A CHILD; from Harris County; 1st Court of Appeals District (01-10-01069-CV, ___ SW3d ___, 10-20-11)
- 12-0335 AFFILIATED CROWN DEVELOPMENTS, LTD. v. DAVID CROMWELL; from Montgomery County; 9th Court of Appeals District (09-10-00458-CV, ___ SW3d ___, 02-23-12)
2 motions for rehearing
- 12-0938 IN RE COMMITMENT OF CLARENCE DEWAYNE BROWN; from Montgomery County; 9th Court of Appeals District (09-10-00589-CV, ___ SW3d ___, 09-27-12)
- 12-0950 PATRICK OLAJIDE AKINWAMIDE v. TRANSPORTATION INSURANCE COMPANY, CNA INSURANCE COMPANY AND AUTOMATIC DATA PROCESSING, INC.; from Harris County; 1st Court of Appeals District (01-11-00755-CV, ___ SW3d ___, 09-06-12)

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

- 12-0755 IN RE D.M.W.; from Tarrant County; 2nd Court of Appeals District (02-12-00138-CV, 370 SW3d 799, 06-21-12)

(Justice Lehrmann not sitting)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 13-0018 IN RE ZOE MICHELLE JACKMAN; from Dallas County; 5th Court of Appeals
 District (05-12-01700-CV, ___ SW3d ___, 01-03-13)
- 13-0076 IN RE ROGER EUGENE FAIN; from Tarrant County; 2nd Court of Appeals
 District (02-12-00499-CV, ___ SW3d ___, 12-20-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced April 3, 2013

MISCELLANEOUS

THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0956 IN RE SJ MEDICAL CENTER, L.L.C. D/B/A ST. JOSEPH HOSPITAL; from
Harris County; 14th Court of Appeals District (14-12-00934-CV, ___ SW3d ___,
10-30-12)
relator's motion for temporary relief denied

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

THE SUPREME COURT OF TEXAS

Orders Pronounced April 5, 2013

ORDERS ON CAUSES

10-0666 THE CITY OF ROUND ROCK, TEXAS AND ROUND ROCK FIRE CHIEF LARRY HODGE v. JAIME RODRIGUEZ AND ROUND ROCK FIRE FIGHTERS ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-09-00546-CV, 317 SW3d 871, 07-21-10)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Green delivered the opinion of the Court, in which Justice Johnson, Justice Willett, Justice Guzman, Justice Boyd, and Justice Devine joined.

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

10-1020 TEXAS DEPARTMENT OF TRANSPORTATION AND CITY OF EDINBURG v. A.P.I. PIPE AND SUPPLY, L.L.C. AND PAISANO SERVICE COMPANY, INC.; from Hidalgo County; 13th Court of Appeals District (13-09-00159-CV, 328 SW3d 82, 08-26-10)

The Court reverses the court of appeals' judgment and dismisses the case.

Justice Willett delivered the opinion of the Court.

Justice Lehrmann delivered a concurring opinion, in which Justice Guzman joined.

11-0473 TRACFONE WIRELESS, INC. AND VIRGIN MOBILE USA, L.P. v. COMMISSION ON STATE EMERGENCY COMMUNICATIONS; from Travis County; 3rd Court of Appeals District (03-10-00111-CV, 343 SW3d 233, 05-05-11)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Willett delivered the opinion of the Court.

11-0630 TTHR LIMITED PARTNERSHIP D/B/A PRESBYTERIAN HOSPITAL OF DENTON v. CLAUDIA MORENO, INDIVIDUALLY AND AS NEXT FRIEND OF F.C., A MINOR; from Denton County; 2nd Court of Appeals District (02-10-00334-CV, ___ SW3d ___, 07-07-11)

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

Justice Johnson delivered the opinion of the Court.

12-0047 CARLA STRICKLAND v. KATHRYN AND JEREMY MEDLEN; from Tarrant County; 2nd Court of Appeals District (02-11-00105-CV, 353 SW3d 576, 11-03-11)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Willett delivered the opinion of the Court, in which Justice Hecht, Justice Green, Justice Guzman, Justice Lehrmann, Justice Boyd, and Justice Devine joined, and in which Chief Justice Jefferson joined as to all parts except footnote 58 and Part II-C, and in which Justice Johnson joined as to all parts except Part II-C.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0981 DAVID POWERS v. 84 LUMBER COMPANY, L.P.; from Brazoria County; 1st Court of Appeals District (01-09-00986-CV, ___ SW3d ___, 01-26-12)

13-0013 IN THE INTEREST OF L.O. AND K.O., CHILDREN; from Angelina County; 12th Court of Appeals District (12-12-00196-CV, ___ SW3d ___, 11-21-12)

13-0060 IN THE INTEREST OF K.J., A CHILD; from Potter County; 7th Court of Appeals District (07-12-00228-CV, ___ SW3d ___, 11-02-12)

13-0062 IN THE INTEREST OF T.J., A CHILD; from Potter County; 7th Court of Appeals District (07-12-00231-CV, ___ SW3d ___, 11-02-12)

- 13-0067 ROBERT ZISSA, JR. v. EUTON'S HARLEY DAVIDSON, INC.; from Victoria County; 13th Court of Appeals District (13-11-00585-CV, ___ SW3d ___, 12-13-12)
- 13-0075 M. LAWRENCE NAUMANN AND NAUMANN FARM, LLC v. EDWARD R. LEE AND WIFE, JOSEPHINE R. LEE; EDWARD J. LEE AND WIFE, ZENAIDA LEE; ROBERT D. NORRIS AND WIFE, DANA K. NORRIS; DIANA TOLER AND VON TOLER; from Caldwell County; 3rd Court of Appeals District (03-11-00066-CV, ___ SW3d ___, 04-05-12)
- 13-0095 IN THE INTEREST OF L.K. AND D.K.; from Wood County; 12th Court of Appeals District (12-11-00169-CV, ___ SW3d ___, 12-20-12)
- 13-0100 WENDELL H. TAYLOR, JR. v. LUBBOCK REGIONAL MHMR & JI TEXAS RISK MANAGEMENT AND TEXAS DEPARTMENT OF INSURANCE DIVISION OF WORKERS' COMPENSATION; from Lubbock County; 7th Court of Appeals District (07-12-00232-CV, ___ SW3d ___, 01-08-13)
motion requesting a stay denied
- 13-0110 IN THE INTEREST OF S.K.V. and T.A.V., CHILDREN; from Bexar County; 4th Court of Appeals District (04-12-00323-CV, ___ SW3d ___, 01-02-13)
- 13-0121 IN THE INTEREST OF B.R., B.R., AND B.E.R., CHILDREN; from Wichita County; 2nd Court of Appeals District (02-12-00137-CV, ___ SW3d ___, 01-04-13)
2 petitions
- 13-0131 CBM ENGINEERS, INC. v. TELLEPSEN BUILDERS, L.P.; from Harris County; 1st Court of Appeals District (01-11-01033-CV, ___ SW3d ___, 01-10-13)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-0866 TRYCO ENTERPRISES, INC., SHARON C. DIXON, JAMES DIXON AND CROWN STAFFING, INC. v. JAMES A. ROBINSON; from Harris County; 1st Court of Appeals District (01-10-00710-CV, 390 SW3d 497, 09-13-12)
motion to dismiss appeal pursuant to settlement granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

- 13-0242 TOMMY PERKINS v. THE STATE OF TEXAS; from Lamar County; 6th Court of Appeals District (06-12-00088-CV, ___ SW3d ___, 09-28-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0780 KINGWOOD CROSSROADS, L.P. v. CHEVRON PHILLIPS CHEMICAL COMPANY, LP, EXXON LAND DEVELOPMENT, INC. AND KINGWOOD PLACE WEST COMMUNITY ASSOCIATION, INC.; from Montgomery County; 14th Court of Appeals District (14-08-00329-CV, 346 SW3d 37, 05-26-11)
2 motions for rehearing

(Justice Guzman and Justice Lehrmann not sitting)

- 12-0552 THE STANLEY WORKS D/B/A STANLEY MECHANICS TOOLS (NOW KNOWN AS STANLEY BLACK & DECKER, INC.) v. WICHITA FALLS INDEPENDENT SCHOOL DISTRICT (INDIVIDUALLY AND AS AGENT FOR WICHITA COUNTY, TEXAS); from Wichita County; 8th Court of Appeals District (08-11-00015-CV, 366 SW3d 816, 04-25-12)
- 12-0740 IN RE A.L.D.H, A CHILD; from Lubbock County; 7th Court of Appeals District (07-11-00489-CV, 373 SW3d 187, 06-25-12)

12-0979 WILLIAM M. WESTMORELAND v. JOSEPH A. TURNER, P.C., JOSEPH A. TURNER AND CHRISTOPHER M. PERRI; from Potter County; 7th Court of Appeals District (07-12-00018-CV, ___ SW3d ___, 10-15-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0003 IN RE DERNICK RESOURCES, INC.; from Harris County; 1st Court of Appeals District (01-12-00633-CV, ___ SW3d ___, 11-21-12)

relator's emergency motion for temporary relief of underlying proceedings denied

13-0149 IN RE EDWARD ROY NEWSOME; 3rd Court of Appeals District (03-13-00008-CV, ___ SW3d ___, 01-18-13)

13-0150 IN RE EDWARD ROY NEWSOME; 3rd Court of Appeals District (03-13-00009-CV, ___ SW3d ___, 01-18-13)

13-0151 IN RE EDWARD ROY NEWSOME; 3rd Court of Appeals District (03-13-00030-CV, ___ SW3d ___, 01-18-13)

13-0152 IN RE EDWARD ROY NEWSOME; 3rd Court of Appeals District (03-13-00031-CV, ___ SW3d ___, 01-18-13)

13-0153 IN RE EDWARD ROY NEWSOME; 3rd Court of Appeals District (03-13-00044-CV, ___ SW3d ___, 01-18-13)

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

13-0125 IN THE MATTER OF Z.Q.; from Harris County; 14th Court of Appeals District
(14-12-00129-CV, ___ SW3d ___, 01-17-13)

motion to suspend rules dismissed as moot

THE SUPREME COURT OF TEXAS

Orders Pronounced April 12, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0669 GARY RAYMOND MOORE v. CAROLINE F. MOORE; from Dallas County; 5th Court of Appeals District (05-10-00498-CV, 383 SW3d 190, 07-03-12)
- 12-0970 IN THE MATTER OF THE GUARDIANSHIP OF V.A.; from Bexar County; 4th Court of Appeals District (04-11-00058-CV, 390 SW3d 414, 05-16-12)
- 12-0982 TOTAL E&P USA, INC., ET AL. v. MO-VAC SERVICE CO., INC.; from Hidalgo County; 13th Court of Appeals District (13-10-00021-CV, ___ SW3d ___, 08-23-12)
- 2 petitions
- 12-1018 JAMES MICHAEL BRADBERRY v. NOEL BRIDGES AND ROBERT BRIDGES; from Cherokee County; 12th Court of Appeals District (12-12-00098-CV, ___ SW3d ___, 10-31-12)
- 13-0117 JAMES RAY SHERER AND GLORIA JEAN SHERER (F/K/A GLORIA JEAN ROBERSON), INDIVIDUALLY AND JAMES RAY SHERER AS ATTORNEY IN FACT FOR BERTHA M. SHERER v. PATRICIA J. SHERER; from Fannin County; 6th Court of Appeals District (06-12-00023-CV, ___ SW3d ___, 01-04-13)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0763 BALTASAR D. CRUZ v. SCHELL, BEENE & VAUGHAN, L.L.P., REBECCA B. FISHER, RUSSELL W. SCHELL, R. MICHAEL BEENE AND JOHN K. VAUGHAN; from Dallas County; 5th Court of Appeals District (05-01-00565-CV, ___ SW3d ___, 08-07-12)
- 12-0931 IN THE ESTATE OF LEONA HEBERT RIDER, DECEASED; from Montgomery County; 13th Court of Appeals District (13-12-00049-CV, ___ SW3d ___, 08-16-12)

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

- 12-1021 IN RE LAMBERT ADUMEKWE; from Harris County; 14th Court of Appeals District (14-12-01022-CV, ___ SW3d ___, 11-20-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 13-0106 IN RE WASTE MANAGEMENT OF TEXAS, INC.; from Lamar County; 6th Court of Appeals District (06-12-00097-CV, ___ SW3d ___, 01-18-13)
- motion for temporary relief denied
emergency motion for ruling on motion for temporary relief dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 12-0782 IN RE VALERUS COMPRESSION SERVICES, LP; from Harris County; 14th Court of Appeals District (14-12-00329-CV, 380 SW3d 879, 09-11-12)
- unopposed motion to dismiss petition for writ of mandamus granted

THE SUPREME COURT OF TEXAS

Orders Pronounced April 19, 2013

ORDERS ON CAUSES

11-0483 CHRISTUS HEALTH GULF COAST, ET AL. v. AETNA, INC. AND AETNA HEALTH, INC.; from Harris County; 14th Court of Appeals District (14-09-01017-CV, 347 SW3d 726, 05-17-11)

The Court affirms the court of appeals' judgment.

Justice Willett delivered the opinion of the Court.

11-0976 VILMA GRANADO v. PEDRO C. MEZA; from Bexar County; 4th Court of Appeals District (04-10-00284-CV, 360 SW3d 613, 12-07-11)

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

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0251 CROSSTEX ENERGY SERVICES, L.P. v. PRO PLUS, INC.; from Harris County; 1st Court of Appeals District (01-11-00025-CV, 388 SW3d 689, 02-09-12)

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

12-0360 ARSENIO COLORADO, ET AL. v. TYCO VALVES & CONTROLS, L.P. AND TV&C GP HOLDINGS, INC.; from Harris County; 1st Court of Appeals District (01-10-00113-CV, 365 SW3d 750, 01-19-12)

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

12-0452 GOTHAM INSURANCE COMPANY v. WARREN E&P, INC. F/K/A PETROLEUM DEVELOPMENT CORPORATION D/B/A PEDECO, INC., WARREN RESOURCES, INC. AND OIL TECHNOLOGY FUND 1996 - SERIES D, L.P.; from Frio County; 8th Court of Appeals District (08-10-00198-CV, 368 SW3d 633, 04-18-12)

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

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

12-0124 IN RE CONTINENTAL TIRE THE AMERICAS, LLC; from Harris County; 1st Court of Appeals District (01-11-00984-CV, ___ SW3d ___, 01-19-12)

[**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:

12-0128 LADONNA CASTANUELA, IN HER OFFICIAL CAPACITY AS ACTING DIRECTOR OF THE MOTOR VEHICLE DIVISION OF THE TEXAS DEPARTMENT OF MOTOR VEHICLES AND THE MOTOR VEHICLE DIVISION OF THE TEXAS DEPARTMENT OF MOTOR VEHICLES v. CONTINENTAL IMPORTS, LTD.; from Travis County; 3rd Court of Appeals District (03-10-00719-CV, ___ SW3d ___, 12-30-11)

12-0406 CITY OF LAREDO v. HOMERO MOJICA AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 1390; from Webb County; 4th Court of Appeals District (04-11-00389-CV, ___ SW3d ___, 01-18-12)

12-0514 JUAN RODRIGUEZ v. FARMERS INSURANCE EXCHANGE AND ALLSTATE COUNTY MUTUAL INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-10-00995-CV, ___ SW3d ___, 02-16-12)

2 petitions

motion to strike dismissed as moot

- 12-0536 THE INLAND SEA, INC. v. CHRISTOPHER CASTRO; from El Paso County; 8th Court of Appeals District (08-11-00194-CV, ___ SW3d ___, 05-16-12)
- 12-0591 HAGOP KOFDARALI, INDIVIDUALLY, AND ROBBIE L. SEBERN BURNS, INDIVIDUALLY v. JEFFRY DRUCE, INDIVIDUALLY, AND AS TRUSTEE OF THE DRUCE FAMILY LIVING TRUST AND JEFFRY DRUCE PROPERTIES, LLC; from Tarrant County; 2nd Court of Appeals District (02-09-00130-CV, 369 SW3d 355, 01-12-12)
- 12-0592 JILES P. DANIELS, JR. v. EMPTY EYE & ASSOCIATES, L.P.; from Harris County; 14th Court of Appeals District (14-10-00115-CV, 368 SW3d 743, 05-08-12)
- 12-0813 EDWARD MALONE v. FIRDOSH PATEL; from Harris County; 1st Court of Appeals District (01-10-00739-CV, ___ SW3d ___, 04-05-12)
- 12-0817 MCALLEN HOSPITALS, L.P. D/B/A MCALLEN MEDICAL CENTER v. EVELIA ONTIVEROS; from Hidalgo County; 13th Court of Appeals District (13-11-00512-CV, ___ SW3d ___, 08-30-12)
- 12-0830 TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES A/K/A BRENHAM STATE SCHOOL, ANTHONY V. WATSON, DWANE B. HUBBARD, AND ARETHA L. TURNER v. MARY CANNON, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF PATRICK TATE DYESS, DECEASED; from Washington County; 14th Court of Appeals District (14-11-00751-CV, 383 SW3d 571, 07-19-12)
- 12-0860 SHELL TRADING (US) COMPANY v. LION OIL TRADING & TRANSPORTATION, INC.; from Harris County; 14th Court of Appeals District (14-11-00289-CV, ___ SW3d ___, 09-11-12)
- 12-0868 DAVID KIGER v. RAY A. BALESTRI; from Dallas County; 5th Court of Appeals District (05-10-01308-CV, 376 SW3d 287, 08-03-12)

- 12-0873 JEROME F. SCHRAPPS, M.D., AND SOUTHEAST TEXAS SURGICAL ASSOCIATES, P.A. v. LAM PHAM, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF HANH THI NGO, LANA TRAN, ANNA BAILEY, AND DIEP PHAM; from Jefferson County; 9th Court of Appeals District (09-12-00080-CV, ___ SW3d ___, 09-13-12)
- 12-0879 ROBERT C. STEPHENS, JR. v. KEVIN WILLIAMS; from Tarrant County; 2nd Court of Appeals District (02-11-00376-CV, ___ SW3d ___, 08-02-12)
- 12-0948 GARY CORONA v. STONEWALL FINANCIAL SERVICES CORPORATION, DOUGLAS W. BRADY; from Dallas County; 6th Court of Appeals District (06-11-00108-CV, ___ SW3d ___, 09-18-12)
- 12-0969 PEDRO ARIZOLA, SR. v. TUTTLE AND TUTTLE TRUCKING, INC., ET AL.; from La Salle County; 4th Court of Appeals District (04-11-00067-CV, ___ SW3d ___, 06-20-12)
motion for temporary relief denied
- 12-0976 KROGER TEXAS, L.P. v. ROY PIPKIN, EXECUTOR OF THE ESTATE ON BEHALF OF BAYON SHEA PIPKIN; from Harris County; 14th Court of Appeals District (14-11-00755-CV, 383 SW3d 655, 09-06-12)
- 12-0996 MID-CONTINENT CASUALTY COMPANY v. ANDREGG CONTRACTING, INC. AND BACILIO ZAPATA; from Collin County; 5th Court of Appeals District (05-11-00637-CV, 391 SW3d 573, 11-09-12)
- 12-1019 RHINOCEROS VENTURES GROUP, INC. AND BATSON CORRIDOR, L.P. v. TRANSCANADA KEYSTONE PIPELINE, L.P.; from Jefferson County; 9th Court of Appeals District (09-12-00128-CV, 388 SW3d 405, 11-29-12)

- 12-1045 STEPHANIE MORRIS v. INWOOD ON THE PARK APT.; from Dallas County; 5th Court of Appeals District (05-11-01042-CV, ___ SW3d ___, 08-23-12)
- 13-0008 RAMON FLANIGAN v. ANNA GLASGOW; from Bexar County; 4th Court of Appeals District (04-11-00516-CV, ___ SW3d ___, 08-01-12)
- 13-0064 STEVEN CHRISTOPHER CRAIN v. TINA MARIE CECIL, CHARLES GREGORY CECIL, CHASITY PARK AND CASTLE HILL POLICE DEPARTMENT; from Coryell County; 10th Court of Appeals District (10-12-00228-CV, ___ SW3d ___, 01-10-13)
- 13-0109 NICHOLAS LOPEZ v. TEXAS DEPARTMENT OF PUBLIC SAFETY; from Howard County; 11th Court of Appeals District (11-12-00086-CV, ___ SW3d ___, 12-13-12)
- 13-0127 IN RE COMMITMENT OF STEVEN WEATHERREAD; from Montgomery County; 9th Court of Appeals District (09-11-00269-CV, ___ SW3d ___, 11-29-12)
- 13-0133 IN RE COMMITMENT OF CHARLES PHILIP ANDERSON; from Montgomery County; 9th Court of Appeals District (09-11-00613-CV, ___ SW3d ___, 01-24-13)
- 13-0154 KRISTINE DIANE BETHKE, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF IAN JAMES BETHKE AND JACKIE SIDES v. ISABEL MUNOZ JR. AND PEANUT BAR CATTLE CO.; from Bexar County; 4th Court of Appeals District (04-12-00047-CV, ___ SW3d ___, 12-19-12)
- 13-0167 IN RE COMMITMENT OF RAYMOND LEE SMITH; from Montgomery County; 9th Court of Appeals District (09-12-00189-CV, ___ SW3d ___, 02-07-13)

13-0168 CARRIZO OIL & GAS, INC. v. 2001 TRINITY FUND, L.L.C.; from Harris County; 14th Court of Appeals District (14-10-00604-CV, ___ SW3 ___, 12-28-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

13-0098 RUEBEN MENDOZA v. FIESTA MART, INC.; from Tarrant County; 2nd Court of Appeals District (02-12-00324-CV, ___ SW3d ___, 01-24-13)

ORDERS ON MOTIONS FOR REHEARING

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

11-0783 SOUTHERN ELECTRICAL SERVICES, INC., AS ASSIGNEE OF THE MORGANTI GROUP, INC. AND THE MORGANTI GROUP, INC. v. THE CITY OF HOUSTON; from Harris County; 1st Court of Appeals District (01-10-00649-CV, 355 SW3d 319, 08-18-11)

12-0312 LA TIERRA DE SIMMONS FAMILIA, LTD., INDIVIDUALLY AND AS ASSIGNEE OF MODELLE BRASHER BALLARD, ROBERT GERALD BALLARD, JOHN RICHARD BALLARD AND CHARLES WARREN BALLARD v. MAIN EVENT ENTERTAINMENT, LP; M.E.E.P. MANAGEMENT, LLC; STONECREST INVESTMENTS, LLC; STONECREST SERVICES, LTD.; SCMR ANDERSON ARBOR PHASE III GENERAL PARTNERSHIP; CONSORT ENVIRONMENTS, INC.; H&S HORIZONS, LLC; AND SPIRIT PORTFOLIO 2005-4, LP; from Williamson County; 3rd Court of Appeals District (03-10-00503-CV, ___ SW3d ___, 03-09-12)

(Justice Hecht not sitting)

12-0623 RICHARD RIEDEL v. GREG HILZ, INDIVIDUALLY AND AS NEXT FRIEND (AS FATHER AND SOLE LEGAL GUARDIAN) FOR CIARRA HILZ, AND CIARRA HILZ; from Tarrant County; 2nd Court of Appeals District (02-11-00288-CV, ___ SW3d ___, 06-14-12)

12-0921 IN THE INTEREST OF E.G.L., A CHILD; from Collin County; 5th Court of Appeals District (05-11-00854-CV, 378 SW3d 542, 08-20-12)

motion to strike denied

12-1032 IN THE INTEREST OF A.L.W. AND M.M.P., CHILDREN; from Denton County; 2nd Court of Appeals District (02-11-00480-CV, ___ SW3d ___, 11-08-12)

13-0070 YIGAL BOSH v. CIRRO GROUP, INC. D/B/A CIRRO ENERGY, A SUBSIDIARY OF DOMINION RETAIL, INC.; from Collin County; 5th Court of Appeals District (05-11-01625-CV, ___ SW3d ___, 11-28-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0364 IN RE SASHA M. GARCIA; from Williamson County; 3rd Court of Appeals District (03-12-00149-CV, ___ SW3d ___, 03-23-12)

12-0769 IN RE MAGELLAN REINSURANCE COMPANY LTD.; from Tarrant County; 2nd Court of Appeals District (02-12-00281-CV, ___ SW3d ___, 08-13-12)

13-0015 IN RE KEITH TURNER

13-0102 IN RE STACY L. CONNER; from Lubbock County; 7th Court of Appeals District (07-07-00148-CR, ___ SW3d ___, 04-29-09)

13-0178 IN RE CAROLYN BARNES

motion for leave to exceed word limit dismissed as moot

13-0262 IN RE RWLS LLC; from Harris County; 14th Court of Appeals District (14-12-00203-CV, ___ SW3d ___, 04-12-12)

motion for immediate temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

13-0273 IN RE DONALD R. BEELER, SR.; from Hardin County; 9th Court of Appeals District (09-12-00531-CV, ___ SW3d ___, 01-24-13)

motion for temporary relief denied
motions to forward records dismissed as moot

THE SUPREME COURT OF TEXAS

Orders Pronounced April 23, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

12-0632 COSMETIC PROCEDURES CLINIC OF NORTH DALLAS v. JEFF AYUB; from Dallas County; 5th Court of Appeals District (05-11-01286-CV, 369 SW3d 927, 06-22-12)

agreed motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until May 23, 2013, by which time the parties must file either a status report or a motion to dismiss.]

THE SUPREME COURT OF TEXAS

Orders Pronounced April 26, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS DENIED:

- 13-0144 ALVIN W. BYRD, JR. v. NICHOLAS & MORRIS, A TEXAS GENERAL PARTNERSHIP; from Caldwell County; 3rd Court of Appeals District (03-10-00663-CV, ___ SW3d ___, 01-09-13)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 13-0079 SHEFFIELD DEVELOPMENT COMPANY, INC. v. CARTER & BURGESS, INC. N/K/A JACOBS ENGINEERING GROUP, INC.; from Tarrant County; 2nd Court of Appeals District (02-11-00204-CV, ___ SW3d ___, 12-21-12)
unopposed motion to effectuate settlement and dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0311 BARBARA MARINO, M.D. v. WENDY WILKINS; from Harris County; 1st Court of Appeals District (01-11-00835-CV, 393 SW3d 318, 03-08-12)
- 12-0516 RHONDA FALGOUST v. SANTA FE INDEPENDENT SCHOOL DISTRICT; from Galveston County; 14th Court of Appeals District (14-11-00447-CV, ___ SW3d ___, 05-08-12)
- 12-0580 W.H. SUTTON, CHRISTOPHER SUTTON, JULIE MUELLER, ANITA LOUISE BELL DAVIES, JANET LEE SMITH, FREDERICK JACKSON BELL, JR. AND ARCTIC ROYALTY LIMITED PARTNERSHIP v. SM ENERGY COMPANY, HUBER ENERGY, L.P. AND ROCKFORD ENERGY PARTNERS II, L.L.C.; from Webb County; 4th Court of Appeals District (04-11-00752-CV, 376 SW3d 787, 05-23-12)

- 12-0756 EX PARTE C.S.S. v. TEXAS DEPARTMENT OF PUBLIC SAFETY; from Hays County; 3rd Court of Appeals District (03-10-00707-CV, ___ SW3d ___, 07-24-12)
- 12-0761 LANCE M. AND YANET Y. v. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Grimes County; 1st Court of Appeals District (01-11-00137-CV, ___ SW3d ___, 07-12-12)
- 12-0853 LINDA A. HAZELIP v. AMERICAN CASUALTY COMPANY OF READING, PA; from Harris County; 1st Court of Appeals District (01-09-00659-CV, ___ SW3d ___, 06-28-12)
- 12-0870 DANIEL GOMEZ v. RON BRACKETT AND ROSE ROCHA; from Dallas County; 5th Court of Appeals District (05-11-01038-CV, ___ SW3d ___, 07-27-12)
- 12-0885 FRED FISHER AND RUTH FISHER v. MARVIN LIONEL FRIDDLE; from Hopkins County; 6th Court of Appeals District (06-12-00018-CV, 378 SW3d 475, 08-17-12)
- 13-0120 HABIB SURANI v. FIRST NATIONAL BANK OF BURLESON, TEXAS; from Tarrant County; 2nd Court of Appeals District (02-12-00248-CV, ___ SW3d ___, 11-08-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 13-0141 IN RE CURTIS LEE SHEPPHARD, JR.; from Wichita County; 2nd Court of Appeals District (02-13-00011-CV, ___ SW3d ___, 01-11-13)
- 13-0143 IN RE MARQUETH WILSON; from Walker County

- 13-0163 IN RE DONOVAN DWIGHT SIMMS; from Anderson County; 12th Court of Appeals District (12-12-00193-CV, ___ SW3d ___, 06-13-12)
- 13-0194 IN RE MARIO SAUCEDO, SR.; 3rd Court of Appeals District (03-12-00813-CV, ___ SW3d ___, 01-03-13)
motion for leave to file panel and en banc decision dismissed as moot
- 13-0198 IN RE DAVID CHARLES TRAMMELL; from Taylor County; 3rd Court of Appeals District (03-13-00051-CV, ___ SW3d ___, 02-21-13)
- 13-0202 IN RE EDWARD ROY NEWSOME; from Harris County; 3rd Court of Appeals District (03-12-00835-CV, ___ SW3d ___, 01-18-13)
- 13-0203 IN RE EDWARD R. NEWSOME; from Harris County; 14th Court of Appeals District (14-06-01149-CV, ___ SW3d ___, 05-31-07)
- 13-0206 IN RE EDWARD ROY NEWSOME; 3rd Court of Appeals District (03-12-00802-CV, ___ SW3d ___, 12-18-12)
- 13-0207 IN RE WILLIAM COOPER; 3rd Court of Appeals District (03-13-00024-CV, ___ SW3d ___, 03-06-13)
- 13-0208 IN RE DAVID LESLIE CULVERHOUSE

as supplemented
motion for temporary relief denied

13-0289 IN RE SADIE RENAE WORTHY; from Walker County; 10th Court of Appeals District (10-13-00027-CV, ___ SW3d ___, 02-07-13)

THE FOLLOWING CASE IS ABATED:

12-0800 DARLENE C. BALISTRERI-AMRHEIN AND ANTHONY J. BALISTRERI v. JERRY RIECHERT, LORI RIECHERT, RE MAX NORTH CENTRAL, AGENTS DARNALL, CALKINS, WILLILAMS, PALMER, REPUBLIC OF TEXAS, FIRST AMERICAN TITLE INSURANCE COMPANY, AHI & AARON MILLER, STONEBRIDGE RANCH HOA, CMA & RTI, NEWLAND COMMUNITIES, THOMAS MURPHY, ET AL.; from Collin County; 5th Court of Appeals District (05-09-01377-CV, ___ SW3d ___, 07-31-12)

abatement order issued

[**Note:** Effective as of February 14, 2013, the case is abated pursuant to Tex. R. App. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. Tex. R. App. P. 8.3. Tex. R. App. P. 8.2 and 8.3.]

THE SUPREME COURT OF TEXAS

Orders Pronounced May 3, 2013

ORDERS ON CAUSES

11-0708 HAL RACHAL, JR. v. JOHN W. REITZ; from Dallas County; 5th Court of Appeals District (05-09-01422-CV, 347 SW3d 305, 07-22-11)

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

Justice Guzman delivered the opinion of the Court.

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

08-0961 MARIA DEL CARMEN GUILBOT SERROS DE GONZALEZ, ET AL. v. MIGUEL ANGEL GONZALEZ GUILBOT, CARLOS A. GONZALEZ GUILBOT, AND MARIA ROSA DEL ARENAL DE GONZALEZ; from Harris County; 14th Court of Appeals District (14-07-00047-CV, 267 SW3d 556, 09-30-08)
motion to clarify mandate denied

THE FOLLOWING CAUSES ARE SET FOR SUBMISSION:

10-0775 SUSAN ELAINE BOSTIC, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE HEIRS AND ESTATE OF TIMOTHY SHAWN BOSTIC, DECEASED; HELEN DONNAHOE; AND KYLE ANTHONY BOSTIC v. GEORGIA-PACIFIC CORPORATION; from Dallas County; 5th Court of Appeals District (05-08-01390-CV, 320 SW3d 588, 08-26-10)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 9, 2013.]
Time allotted to argue: 20/20 minutes

11-0709 KIA MOTORS CORPORATION AND KIA MOTORS AMERICA, INC. v. LAWRENCE RUIZ (INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ANDREA RUIZ), SHENEQUA RUIZ, CHRISTOPHER RUIZ, AND SUZANNA RUIZ; from Dallas County; 5th Court of Appeals District (05-10-00198-CV, 348 SW3d 465, 08-05-11)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 9, 2013.]
Time allotted to argue: 20/20 minutes

(Justice Boyd not sitting)

11-0773 BIODERM SKIN CARE, LLC AND QUAN NGUYEN, M.D. v. VEASNA "SANDEE" SOK; from Dallas County; 5th Court of Appeals District (05-10-00044-CV, 345 SW3d 189, 06-28-11)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 9, 2013.]
Time allotted to argue: 20/20 minutes

11-0810 LAN/STV, A JOINT VENTURE OF LOCKWOOD, ANDREWS & NEWMAN, INC. AND STV INCORPORATED v. MARTIN K. EBY CONSTRUCTION COMPANY, INC.; from Dallas County; 5th Court of Appeals District (05-09-00946-CV, 350 SW3d 675, 08-29-11)

2 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 8, 2013.]
Time allotted to argue: 20/20 minutes

12-0102 TEXAS COAST UTILITIES COALITION v. RAILROAD COMMISSION OF TEXAS AND CENTERPOINT ENERGY RESOURCES CORP. D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS; from Travis County; 3rd Court of Appeals District (03-10-00242-CV, 357 SW3d 731, 10-27-11)

2 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 10, 2013.]
Time allotted to argue: 20/20 minutes

12-0124 IN RE CONTINENTAL TIRE THE AMERICAS, LLC; from Harris County; 1st Court of Appeals District (01-11-00984-CV, ___ SW3d ___, 01-19-12)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 10, 2013.]
Time allotted to argue: 20/20 minutes

12-0251 CROSSTEX ENERGY SERVICES, L.P. v. PRO PLUS, INC.; from Harris County; 1st Court of Appeals District (01-11-00025-CV, 388 SW3d 689, 02-09-12)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 10, 2013.]
Time allotted to argue: 20/20 minutes

12-0255 GENE E. PHILLIPS, INDIVIDUALLY AND D/B/A PHILLIPS OIL INTERESTS, LLC, ET AL. v. CARLTON ENERGY GROUP, LLC; from Harris County; 1st Court of Appeals District (01-09-00997-CV, 369 SW3d 433, 02-14-12)

2 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 11, 2013.]
Time allotted to argue: 20/20 minutes

12-0348 DAVID HAMRICK, MAGGIE HAMRICK, SUE BERTRAM AND STEVE BERTRAM v. TOM WARD AND BETSEY WARD; from Harris County; 14th Court of Appeals District (14-10-00560-CV, ___ SW3d ___, 12-29-11)

2 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 11, 2013.]
Time allotted to argue: 20/20 minutes

12-0360 ARSENIO COLORADO, ET AL. v. TYCO VALVES & CONTROLS, L.P. AND TV&C GP HOLDINGS, INC.; from Harris County; 1st Court of Appeals District (01-10-00113-CV, 365 SW3d 750, 01-19-12)

[**Note:** This cause has been set for oral argument at 9:00 a.m., September 11, 2013.]
Time allotted to argue: 20/20 minutes

12-0452 GOTHAM INSURANCE COMPANY v. WARREN E&P, INC. F/K/A
PETROLEUM DEVELOPMENT CORPORATION D/B/A PEDECO, INC.,
WARREN RESOURCES, INC. AND OIL TECHNOLOGY FUND 1996 - SERIES
D, L.P.; from Frio County; 8th Court of Appeals District (08-10-00198-CV, 368
SW3d 633, 04-18-12)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 8, 2013.]
Time allotted to argue: 20/20 minutes

12-0490 MAN ENGINES & COMPONENTS, INC. AND MAN NUTZFAHRZEUGE
AKTIENGESELLSCHAFT v. DOUG SHOWS; from Harris County; 14th Court of
Appeals District (14-09-00895-CV, 364 SW3d 348, 03-15-12)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 8, 2013.]
Time allotted to argue: 20/20 minutes

12-0636 IN RE MELISSA BLEVINS; from Somervell County; 10th Court of Appeals
District (10-12-00136-CV, ___ SW3d ___, 08-02-12)

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 9, 2013.]
Time allotted to argue: 20/20 minutes

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

10-0582 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT
DALLAS v. LARRY M. GENTILELLO, M.D.; from Dallas County; 5th Court of
Appeals District (05-07-00845-CV, 317 SW3d 865, 07-21-10)

11-0469 TEXAS A&M UNIVERSITY - KINGSVILLE v. GERTRUD MORENO; from
Kleberg County; 13th Court of Appeals District (13-10-00083-CV, 339 SW3d 902,
05-05-11)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0728 IN THE INTEREST OF K.M.L., A CHILD; from San Jacinto County; 9th Court of Appeals District (09-11-00083-CV, ___ SW3d ___, 05-31-12)

3 petitions
as redrafted

[**Note:** This case has been set for oral argument at 9:00 a.m., June 3, 2013.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

09-0911 RESURGENCE FINANCIAL, LLC v. FREEMAN TAYLOR; from Dallas County; 5th Court of Appeals District (05-07-01492-CV, 295 SW3d 429, 08-31-09)

motion to consolidate dismissed as moot

09-0972 COLLINS FINANCIAL SERVICES, INC. v. ANNA GUERRERO A/K/A ANNA M. GUERRERO; from Dallas County; 5th Court of Appeals District (05-07-01732-CV, ___ SW3d ___, 09-24-09)

motion to consolidate dismissed as moot

10-0028 RESURGENCE FINANCIAL, L.L.C. v. ETHEL L. CURRY; from Dallas County; 8th Court of Appeals District (08-07-00291-CV, 346 SW3d 697, 11-12-09)

motion to consolidate dismissed as moot

10-0339 OLIPHANT FINANCIAL, LLC v. STEPHEN L. HILL; from Dallas County; 8th Court of Appeals District (08-08-00145-CV, 310 SW3d 76, 03-10-10)

- 10-0345 OLIPHANT FINANCIAL, LLC v. MICHAEL R. PATTON AND TERRENCE L. EDGE A/K/A TERRENCE LANE EDGE; from Dallas County; 5th Court of Appeals District (05-07-01731-CV, ___ SW3d ___, 03-17-10)
- 12-0401 IN RE THE COMMITMENT OF MOHAMMAD REZA KALATI; from Montgomery County; 9th Court of Appeals District (09-11-00285-CV, 370 SW3d 435, 05-03-12)
- 12-0505 MIRA MAR DEVELOPMENT CORPORATION v. CITY OF COPPELL, TEXAS; from Dallas County; 5th Court of Appeals District (05-10-00283-CV, 364 SW3d 366, 03-23-12)
2 petitions
- 12-0572 BOBBY G. SEGUIN AND JOYCE S. SEGUIN v. BEXAR APPRAISAL DISTRICT, APPRAISAL REVIEW BOARD AND CHIEF APPRAISER MICHAEL AMEZQUITA; from Bexar County; 4th Court of Appeals District (04-11-00337-CV, 373 SW3d 699, 05-16-12)
- 12-0625 MIGUEL ANGEL GONZALEZ GUILBOT, CARLOS A. GONZALEZ GUILBOT AND MARIA ROSA DEL ARENAL DE GONZALEZ v. MARIA DEL CARMEN GUILBOT SERROS DE GONZALEZ, ET AL.; from Harris County; 14th Court of Appeals District (14-10-01149-CV, ___ SW3d ___, 03-29-12)
- 12-0679 IN RE THE COMMITMENT OF JAMES ANTHONY MILLER; from Montgomery County; 9th Court of Appeals District (09-11-00450-CV, ___ SW3d ___, 07-26-12)
- 12-0768 BRADFORD M. CONDIT v. NUECES COUNTY SHERIFF JIM KAELIN; from Nueces County; 13th Court of Appeals District (13-11-00327-CV, ___ SW3d ___, 08-16-12)
- 12-0845 LINDA MARIE TURNER v. LEWIS ALLEN TURNER; from Leon County; 11th Court of Appeals District (11-10-00192-CV, ___ SW3d ___, 07-31-12)

12-1028 AUSTIN JOCKEY CLUB, LTD. v. DALLAS CITY LIMITS PROPERTY CO., L.P.; from Dallas County; 5th Court of Appeals District (05-11-00140-CV, ___ SW3d ___, 07-11-12)

12-1043 WOODY K. LESIKAR, AS TRUSTEE OF THE WOODROW K. LESIKAR FAMILY TRUST, AS TRUSTEE OF THE WOODY K. LESIKAR SPECIAL TRUST, AND AS EXECUTOR OF THE WOODROW V. LESIKAR ESTATE v. CAROLYN ANN LESIKAR MOON, INDIVIDUALLY AND AS TRUSTEE OF THE CAROLYN ANN LESIKAR MOON SPECIAL TRUST; from Brazoria County; 14th Court of Appeals District (14-11-01016-CV, ___ SW3d ___, 08-30-12)

(Justice Guzman not sitting)

13-0023 ABILENE REGIONAL MEDICAL CENTER, DEBBIE MARSH, APRIL NICHOLS AND TARENA SISK v. ADANELICA ALLEN AND DAVID ALLEN, INDIVIDUALLY AND AS NEXT FRIENDS OF M.A.; from Jones County; 11th Court of Appeals District (11-11-00097-CV, 387 SW3d 914, 11-29-12)
2 petitions

13-0040 KAUFMAN COUNTY, TEXAS v. CHRISTOPHER LEGGETT; from Kaufman County; 5th Court of Appeals District (05-12-00430-CV, ___ SW3d ___, 12-04-12)

13-0050 BILLY CHAMPION v. DAVID R. ROBINSON; from Camp County; 6th Court of Appeals District (06-12-00032-CV, 392 SW3d 118, 12-19-12)

13-0056 ROBERT TROY MCCLURE v. TEXAS DEPARTMENT OF CORRECTIONS, ET AL.; from Bowie County; 6th Court of Appeals District (06-12-00092-CV, ___ SW3d ___, 01-08-13)

- 13-0061 GRACIE E. MCBROOM v. WAYNE DICKINSON, PRESIDENT AND CEO, AND METAL BUILDING COMPONENTS, INTERNATIONAL; from Harris County; 14th Court of Appeals District (14-12-00866-CV, ___ SW3d ___, 11-20-12)
as redrafted
- 13-0066 CHARLES TRINH D/B/A THYBACH, REBID, FARM & RANCH v. LANG VAN BUI, VIETNAMESE THERAVADA BUDDHIST SANGHA CONGREGATION, VTEX REALTY, INC., VTEX REALTY, INC., SOPHIA HUYNH, SEAFOOD PIER, LLC, LAND AMERICA PARTNERS TITLE COMPANY, PACIFIC INTERESTS PARTNERS, LP, CHRISTOPHER M. PHAM COMPANY, LLC, CHRISTOPHER M; from Harris County; 14th Court of Appeals District (14-11-00442-CV, ___ SW3d ___, 11-01-12)
- 13-0145 RALPH O. DOUGLAS v. LORI K. REDMOND; from Fort Bend County; 14th Court of Appeals District (14-12-00259-CV, ___ SW3d ___, 11-27-12)
- 13-0205 HABIB SURANI v. TRINITY RIVER VISION AUTHORITY; from Tarrant County; 2nd Court of Appeals District (02-12-00243-CV, ___ SW3d ___, 01-24-13)
- 13-0211 W.A. MCKINNEY v. CITY OF CEDAR HILL, TEXAS; from Dallas County; 5th Court of Appeals District (05-12-00368-CV, ___ SW3d ___, 11-29-12)
- 13-0235 ELLEN CLYDE SMITH MAY, INDIVIDUALLY AND AS CO-TRUSTEE OF THE MAY FAMILY TRUST v. THE CHARLES MAYNARD BAKER AND WANDA JEAN BAKER FAMILY TRUST, ET AL.; from Lynn County; 7th Court of Appeals District (07-11-00288-CV, ___ SW3d ___, 02-11-13)
- 13-0238 S.C. v. TEXAS DEPARTMENT OF FAMILY & PROTECTIVE SERVICES; from Bell County; 3rd Court of Appeals District (03-12-00518-CV, ___ SW3d ___, 01-10-13)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

09-1045 UNIFUND CCR PARTNERS, A PARTNERSHIP, AS ASSIGNEE OF PALISADES COLLECTION LLC v. STACY D. SMITH; from Dallas County; 5th Court of Appeals District (05-07-01449-CV, ___ SW3d ___, 08-31-09)
motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

12-0578 RAUL ADAM TREVIÑO v. LAWRENCE RAVENBURG, ET AL.; from Coryell County; 10th Court of Appeals District (10-11-00245-CV, ___ SW3d ___, 04-25-12)

12-0800 DARLENE C. BALISTRERI-AMRHEIN AND ANTHONY J. BALISTRERI v. JERRY RIECHERT, LORI RIECHERT, RE MAX NORTH CENTRAL, AGENTS DARNALL, CALKINS, WILLILAMS, PALMER, REPUBLIC OF TEXAS, FIRST AMERICAN TITLE INSURANCE COMPANY, AHI & AARON MILLER, STONEBRIDGE RANCH HOA, CMA & RTI, NEWLAND COMMUNITIES, THOMAS MURPHY, ET AL.; from Collin County; 5th Court of Appeals District (05-09-01377-CV, ___ SW3d ___, 07-31-12)

as reinstated
abatement order issued April 26, 2013, lifted
motion to sever granted

Pursuant to Texas Rule of Appellate Procedure 8.3(b), the Court severs that part of this case involving claims by and against respondent AHI & Aaron Miller from case number 12-0800 into case number 13-0308, styled *Darlene C. Balistreri-Amrhein and Anthony J. Balistreri v. AHI & Aaron Miller*. The Court abates the petition in case number 13-0308.

13-0011 JAMES L. WIATREK, and wife ELAINE R. WIATREK and GARRET J. WIATREK v. TOMMIE S. DODD, LINDA LOU CROSLAND and CARLEY H. DODD; from Wilson County; 4th Court of Appeals District (04-11-00829-CV, ___ SW3d ___, 10-31-12)

13-0024 HANFORD-SOUTHPORT, LLC v. CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE SAN ANTONIO WATER SYSTEM; from Bexar County; 4th Court of Appeals District (04-12-00009-CV, 387 SW3d 849, 11-07-12)

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

13-0087 IN RE CARL STORCK AND VICKI STORCK; from Franklin County; 6th Court of Appeals District (06-12-00073-CV, ___ SW3d ___, 08-07-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0637 IN RE WOO YOUNG MEDICAL CO., LTD.; from Wise County; 2nd Court of Appeals District (02-12-00263-CV, ___ SW3d ___, 07-27-12)

12-0779 IN RE CRIMSON EXPLORATION, INC.; from Lavaca County; 13th Court of Appeals District (13-12-00427-CV, ___ SW3d ___, 09-17-12)

13-0093 IN RE MICHAEL COLEMAN MORGAN, BOYCE GALVANIZING, LLC, and BIG SPRING HOLDINGS, LLC; from Tarrant County; 2nd Court of Appeals District (02-13-00034-CV, ___ SW3d ___, 01-31-13)

13-0213 IN RE REGINALD A. NOBLE; 3rd Court of Appeals District (03-13-00027-CV, ___ SW3d ___, 01-18-13)

13-0214 IN RE REGINALD A. NOBLE; 3rd Court of Appeals District (03-13-00029-cv, ___ SW3d ___, 01-18-13)

13-0215 IN RE REGINALD A. NOBLE; 3rd Court of Appeals District (03-13-00028-CV, ___ SW3d ___, 01-18-13)

- 13-0217 IN RE CRANSTON LAMONT PARKS; from Ector County; 11th Court of Appeals District (11-12-00367-CV, ___ SW3d ___, 01-04-13)
- 13-0219 IN RE JOE EARL THOMAS; from Victoria County; 3rd Court of Appeals District (03-12-00834-CV, ___ SW3d ___, 02-12-13)
- 13-0221 IN RE HUMBERTO LICEA; from Nueces County; 3rd Court of Appeals District (03-12-00836-CV, ___ SW3d ___, 02-12-13)
- 13-0223 IN RE PEDRO LUCIO; from Hays County; 3rd Court of Appeals District (03-13-00033-CV, ___ SW3d ___, 01-18-13)
- 13-0225 IN RE KEITH RUSSELL JUDD; from Bowie County; 6th Court of Appeals District (06-13-00012-CV, ___ SW3d ___, 03-13-13)
- 13-0231 IN RE JAIME-MENDEZ CUELLAR; from Howard County; 3rd Court of Appeals District (03-13-00001-CV, ___ SW3d ___, 02-12-13)
- 13-0237 IN RE MARY YTURRI DAHLMAN; from Bexar County; 4th Court of Appeals District (04-13-00092-CV, ___ SW3d ___, 02-13-13)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED AS MOOT:

- 13-0092 IN RE LESTER WINKLE; from Montgomery County; 9th Court of Appeals District (09-10-00109-CV, ___ SW3d ___, 03-08-12)

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

13-0286 IN RE CONOCOPHILLIPS COMPANY; from Zapata County; 4th Court of Appeals District (04-13-00089-CV, ___ SW3d ___, 04-10-13)

motion for temporary relief granted
stay order issued
response requested due by May 13, 2013

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

THE FOLLOWING CASE IS ABATED:

13-0308 DARLENE C. BALISTRERI-AMRHEIN AND ANTHONY J. BALISTRERI v. AHI & AARON MILLER; from Collin County; 5th Court of Appeals District (05-09-01377-CV, ___ SW3d ___, 07-31-12)

abatement order issued

[**Note:** Effective as of February 14, 2013, the case is abated pursuant to Tex. R. App. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. Tex. R. App. P. 8.3. All motions and other documents pending or filed are abated subject to being reurged in the event the case is reinstated. Tex. R. App. P. 8.2 and 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]

THE SUPREME COURT OF TEXAS

Orders Pronounced May 10, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 13-0078 AVASTHI & ASSOCIATES, INC. v. SHARMA DRONAMRAJU; from Harris County; 1st Court of Appeals District (01-11-00786-CV, ___ SW3d ___, 12-20-12)
- 13-0128 DAVID MELASKY v. TY WARNER; from Montgomery County; 9th Court of Appeals District (09-11-00447-CV, ___ SW3d ___, 11-29-12)
- 13-0147 ROBERT MARTINEZ v. MARIA ELENA MARTINEZ; from Hidalgo County; 13th Court of Appeals District (13-11-00542-CV, ___ SW3d ___, 02-14-13)
- 13-0148 IN THE ESTATE OF WILBUR WALDO LYNCH, DECEASED; from Kendall County; 4th Court of Appeals District (04-11-00731-CV, ___ SW3d ___, 10-17-12)
- 13-0155 BRENT ALLEN LAYTON v. SHARON ANN GRIBBLE, INDIVIDUALLY AND IN HER CAPACITY AS GUARDIAN OF THE PERSON AND ESTATE OF MICHAEL RAY GRIBBLE; from Galveston County; 14th Court of Appeals District (14-11-00856-CV, 389 SW3d 882, 12-06-12)
- 13-0182 ANNA MARIA SALINAS SAENZ, ET AL. v. ROSALINDA SALINAS BALDERAS, ET AL.; from Starr County; 4th Court of Appeals District (04-11-00873-CV, ___ SW3d ___, 01-30-13)
- 13-0189 ROSE AND THOMAS SCHURING v. FOSTERS MILL VILLAGE COMMUNITY ASSOCIATION; from Harris County; 14th Court of Appeals District (14-12-00250-CV, ___ SW3d ___, 01-15-13)

13-0241 BERNARD RENE VARGAS v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, TEXAS BOARD OF CRIMINAL JUSTICE, TEXAS BOARD OF PARDONS AND PAROLES, CHISTINA MELTON CRAIN, RISSIE OWENS, BRAD LIVINGSTON AND VANESSA JONES; from Travis County; 3rd Court of Appeals District (03-12-00119-CV, ___ SW3d ___, 11-30-12)

13-0245 KIMBERLY GAFFORD v. QUANTUM SERVICING CORPORATION; from Tarrant County; 2nd Court of Appeals District (02-12-00506-CV, ___ SW3d ___, 02-15-13)

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

12-0331 RAVEN RESOURCES, LLC v. LEGACY RESERVES OPERATING, LP; from Midland County; 11th Court of Appeals District (11-09-00348-CV, 363 SW3d 865, 03-15-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0138 IN RE WILLIAM H. WYTENBACH; from Hidalgo County; 13th Court of Appeals District (13-12-00759-CV, ___ SW3d ___, 12-18-12)

13-0244 IN RE JEFFREY LEN JACKSON; from Shelby County; 12th Court of Appeals District (12-12-00419-CV)

13-0250 IN RE EMIL LIPPE, JR., LAW OFFICES OF LIPPE & ASSOCIATES, DAVID LINE, THE LINE LAW FIRM, SUN TEC COMPUTER, INC., LIBERTY TECH COMPUTERS, INC., ADISU S. TADESSE, WON PAK, AND RONNY LUONG; from Tarrant County; 2nd Court of Appeals District (02-13-00050-CV, ___ SW3d ___, 03-11-13)

13-0251 IN RE JESUS GARCIA, JR.; 3rd Court of Appeals District (03-12-00823-CV, ___ SW3d ___, 01-18-13)

13-0311 IN RE SHREE DEEP LLC & ASHA RAM LTD. D/B/A BEST VALUE INN AND SUITES; from Comal County; 3rd Court of Appeals District (03-13-00003-CV, ___ SW3d ___, 02-21-13)

motion for emergency stay denied

motion to exceed word limits dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

12-0947 IN RE TENET HEALTHSYSTEM HOSPITALS DALLAS, INC.; from Dallas County; 5th Court of Appeals District (05-12-00711-CV, ___ SW3d ___, 06-11-12)

abatement order issued

[**Note:** Effective as of April 11, 2013, the case is abated pursuant to 11 U.S.C. § 362(a) and Tex. R. App. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. Tex. R. App. P. 8.3. All motions and other documents pending or filed are abated subject to being reurged in the event the case is reinstated. Tex. R. App. P. 8.2 and 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]

THE SUPREME COURT OF TEXAS

Orders Pronounced May 17, 2013

ORDERS ON CAUSES

11-0767 MICHAEL ROBERT TEDDER v. GARDNER ALDRICH, LLP; from Tarrant County; 2nd Court of Appeals District (02-10-00115-CV, ___ SW3d ___, 08-11-11)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Hecht delivered the opinion of the Court.

(Justice Lehrmann not sitting)

11-0772 JOSEPH E. HANCOCK v. EASWARAN P. VARIYAM; from Lubbock County; 7th Court of Appeals District (07-09-00277-CV, 345 SW3d 157, 06-16-11)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Guzman delivered the opinion of the Court.

11-0830 EL PASO COUNTY HOSPITAL DISTRICT D/B/A R.E. THOMASON GENERAL HOSPITAL, ET AL. v. TEXAS HEALTH AND HUMAN SERVICES COMMISSION AND THOMAS SUEHS, EXECUTIVE COMMISSIONER; from Travis County; 3rd Court of Appeals District (03-09-00318-CV, 351 SW3d 460, 08-04-11)

The Court affirms the court of appeals' judgment.

Justice Devine delivered the opinion of the Court.

(Justice Boyd not sitting)

11-0903 IN RE NALLE PLASTICS FAMILY LIMITED PARTNERSHIP; from Nueces County; 13th Court of Appeals District (13-11-00525-CV, ___ SW3d ___, 10-19-11)

The Court conditionally grants the writ of mandamus.

Chief Justice Jefferson delivered the opinion of the Court.

THE FOLLOWING CAUSES ARE RESET FOR ORAL ARGUMENT:

12-0728 IN THE INTEREST OF K.M.L., A CHILD; from San Jacinto County; 9th Court of Appeals District (09-11-00083-CV, ___ SW3d ___, 05-31-12)

3 petitions

[**Note:** These causes have been reset for oral argument at 9:00 a.m., June 24, 2013.]

THE FOLLOWING CAUSE IS ABATED:

11-0366 ENTERPRISE PRODUCTS PARTNERS, L.P. AND DIXIE PIPELINE COMPANY v. CATHERINE MITCHELL, ET AL.; from Harris County; 1st Court of Appeals District (01-09-00653-CV, 340 SW3d 476, 02-10-11)

joint motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until July 16, 2013, by which time the parties must file either a status report or a motion to dismiss.]

ORDERS ON PETITIONS FOR REVIEW

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

13-0321 KENNEDY HODGES, L.L.P. v. VENTURA GOBELLAN, JR. AND PAULA GOBELLAN; from Jackson County; 13th Court of Appeals District (13-12-00473-CV, ___ SW3d ___, 03-14-13)

emergency motion for temporary relief granted in part
stay order issued

[**Note:** The petition for review remains pending before this Court.]

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0449 JOHN GERMAN v. THE METHODIST HOSPITAL; from Harris County; 1st Court of Appeals District (01-09-00925-CV, 369 SW3d 333, 12-029-11)
- 13-0029 IN THE INTEREST OF H.L.F., A CHILD; from Rains County; 12th Court of Appeals District (12-11-00243-CV, ___ SW3d ___, 11-30-12)
- 13-0197 RANGER ABBOTT v. LIBERTY NATIONAL BANK; from Lamar County; 6th Court of Appeals District (06-12-00020-CV, ___ SW3d ___, 02-01-13)
- 13-0246 IN RE COMMITMENT OF SETH HILL; from Montgomery County; 9th Court of Appeals District (09-11-00593-CV, ___ SW3d ___, 02-28-13)
- 13-0255 DEBRA A. SMITH v. JAMES EAST AND TERRI BAYLESS EAST; from Williamson County; 3rd Court of Appeals District (03-11-00800-CV, ___ SW3d ___, 02-22-13)
- 13-0301 D.H., A/K/A D.T. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-12-00471-CV, ___ SW3d ___, 03-06-13)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-0992 CITY OF FORT WORTH v. CECILIA JACOBS; from Tarrant County; 2nd Court of Appeals District (02-12-00143-CV, 382 SW3d 597, 09-13-12)

motion to dismiss petition for review granted

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0796 TEXAS LAUREL RIDGE HOSPITAL, L.P. D/B/A LAUREL RIDGE TREATMENT CENTER v. MERARDO P. GARCIA AND CAROL GARCIA ON BEHALF OF THE ESTATE OF STEVEN SANTOS GARCIA, DECEASED; from Bexar County; 4th Court of Appeals District (04-12-00098-CV, ___ SW3d ___, 08-29-12)
- 12-0822 IWS GAS AND SUPPLY OF TEXAS, LTD. v. AIRGAS-SOUTHWEST, INC.; from Harris County; 1st Court of Appeals District (01-10-00938-CV, 390 SW3d 472, 08-30-12)
- 12-0859 PATRICIA FISH, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF TOBEY FISH, DECEASED v. BILLIE RUTH HODGES; from Schleicher County; 3rd Court of Appeals District (03-10-00532-CV, ___ SW3d ___, 07-12-12)
- 12-0943 MCLENNAN COUNTY APPRAISAL DISTRICT, BILLY HUBERT, RANDY RIGGS, JOHN EMBRY, IVAN GREEN AND ALLEN SYKES, IN THEIR OFFICIAL CAPACITIES AS BOARD MEMBERS OF THE MCLENNAN COUNTY APPRAISAL DISTRICT v. KAY DAVIDSON, RICHARD MARTIN AND MICHAEL JONES; from McLennan County; 10th Court of Appeals District (10-11-00061-CV, ___ SW3d ___, 08-30-12)
- 13-0105 CRAIG B. SINGER AND CAROL G. SINGER v. STATE OF TEXAS; from Denton County; 8th Court of Appeals District (08-11-00021-CV, 391 SW3d 627, 12-28-12)

MISCELLANEOUS

THE FOLLOWING DIRECT APPEAL IS DISMISSED FOR WANT OF JURISDICTION:

13-0320 ERIC FLORES v. TEXAS MEDICAL BOARD

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0021 IN RE SAXON MORTGAGE SERVICES, INC.; from Starr County; 4th Court of Appeals District (04-12-00795-CV, ___ SW3d ___, 12-05-12)

emergency motion for stay denied

13-0034 IN RE DARRYL W. RISER; from Harris County; 1st Court of Appeals District (01-12-01152-CV, ___ SW3d ___, 01-11-13)

request for emergency stay of trial court proceedings denied

13-0164 IN RE DANNY L. FISHER

13-0195 IN RE REGINALD A. NOBLE; from Dallas County; 3rd Court of Appeals District (03-13-00011-CV, ___ SW3d ___, 01-18-13)

13-0218 IN RE JOHN TRACY JOSEY; from Wise County; 2nd Court of Appeals District (02-11-00513-CR)

13-0270 IN RE JAIME MENDEZ CUELLAR; 3rd Court of Appeals District (03-13-00064-CV, ___ SW3d ___, 02-12-13)

THE SUPREME COURT OF TEXAS

Orders Pronounced May 24, 2013

ORDERS ON CAUSES

12-0032 IN THE MATTER OF L.D.C., A CHILD; from Bexar County; 4th Court of Appeals District (04-10-00855-CV, 357 SW3d 124, 11-02-11)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Hecht delivered the opinion of the Court.

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

12-0728 IN THE INTEREST OF K.M.L., A CHILD; from San Jacinto County; 9th Court of Appeals District (09-11-00083-CV, ___ SW3d ___, 05-31-12)

motion for leave to extend number of counsel appearing at oral argument denied

See Tex. R. App. P. 59.4.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

13-0134 ROMA INDEPENDENT SCHOOL DISTRICT v. NOELIA M. GUILLEN, RAUL MORENO, DAGOBERTO SALINAS & TONY SAENZ; from Starr County; 4th Court of Appeals District (04-13-00133-CV, ___ SW3d ___, 02-25-13)

motion for emergency stay denied

motion for emergency stay of summary judgment hearing denied

13-0162 I-10 COLONY INC. v. CHAO KUAN LEE AND LI YANG LEE; from Harris County; 14th Court of Appeals District (14-10-01051-CV, 393 SW3rd 467, 12-28-12)

13-0253 IN THE INTEREST OF J.A.S., JR., A CHILD; from Victoria County; 13th Court of Appeals District (13-12-00612-CV, ___ SW3d ___, 02-28-13)

2 petitions

13-0280 NEW HAMPSHIRE INSURANCE COMPANY v. MAGELLAN REINSURANCE COMPANY, LTD.; from Tarrant County; 2nd Court of Appeals District (02-11-00334-CV, ___ SW3d ___, 01-10-13)

13-0283 HERCULES OFFSHORE, INC. v. LAURA GUTHRIE; from Harris County; 1st Court of Appeals District (01-10-00968-CV, ___ SW3d ___, 02-28-13)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

12-0632 COSMETIC PROCEDURES CLINIC OF NORTH DALLAS v. JEFF AYUB; from Dallas County; 5th Court of Appeals District (05-11-01286-CV, 369 SW3d 927, 06-22-12)

abatement order issued April 23, 2013, lifted
petition reinstated
motion to dismiss granted

13-0048 LITTLE ELM PLAZA, LTD. v. STATE OF TEXAS; from Denton County; 2nd Court of Appeals District (02-11-00037-CV, ___ SW3d ___, 10-25-12)

joint motion to dismiss petition for review granted

ORDERS ON MOTIONS FOR REHEARING

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

12-0823 RAY BASALDUA v. FORESTWOODS SUBDIVISION PROPERTY OWNERS ASSOCIATION, INC.; from Medina County; 4th Court of Appeals District (04-11-00716-CV, ___ SW3d ___, 07-05-12)

13-0100 WENDELL H. TAYLOR, JR. v. LUBBOCK REGIONAL MHMR & JI TEXAS
RISK MANAGEMENT AND TEXAS DEPARTMENT OF INSURANCE
DIVISION OF WORKERS' COMPENSATION; from Lubbock County; 7th Court of
Appeals District (07-12-00232-CV, ___ SW3d ___, 01-08-13)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0135 IN RE ROMA INDEPENDENT SCHOOL DISTRICT; from Starr County; 4th Court
of Appeals District (04-13-00133-CV, ___ SW3d ___, 02-25-13)

motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced May 31, 2013

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS ABATED:

12-0308 IN RE JOHN W. COOK; MARC COOK; MARC BUMBERA; SUN DEVELOPMENT, L.L.P.; SD GP, L.L.C.; PETROLEUM WHOLESALE, L.P.; PWI GP, L.L.C.; AND J.C. CAPITAL, LP; from Travis County; 3rd Court of Appeals District (03-12-00153-CV, ___ SW3d ___, 04-10-12)

joint motion to abate granted
abatement order issued

[**Note:** This cause is removed from the Court's active docket until July 30, 2013, by which time the parties must file either a status report or a motion to dismiss.]

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0834 UNDERWRITERS SERVICE AGENCY, INC. v. ARCH REINSURANCE COMPANY; from Tarrant County; 2nd Court of Appeals District (02-10-00365-CV, ___ SW3d ___, 04-26-12)

2 petitions
joint motion to grant petitions for review, to render judgment to effectuate parties' agreement, to release supersedeas bond and to vacate the court of appeals' opinion, granted in part and denied in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petitions for review, vacates the court of appeals' judgment and remands the case to the trial court to effectuate the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-1046 JAMES ALLEN PELLOAT v. KATHERINE PELLOAT MCKAY; from Jefferson County; 9th Court of Appeals District (09-11-00643-CV, ___ SW3d ___, 11-29-12)

- 13-0140 CHARLES EDWARD GOOSBY v. ABBAS KHOSHDEL, M.D., ET AL.; from Walker County; 10th Court of Appeals District (10-12-00011-CV, ___ SW3d ___, 11-01-12)
- 13-0226 IN THE INTEREST OF W.G.O. III, A MINOR CHILD; from Tarrant County; 2nd Court of Appeals District (02-12-00059-CV, ___ SW3d ___, 01-10-13)
- 13-0248 IN RE COMMITMENT OF JAMES A. RUBIO; from Montgomery County; 9th Court of Appeals District (09-11-00602-CV, ___ SW3d ___, 02-14-13)
- 13-0256 ROBERT PRICE BRENT, IV v. ELIZABETH JANE BRENT; from Potter County; 7th Court of Appeals District (07-11-00223-CV, ___ SW3d ___, 02-21-13)
- 13-0269 IN RE COMMITMENT OF RAYNALDO C. PEREZ; from Montgomery County; 9th Court of Appeals District (09-12-00132-CV, ___ SW3d ___, 02-28-13)
- 13-0271 IN RE COMMITMENT OF JAMES RICHARDS; from Montgomery County; 9th Court of Appeals District (09-12-00133-CV, 395 SW3d 905, 03-07-13)
- 13-0274 IN RE COMMITMENT OF JUAN ANTONIO FUENTES; from Montgomery County; 9th Court of Appeals District (09-12-00187-CV, ___ SW3d ___, 02-28-13)
- 13-0307 CAROL JOHENE MORRIS v. MIDLAND CENTRAL APPRAISAL DISTRICT; from Midland County; 11th Court of Appeals District (11-13-00031-CV, ___ SW3d ___, 02-21-13)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE
OF APPELLATE PROCEDURE 9.4(i):

13-0339 LARON MEADOWS v. TARRANT COUNTY HOSPITAL DISTRICT D/B/A JPS HEALTH NETWORK; from Tarrant County; 2nd Court of Appeals District (02-12-00328-CV, ___ SW3d ___, 02-21-13)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, Misc Docket No. 11-9152 - Electronic-Filing Rules 5(b), (d), and Misc. Docket No. 12-9190 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by June 10, 2013."

ORDERS ON MOTIONS FOR REHEARING

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

12-0669 GARY RAYMOND MOORE v. CAROLINE F. MOORE; from Dallas County; 5th Court of Appeals District (05-10-00498-CV, 383 SW3d 190, 07-03-12)

13-0013 IN THE INTEREST OF L.O. AND K.O., CHILDREN; from Angelina County; 12th Court of Appeals District (12-12-00196-CV, ___ SW3d ___, 11-21-12)

13-0125 IN THE MATTER OF Z.Q.; from Harris County; 14th Court of Appeals District (14-12-00129-CV, ___ SW3d ___, 01-17-13)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0132 IN RE WILLIAM A. BOOTHE, M.D. AND WENDY J. BOOTHE; from Dallas County; 5th Court of Appeals District (05-13-00198-CV, 395 SW3d 393, 02-22-13)

emergency motion to stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced June 7, 2013

ORDERS ON CAUSES

11-0283 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS v. HEALTH CARE SERVICE CORPORATION; from Travis County; 3rd Court of Appeals District (03-09-00617-CV, ___ SW3d ___, 03-16-11)

consolidated with

11-0652 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS v. HEALTH CARE SERVICES CORPORATION; from Travis County; 3rd Court of Appeals District (03-10-00675-CV, ___ SW3d ___, 07-07-11)

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

Justice Willett delivered the opinion of the Court.

11-0933 CITY OF BELLAIRE AND ROSA LARSON v. ELBERT JOHNSON; from Harris County; 14th Court of Appeals District (14-10-00757-CV, 352 SW3d 260, 10-13-11)

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

12-0257 BENNY P. PHILLIPS, M.D. v. DALE BRAMLETT, INDIVIDUALLY AND AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF VICKI BRAMLETT, DECEASED, SHANE FULLER AND MICHAEL FULLER; from Lubbock County; 7th Court of Appeals District (07-10-00061-CV, 359 SW3d 304, 01-04-12)

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

Justice Boyd delivered the opinion of the Court.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

- 11-0630 TTHR LIMITED PARTNERSHIP D/B/A PRESBYTERIAN HOSPITAL OF DENTON v. CLAUDIA MORENO, INDIVIDUALLY AND AS NEXT FRIEND OF F.C., A MINOR; from Denton County; 2nd Court of Appeals District (02-10-00334-CV, ___ SW3d ___, 07-07-11)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 10-0567 TEXAS DEPARTMENT OF HUMAN SERVICES v. OLIVER OKOLI; from Harris County; 1st Court of Appeals District (01-07-00103-CV, 317 SW3d 800, 06-17-10)

[Note: This case has been set for oral argument at 9:00 a.m., October 9, 2013.]
Time allotted to argue: 20/20 minutes

- 12-0483 RANDY W. WILLIAMS, AS CHAPTER 7 TRUSTEE OF THE BANKRUPTCY ESTATE OF SONYA PORRETTO AND ROSEMARIE PORRETTO v. TEXAS GENERAL LAND OFFICE AND JERRY PATTERSON, IN HIS OFFICIAL CAPACITY AS TEXAS LAND COMMISSIONER; from Galveston County; 1st Court of Appeals District (01-09-00520-CV, 369 SW3d 276, 12-015-11)
motion to take judicial notice dismissed as moot

[Note: This case has been set for oral argument at 9:00 a.m., October 9, 2013.]
Time allotted to argue: 20/20 minutes

(Chief Justice Jefferson not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0710 HAL RACHAL, JR. v. LYNDA LETKIEWICZ AND RHONDA GAYLE FOSTER; from Dallas County; 5th Court of Appeals District (05-09-01396-CV, ___ SW3d ___, 07-22-11)

- 11-0974 SANGUINE GAS EXPLORATION, LLC v. EXPRO AMERICAS, LLC; from Harris County; 14th Court of Appeals District (14-10-00707-CV, 351 SW3d 915, 10-27-11)
- 12-0233 OCEANOGRAFIA, S.A. DE C.V. v. MARIANA CALDERON HERNANDEZ, MARISELA JIMENEZ, INDIVIDUALLY AND ON BEHALF OF R.M.O.J., A MINOR, ORBELINE MARQUEZ, AND MICAELA OVANDO JIMENEZ, ALL ON BEHALF OF THE ESTATE OF GUALBERTO JIMENEZ MARQUEZ, ET AL.; from Cameron County; 13th Court of Appeals District (13-10-00223-CV, ___ SW3d ___, 12-08-11)
motion to file amended reply brief granted
- 12-0315 DEVON ENERGY PRODUCTION COMPANY, L.P., BARBARA JEAN GIESER POYNTER 2004 REVOCABLE MANAGEMENT TRUST, GRAYSON MATTHEW GIESER AND LAURA LEIGH GEISER v. FRANK WOLFE, JR. AND LLANO ROYALTY, LTD.; from Johnson County; 10th Court of Appeals District (10-09-00223-CV, 382 SW3d 434, 03-14-12)
- 12-0508 BIG BIRD TREE SERVICE, INC. v. JULIAN GALLEGOS; from Dallas County; 5th Court of Appeals District (05-10-00923-CV, 365 SW3d 173, 03-22-12)
- 12-0547 SURFACE PRODUCTION SYSTEMS, INC. AND EXPRO AMERICAS, LLC v. WPS, INC.; from Harris County; 1st Court of Appeals District (01-10-00041-CV, 369 SW3d 384, 01-31-12)
- 12-0585 KILLAM RANCH PROPERTIES, LTD. v. WEBB COUNTY, TEXAS; from Webb County; 4th Court of Appeals District (04-10-00324-CV, 376 SW3d 146, 04-11-12)
- 12-0708 JO ANN E. COMBS v. KAUFMAN COUNTY, TEXAS, WAYNE GENT, JIM DELLER, GERALD ROWDEN, RAY CLARK, J.C. JACKSON, AND HAL D. JONES; from Kaufman County; 5th Court of Appeals District (05-10-00896-CV, 393 SW3d 336, 07-31-12)

- 12-0909 JUDGE CARLOS CORTEZ v. COYT RANDALL (RANDY) JOHNSTON, THE DALLAS MORNING NEWS, ALM MEDIA, LLC D/B/A THE TEXAS LAWYER AND JUDGE MARTY LOWY; from Dallas County; 6th Court of Appeals District (06-11-00089-CV, 378 SW3d 468, 09-04-12)
- 12-0949 ROBERT GREG COLLIER v. LEANNE FARRELL COLLIER; from Lubbock County; 7th Court of Appeals District (07-12-00084-CV, ___ SW3d ___, 08-30-12)
- 12-1044 GREGORY R. MATTOX AND BARBARA WILKERSON v. GRIMES COUNTY COMMISSIONERS' COURT, BETTY SHIFLETT-GRIMES COUNTY JUDGE, JOHN BERTLING -COUNTY COMMISSIONER PCT. 1, PAM FINKE-COUNTY COMMISSIONER PCT. 4; from Grimes County; 14th Court of Appeals District (14-11-00383-CV, 389 SW3d 464, 09-25-12)
- 13-0004 BILLY JACK WRIGHT v. ANITA MARSH, INDIVIDUALLY AND IN HER CAPACITY AS PERSONAL REPRESENTATIVE AND/OR INDEPENDENT EXECUTRIX OF THE ESTATE OF JERRELL E. MARSH; from Anderson County; 12th Court of Appeals District (12-10-00414-CV and 12-10-00367-CV, ___ SW3d ___, 05-09-12)
- 13-0022 ARTHUR F. PRESTON v. STEPHANIE ANN DYER; from Montgomery County; 9th Court of Appeals District (09-11-00200-CV, ___ SW3d ___, 10-29-12)
- 13-0041 IN THE INTEREST OF D.J.W.; from Harris County; 1st Court of Appeals District (01-11-00703-CV, 394 SW3d 210, 08-16-12)
- 13-0074 SONERRA RESOURCES CORPORATION v. HELMERICH & PAYNE INTERNATIONAL DRILLING COMPANY; from Harris County; 1st Court of Appeals District (01-11-00459-CV, ___ SW3d ___, 08-30-12)

- 13-0172 ADRIANA WEATHERS, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF LLOYD R. WEATHERS, DECEASED v. DR. ALBERT LOPEZ, MD AND ST. LUKE'S HOSPITAL; from Harris County; 1st Court of Appeals District (01-11-00827-CV, ___ SW3d ___, 01-10-13)
- 13-0183 THE CITY OF EL PASO, TEXAS v. MAZIE'S, L.P. AND WHITNEY PROPERTIES, L.P.; from El Paso County; 8th Court of Appeals District (08-11-00233-CV, ___ SW3d ___, 12-19-12)
- 13-0186 ISSAC SAVVAS MOLHO v. WEICHERT, REALTORS AND REICHARDT & ASSOCIATES; from Fort Bend County; 14th Court of Appeals District (14-11-00861-CV, ___ SW3d ___, 12-20-12)
- 13-0192 M.B. "BENNY" DANESHJOU, INDIVIDUALLY AND AS THE REPRESENTATIVE OF DANESHJOU COMPANY, INC. v. ROBERT H. BATEMAN AND BATEMAN/PUGH, PLLC; from Harris County; 14th Court of Appeals District (14-11-00804-CV, 396 SW3d 112, 01-17-13)
- 13-0229 STEPHEN EICHELSDORFER, D.P.M. v. SIDNEY HOLLIS AND ANGIE HOLLIS; from Harris County; 14th Court of Appeals District (14-13-00009-CV, ___ SW3d ___, 03-19-13)
- 13-0230 YOUGHIOGHENY COMMUNICATIONS–TEXAS, LLC D/B/A POCKET COMMUNICATIONS AND YOUGHIOGHENY COMMUNICATIONS–NORTHEAST, LLC D/B/A POCKET COMMUNICATIONS v. ESECURITEL HOLDINGS, LLC; from Bexar County; 4th Court of Appeals District (04-12-00302-CV, ___ SW3d ___, 12-05-12)
- 13-0259 RIESON GABRIEL v. ASSOCIATED CREDIT UNION OF TEXAS; from Galveston County; 14th Court of Appeals District (14-12-00349-CV, ___ SW3d ___, 03-07-13)

(Justice Hecht not sitting)

THE FOLLOWING PETITIONS FOR REVIEW ARE ABATED:

12-0501 TARA S. BRIGHTON F/K/A SYBIL B. KOSS v. GREGORY KOSS; from Dallas County; 5th Court of Appeals District (05-10-01613-CV, ___ SW3d ___, 03-26-12)

abatement order issued

[**Note:** This premature appeal is abated under Tex. R. App. P. 27.2, to allow the court of appeals to consider rendering a judgment making the order dismissing Brighton's appeal final. *See* Tex. R. App. P. 53.1 .]

12-1037 TUTLE & TUTLE TRUCKING, INC. v. EOG RESOURCES, INC.; from Johnson County; 10th Court of Appeals District (10-11-00062-CV, 391 SW3d 240, 11-15-12)

joint motion to abate appeal pending settlement granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until July 8, 2013, 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:

12-0129 SHEILA NEWMAN v. NATIONAL WESTERN LIFE INSURANCE COMPANY; from Parker County; 2nd Court of Appeals District (02-10-00133-CV, ___ SW3d ___, 10-13-11)

12-0407 ROSEBUD-LOTT INDEPENDENT SCHOOL DISTRICT v. BAYSYSTEMS NORTH AMERICA LLC; from Falls County; 10th Court of Appeals District (10-08-00260-CV, ___ SW3d ___, 12-21-11)

12-0592 JILES P. DANIELS, JR. v. EMPTY EYE & ASSOCIATES, L.P.; from Harris County; 14th Court of Appeals District (14-10-00115-CV, 368 SW3d 743, 05-08-12)

13-0064 STEVEN CHRISTOPHER CRAIN v. TINA MARIE CECIL, CHARLES GREGORY CECIL, CHASITY PARK AND CASTLE HILL POLICE DEPARTMENT; from Coryell County; 10th Court of Appeals District (10-12-00228-CV, ___ SW3d ___, 01-10-13)

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

13-0208 IN RE DAVID LESLIE CULVERHOUSE

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0956 IN RE SJ MEDICAL CENTER, L.L.C. D/B/A ST. JOSEPH HOSPITAL; from Harris County; 14th Court of Appeals District (14-12-00934-CV, ___ SW3d ___, 10-30-12)

motion to strike dismissed as moot

motion for leave to supplement mandamus record dismissed as moot

THE SUPREME COURT OF TEXAS

Orders Pronounced June 13, 2013

ORDERS ON PETITIONS FOR REVIEW

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

13-0415 MIKE KARLIN v. DCP MIDSTREAM, LP; from Hutchinson County; 7th Court of Appeals District (07-13-00059-CV, ___ SW3d ___, 06-06-13)

emergency motion for stay pending appeal granted
stay order issued

[**Note:** The petition for review remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced June 14, 2013

ORDERS ON CAUSES

12-0358 UNIVERSITY OF HOUSTON v. STEPHEN BARTH; from Harris County; 1st Court of Appeals District (01-06-00490-CV, 365 SW3d 438, 08-25-11)

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 dismisses the case for lack of jurisdiction.

Per Curiam Opinion

12-0744 IN THE INTEREST OF E.C.R., A CHILD; from Harris County; 1st Court of Appeals District (01-11-00791-CV, 390 SW3d 22, 03-15-12)

The Court reverses in part the court of appeals' judgment and remands the case to that court.

Chief Justice Jefferson delivered the opinion of the Court.

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS GRANTED:

12-0483 RANDY W. WILLIAMS, AS CHAPTER 7 TRUSTEE OF THE BANKRUPTCY ESTATE OF SONYA PORRETTO AND ROSEMARIE PORRETTO v. TEXAS GENERAL LAND OFFICE AND JERRY PATTERSON, IN HIS OFFICIAL CAPACITY AS TEXAS LAND COMMISSIONER; from Galveston County; 1st Court of Appeals District (01-09-00520-CV, 369 SW3d 276, 12-015-11)

unopposed motion to reset oral argument granted

[**Note:** This cause has been reset for oral argument at 9:00 a.m., November 5, 2013.]
Time allotted to argue: 20/20 minutes

(Chief Justice Jefferson not sitting)

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 10-0666 THE CITY OF ROUND ROCK, TEXAS AND ROUND ROCK FIRE CHIEF LARRY HODGE v. JAIME RODRIGUEZ AND ROUND ROCK FIRE FIGHTERS ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-09-00546-CV, 317 SW3d 871, 07-21-10)
- 11-0270 SOUTHERN CRUSHED CONCRETE, LLC v. CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-09-00873-CV, ___ SW3d ___, 11-17-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 13-0249 EDWARD D. JONES, L.P., GEOFFREY L.HALL, AND AMY S. HALL v. EVERARDO VILLAREAL; 13th Court of Appeals District (13-12-00166-CV)

2 petitions

unopposed motion to remand to the trial court to effectuate settlement agreement, being treated as a petition for review, granted in part and denied in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petitions for review. Without hearing oral argument or considering the merits, the Court vacates the court of appeal's judgment, and remands the case to the trial court for entry of a judgment pursuant to the parties' settlement agreement. The Court denies the parties' request to vacate the court of appeals' opinion.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0214 PETER LYND v. DOLLAR GENERAL MERCHANDISING, INC.; from Orange County; 9th Court of Appeals District (09-11-00057-CV, ___ SW3d ___, 01-12-12)
- 12-0667 TEXAS MEDICAL ASSOCIATION v. TEXAS BOARD OF CHIROPRACTIC EXAMINERS, YVETTE YARBROUGH, EXECUTIVE DIRECTOR AND TEXAS CHIROPRACTIC ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-10-00673-CV, 375 SW3d 464, 07-06-12)

- 12-0923 YOUNGBLOOD & ASSOCIATES, ELDON YOUNGBLOOD, HILARY YOUNGBLOOD, AND DAVID PEDERSON v. RONALD M. BENDALIN; from Dallas County; 6th Court of Appeals District (06-11-00110-CV, 381 SW3d 719, 10-02-12)
- 13-0097 CELLTEX SITE SERVICES, LTD. v. KREAGER LAW FIRM AND JAMES S. CHESLOCK; from Bexar County; 4th Court of Appeals District (04-12-00249-CV, ___ SW3d ___, 12-28-12)
- 13-0196 LEE MILLER v. ROSALIND HENDERSON, ET AL.; from Bowie County; 6th Court of Appeals District (06-12-00093-CV, ___ SW3d ___ 02-21-13)
- 13-0204 ARCADE JOSEPH COMEAUX JR. v. TDCJ-ID, ET AL.; from Walker County; 13th Court of Appeals District (13-11-00446-CV, ___ SW3d ___, 01-31-13)
- 13-0240 ALAN NEIL MCGILBERY v. DORIS FELIX MCGILBERY; from Harris County; 1st Court of Appeals District (01-11-00969-CV, ___ SW3d ___, 10-11-12)
- 13-0252 IN THE INTEREST OF S.F., A CHILD; from Nueces County; 13th Court of Appeals District (13-11-00164-CV, ___ SW3d ___, 03-07-13)
- 2 petitions
- 13-0275 DARCY SPRUELL, INDIVIDUALLY AND AS NEXT FRIEND OF C.S., A MINOR v. USA GARDENS AT VAIL LEASCO, LLC, USA GARDENS AT VAIL LLC AND INTERNACIONAL REALTY, INC.; from Denton County; 2nd Court of Appeals District (02-12-00056-CV, ___ SW3d ___, 01-31-13)

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

- 11-0881 ROBERT GENE CUNNINGHAM, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF PATRICIA MAUDINE CUNNINGHAM v. ZURICH AMERICAN INSURANCE COMPANY, ASSURANCE COMPANY OF AMERICA, AND TEXAS MEDICAL LIABILITY INSURANCE UNDERWRITING ASSOCIATION; from Tarrant County; 2nd Court of Appeals District (02-09-00177-CV, 352 SW3d 519, 09-15-11)

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

- 13-0092 IN RE LESTER WINKLE; from Montgomery County; 9th Court of Appeals District (09-10-00109-CV, ___ SW3d ___, 03-08-12)
- 13-0102 IN RE STACY L. CONNER; from Lubbock County; 7th Court of Appeals District (07-07-00148-CR, ___ SW3d ___, 04-29-09)

MISCELLANEOUS

THE FOLLOWING APPEALS FROM THE BOARD OF DISCIPLINARY APPEALS ARE DISMISSED:

- 13-0113 COMMISSION FOR LAWYER DISCIPLINE v. CYRIL O. CHUKWURAH

2 disciplinary appeals
unopposed motion to dismiss granted

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0748 IN RE HAL CREWS AND DEBRA LEITCH; from Dallas County; 5th Court of Appeals District (05-12-01144-CV, ___ SW3d ___, 08-29-12)
- stay order issued November 9, 2012, lifted

- 12-1035 IN RE LESLIE ANN TAYLOR-SCALES; from Denton County; 2nd Court of Appeals District (02-12-00477-CV, ___ SW3d ___, 12-20-12)
emergency motion for temporary relief denied
- 13-0019 IN RE PATRICIA C. DAVIS; from Harris County; 14th Court of Appeals District (14-12-00984-CV, ___ SW3d ___, 01-08-13)
motion to stay underlying proceeding denied
motion for sanctions denied
- 13-0063 IN RE GUILLERMO BENAVIDES, Z., SONIA BENAVIDES, AND BEYONDO CO., LLC; from Webb County; 4th Court of Appeals District (04-12-00646-CV, ___ SW3d ___, 12-14-12)
motion to consolidate dismissed as moot
motion to strike dismissed as moot
- 13-0065 IN RE STEPHEN LYNN RUSSELL
- 13-0083 IN RE EUGENE HENTON
- 13-0099 IN RE ROYDA JENNINGS; from Harris County; 14th Court of Appeals District (14-12-00456-CV, ___ SW3d ___, 11-02-12)
motion for temporary relief denied
- 13-0306 IN RE MANUEL A. BENAVIDES, INDIVIDUALLY AND ON BEHALF OF GM RENTALS, LTD.; from Webb County; 4th Court of Appeals District (04-12-00796-CV, ___ SW3d ___, 12-14-12)
motion to consolidate dismissed as moot
motion to strike dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

13-0266 IN RE NOEL D. ISCHY; from Concho County; 3rd Court of Appeals District (03-12-00661-CV, ___ SW3d ___, 02-28-13)

agreed motion to dismiss granted
motion for temporary relief dismissed as moot

THE FOLLOWING CASE IS ABATED:

12-0961 SAECO ELECTRIC & UTILITY, LTD. v. CHRISTOPHER D. GONZALES; from Bexar County; 4th Court of Appeals District (04-11-00305-CV, 392 SW3d 803, 10-17-12)

joint motion to abate appeal pending settlement granted

[**Note:** This case is removed from the Court's active docket until July 15, 2013, by which time the parties must file either a status report or a motion to dismiss.]

THE SUPREME COURT OF TEXAS

Orders Pronounced June 21, 2013

ORDERS ON CAUSES

10-0121 THE FINANCE COMMISSION OF TEXAS, THE CREDIT UNION COMMISSION OF TEXAS, AND TEXAS BANKERS ASSOCIATION v. VALERIE NORWOOD, ELISE SHOWS, MARYANN ROBLES-VALDEZ, BOBBY MARTIN, PAMELA COOPER, AND CARLOS RIVAS; from Travis County; 3rd Court of Appeals District (03-06-00273-CV, 303 SW3d 404, 01-08-10)
3 petitions

The Court affirms in part and reverses in part the court of appeals' judgment and renders judgment.

Justice Hecht delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Green, Justice Willett, Justice Guzman, Justice Lehrmann, Justice Boyd, and Justice Devine joined, and in Parts I and II of which Justice Johnson joined.

Justice Johnson delivered an opinion concurring in part and dissenting in part, and dissenting from the judgment.

11-0494 HOMER MERRIMAN v. XTO ENERGY, INC.; from Limestone County; 10th Court of Appeals District (10-09-00276-CV, ___ SW3d ___, 05-11-11)

The Court affirms the court of appeals judgment.

Justice Johnson delivered the opinion of the Court.

12-0198 PHILLIPS PETROLEUM COMPANY, GPM GAS CORPORATION, PHILLIPS GAS MARKETING COMPANY, PHILLIPS GAS COMPANY, AND GPM GAS TRADING COMPANY v. ROYCE YARBROUGH; from Fort Bend County; 14th Court of Appeals District (14-11-00944-CV, ___ SW3d ___, 01-24-12)

- consolidated for oral argument with -

12-0199 IN RE CONOCOPHILLIPS COMPANY F/K/A PHILLIPS PETROLEUM COMPANY, DCP MIDSTREAM, LP F/K/A GPM GAS CORPORATION, CONOCOPHILLIPS GAS COMPANY F/K/A PHILLIPS GAS COMPANY, AND DCP MIDSTREAM MARKETING, LLC F/K/A GPM GAS TRADING COMPANY; from Fort Bend County; 14th Court of Appeals District (14-11-01004-CV, ___ SW3d ___, 01-24-12)

petition for writ of mandamus dismissed as moot

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

Justice Lehrmann delivered the opinion of the Court.

12-0357 CHCA WOMAN'S HOSPITAL, L.P. D/B/A THE WOMAN'S HOSPITAL OF TEXAS AND WOMAN'S HOSPITAL OF TEXAS, INC. v. SCOTT LIDJI AND ANGELA LIDJI, AS NEXT FRIENDS OF R.L., A MINOR; from Harris County; 1st Court of Appeals District (01-11-00879-CV, 369 SW3d 488, 03-22-12)

motion for leave to file surreply granted

motion to dismiss denied

stay order issued May 14, 2012, lifted

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

11-0104 KOPFLOW DEVELOPMENT, INC. v. THE CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-09-00403-CV, 335 SW3d 288, 11-03-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

12-0804 GARY WAYNE JASTER v. COMET II CONSTRUCTION, INC., JOE H. SCHNEIDER, LAURA H. SCHNEIDER AND AUSTIN DESIGN GROUP; from Hays County; 3rd Court of Appeals District (03-10-00191-CV, 382 SW3d 554, 08-31-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 9, 2013.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0619 TITUS REGIONAL MEDICAL CENTER v. GLENNA VIRGINIA ROACH; from Titus County; 6th Court of Appeals District (06-11-00022-CV, ___ SW3d ___, 06-24-11)

12-0542 IN THE INTEREST OF S.G.E.; from Montgomery County; 9th Court of Appeals District (09-11-00191-CV, ___ SW3d ___, 05-17-12)

unopposed motion to supplement record dismissed as moot

12-0548 KENNETH BECKER v. CARLA HAHN CLARDY; from Bell County; 3rd Court of Appeals District (03-10-00376-CV, ___ SW3d ___, 12-22-11)

12-0880 SPENCE KERRIGAN, INDIVIDUALLY AND AS ATTORNEY-IN-FACT FOR KATHLEEN KERRIGAN v. MEMORIAL HERMANN HOSPITAL SYSTEM D/B/A MEMORIAL HERMANN MEMORIAL CITY HOSPITAL; from Harris County; 14th Court of Appeals District (14-11-00880-CV; 14-11-00890-CV, ___ SW3d ___, 08-28-12)

12-1005 KATHY GOLLA v. CANINE, INC.; from Dallas County; 5th Court of Appeals District (05-10-00221-CV, ___ SW3d ___, 07-09-12)

as redrafted

13-0035 ST. JOSEPH REGIONAL HEALTH CENTER v. MIKE HOPKINS AND DAVID HOPKINS AS HEIRS OF ELIZABETH DEEVERS; from Brazos County; 10th Court of Appeals District (10-11-00306-CV, 393 SW3d 885, 12-06-12)

13-0263 IN THE INTEREST OF H.D.B.-M., A CHILD.; from McLennan County; 10th Court of Appeals District (10-12-00423-CV, ___ SW3d ___, 02-28-13)

13-0284 GEORGE E. DIXON v. CARMEN NANCE SANDERS; from Galveston County; 1st Court of Appeals District (01-12-00655-CV, ___ SW3d ___, 02-26-13)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

13-0374 DARLENE C. AMRHEIN v. LA MADELEINE, INC.; from Dallas County; 6th Court of Appeals District (06-12-00107-CV, ___ SW3d ___, 03-06-13)

motion to exceed length of amended petition for review denied

The Court strikes the amended petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 9.4(i) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by July 1, 2013."

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF JURISDICTION:

- 13-0383 JOHN RADY v. THE SECRETARY OF VETERAN'S AFFAIRS; from Travis County; 3rd Court of Appeals District (03-12-00076-CV, ___ SW3d ___, 01-15-13)
- 13-0395 MICHAEL EMMOTT v. JOHN BOUDREAUX; from Harris County; 1st Court of Appeals District (01-12-00951-CV, ___ SW3d ___, 01-10-13)
- motion to dismiss for lack of jurisdiction dismissed as moot

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

- 12-0620 RAHUL K. NATH, M.D. v. TEXAS CHILDREN'S HOSPITAL AND BAYLOR COLLEGE OF MEDICINE; from Harris County; 14th Court of Appeals District (14-11-00034-CV, 375 SW3d 403, 06-26-12)
- denial of petition for review on December 14, 2012, withdrawn
 petition reinstated

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

- 12-0914 HIRING PARTNERS, INC. v. LAZER SPOT, INC.; from Lamar County; 6th Court of Appeals District (06-12-00044-CV, 387 SW3d 40, 10-18-12)
- 12-1028 AUSTIN JOCKEY CLUB, LTD. v. DALLAS CITY LIMITS PROPERTY CO., L.P.; from Dallas County; 5th Court of Appeals District (05-11-00140-CV, ___ SW3d ___, 07-11-12)
- 12-1045 STEPHANIE MORRIS v. INWOOD ON THE PARK APT.; from Dallas County; 5th Court of Appeals District (05-11-01042-CV, ___ SW3d ___, 08-23-12)

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

13-0141 IN RE CURTIS LEE SHEPPHARD, JR.; from Wichita County; 2nd Court of Appeals District (02-13-00011-CV, ___ SW3d ___, 01-11-13)

13-0163 IN RE DONOVAN DWIGHT SIMMS; from Anderson County; 12th Court of Appeals District (12-12-00193-CV, ___ SW3d ___, 06-13-12)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

13-0273 IN RE DONALD R. BEELER, SR.; from Hardin County; 9th Court of Appeals District (09-12-00531-CV, 394 SW3d 800, 01-24-13)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0347 IN RE JOHN S. MORGAN AND JOHN S. MORGAN, P.C., D/B/A MORGAN LAW FIRM; from Hardin County; 9th Court of Appeals District (09-13-00095-CV, ___ SW3d ___, 03-14-13)

13-0363 IN RE KENNETH N. NEU; from Tarrant County

THE SUPREME COURT OF TEXAS

Orders Pronounced June 28, 2013

ORDERS ON CAUSES

11-0228 BYRON D. NEELY, INDIVIDUALLY AND BYRON D. NEELY, M.D., P.A. v. NANCI WILSON, CBS STATIONS GROUP OF TEXAS, L.P., D/B/A KEYE-TV AND VIACOM, INC.; from Travis County; 3rd Court of Appeals District (03-08-00495-CV, 331 SW3d 900, 02-09-11)

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

Justice Guzman delivered the opinion of the Court, in which Justice Johnson, Justice Willett, Justice Boyd, and Justice Devine joined.

Chief Justice Jefferson delivered a dissenting opinion, in which Justice Green and Justice Lehrmann joined.

(Justice Hecht not sitting)

11-0778 THE CITY OF HOUSTON, TEXAS v. ROGER BATES, MICHAEL L. SPRATT AND DOUGLAS SPRINGER; from Harris County; 14th Court of Appeals District (14-10-00542-CV, ___ SW3d ___, 08-16-11)

The Court affirms in part and reverses in part the court of appeals' judgment and renders judgment.

Justice Green delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Johnson, Justice Willett, and Justice Devine joined; in which Justice Hecht and Justice Lehrmann joined as to Parts I and II.A; and in which Justice Guzman and Justice Boyd joined as to Parts I and II.B.

Justice Hecht delivered an opinion concurring in part and dissenting in part, in which Justice Lehrmann joined.

Justice Guzman delivered an opinion concurring in part and dissenting in part, in which Justice Boyd joined.

11-0796 THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS v. RICHARD LYNN SCHOLER; from Clay County; 2nd Court of Appeals District (02-10-00159-CV, 352 SW3d 48, 06-02-11)

The Court reverses the court of appeals' judgment and reinstates the judgment of the trial court.

Chief Justice Jefferson delivered the opinion of the Court.

12-0451 PM MANAGEMENT-TRINITY NC, LLC D/B/A TRINITY CARE CENTER v. MICHAEL KUMETS, PAVEL KUMETS, AND STRUL KUMETS, INDIVIDUALLY AND AS NEXT FRIEND FOR YEVGENIYA KUMETS; from Williamson County; 3rd Court of Appeals District (03-11-00313-CV, 368 SW3d 711, 04-20-12)

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 remands the case to the trial court.

Per Curiam Opinion

12-0627 JUSTIN CURTIS NALL, ROBERT W. NALL, AND OLGA L. NALL v. JOHN B. PLUNKETT; from Fort Bend County; 14th Court of Appeals District (14-11-00356-CV, 374 SW3d 584, 06-26-12)

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 reinstates the trial court's judgment.

Per Curiam Opinion

12-0718 STATE OF TEXAS v. \$1,760.00 IN UNITED STATES CURRENCY, 37 "8" LINER MACHINES; from Tarrant County; 2nd Court of Appeals District (02-11-00391-CV, 372 SW3d 277, 06-21-12)

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 reinstates the trial court's judgment.

Per Curiam Opinion

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

11-0311 NELDA GONZALES v. SOUTHWEST OLSHAN FOUNDATION REPAIR COMPANY, LLC, D/B/A OLSHAN FOUNDATION REPAIR COMPANY; from Bexar County; 4th Court of Appeals District (04-09-00232-CV, 345 SW3d 431, 01-19-11)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

12-0617 UNION CARBIDE CORPORATION v. DAISY E. SYNATZSKE AND GRACE ANNETTE WEBB, INDIVIDUALLY AND AS REPRESENTATIVES AND CO-EXECUTRIXES OF THE ESTATE OF JOSEPH EMMITE, SR., JOSEPH EMMITE, JR., DOROTHY A. DAY, VERA J. GIALMALVA AND JAMES R. EMMITE; from Harris County; 1st Court of Appeals District (01-09-01141-CV, 386 SW3d 278, 06-28-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 10, 2013.]

Time allotted to argue: 20/20 minutes

12-0839 AMEDISYS, INC. D/B/A AMEDISYS TEXAS, LTD. v. KINGWOOD HOME HEALTH CARE, LLC D/B/A HEALTH SOLUTIONS HOME HEALTH; from Harris County; 14th Court of Appeals District (14-11-00368-CV, 375 SW3d 397, 06-26-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 10, 2013.]

Time allotted to argue: 20/20 minutes

12-0968 IN THE INTEREST OF SMR, GJR, AND CNR, CHILDREN; from Harris County; 1st Court of Appeals District (01-10-00999-CV, ___ SW3d ___, 06-14-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 11, 2013.]
Time allotted to argue: 20/20 minutes

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

12-0163 IN RE MARK FISHER AND REECE BOUDREAUX; from Wise County; 2nd Court of Appeals District (02-11-00013-CV, ___ SW3d ___, 02-01-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 10, 2013.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0289 HMC HOTEL PROPERTIES II LIMITED PARTNERSHIP AND HOST HOTELS & RESORTS, INC. F/K/A HOST MARRIOTT CORPORATION AND HOST HOTELS & RESORTS, L.P. F/K/A HOST MARRIOTT, L.P. v. KEYSTONE-TEXAS PROPERTY HOLDING CORPORATION; from Bexar County; 4th Court of Appeals District (04-10-00620-CV, ___ SW3d ___, 11-23-11)

12-0707 SHEDRICK CHANDLER v. CSC APPLIED TECHNOLOGIES, L.L.C.; from Harris County; 1st Court of Appeals District (01-10-00667-CV, 376 SW3d 802, 07-12-12)

12-0828 CITY OF MISSION, TEXAS v. ALEJANDRO GONZALEZ; from Hidalgo County; 13th Court of Appeals District (13-10-00688-CV, ___ SW3d ___, 08-30-12)

13-0077 PHILLIP HINSON AND DON SIRATT v. WILLIAM J. KELLY, ARIEL I. QUIROS, AND TECHNO TREE INTERNATIONAL, LLC; from Tarrant County; 2nd Court of Appeals District (02-12-00058-CV, 387 SW3d 906, 11-21-12)

- 13-0115 MARK RILEY v. ROMAN ALPERT, DANIEL ALPERT, AND LINDA STANLEY, AS SUCCESSOR TRUSTEE OF THE ROMAN MERKER ALPERT TRUST AND THE DANIEL ALPERT TRUST; from Harris County; 1st Court of Appeals District (01-11-00430-CV, ___ SW3d ___, 07-26-12)
- 13-0212 KIRK WAYNE MCBRIDE, SR. v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE—CORRECTIONAL INSTITUTIONS DIVISION, ET AL.; from Anderson County; 12th Court of Appeals District (12-11-00117-CV, ___ SW3d ___, 01-16-13)
- 13-0220 HERBERT LAWRENCE POLINARD v. E.M. GILMORE, JR. AND R.J. HAYES; from Bexar County; 4th Court of Appeals District (04-12-00061-CV, ___ SW3d ___, 10-31-12)
- 13-0282 DEAN A. SMITH SALES, INC. D/B/A THE DEAN GROUP v. METAL SYSTEMS, INC.; from Collin County; 5th Court of Appeals District (05-11-01449-CV, 397 SW3d 305, 03-05-13)
- 13-0297 SHIRLEY MARTINEZ AND RICHARD MARTINEZ v. HOUSTON MCLANE COMPANY, LLC D/B/A HOUSTON ASTROS BASEBALL CLUB; from Harris County; 1st Court of Appeals District (01-12-00433-CV, ___ SW3d ___, 03-12-13)
- 13-0305 KANSAS CITY SOUTHERN RAILWAY COMPANY AND JOSE JUAREZ v. LUZ CHAVEZ, INDIVIDUALLY AND AS THE REPRESENTATIVE OF THE ESTATES OF RUDOLPH CHAVEZ, SR., (DECEASED) AND RUDOLPH CHAVEZ, JR. (DECEASED), AND AS NEXT FRIEND OF J.C., DARLENE CHAVEZ, ALLEN CHAVEZ, FRANCISCO CHAVEZ AND CELIA CHAVEZ; from Webb County; 4th Court of Appeals District (04-11-00697-CV, ___ SW3d ___, 02-13-13)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0027 IN RE TEREX USA, L.L.C., TEREX DEMAG GMBH, TEREX DEMAG GMBH & CO. KG AND TEREX CORPORATION; from Nueces County; 13th Court of Appeals District (13-12-00738-CV, ___ SW3d ___, 01-04-13)
emergency motion to stay denied

13-0137 IN RE WILLIAM H. WYTTENBACH; from Hidalgo County; 13th Court of Appeals District (13-12-00758-CV, ___ SW3d ___, 12-18-12)

13-0139 IN RE WILLIAM H. WYTTENBACH; from Hidalgo County; 13th Court of Appeals District (13-12-00760-CV, ___ SW3d ___, 12-18-12)

13-0340 IN RE JERRY WAYNE JOHNSON; from Travis County; 3rd Court of Appeals District (03-13-00106-CV, ___ SW3d ___, 03-13-13)

13-0447 IN RE DENTISTRY OF BROWNSVILLE, P.C.; from Hidalgo County; 13th Court of Appeals District (13-13-00250-CV, ___ SW3d ___, 06-04-13)
motion to stay proceedings dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF INJUNCTION IS DENIED:

13-0474 IN RE NORTH FOREST INDEPENDENT SCHOOL DISTRICT, ET AL.; from Travis County; 3rd Court of Appeals District (03-13-00436-CV, ___ SW3d ___, 06-24-13)
emergency relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced July 5, 2013

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS DISMISSED:

- 12-0308 IN RE JOHN W. COOK; MARC COOK; MARC BUMBERA; SUN DEVELOPMENT, L.L.P.; SD GP, L.L.C.; PETROLEUM WHOLESALE, L.P.; PWI GP, L.L.C.; AND J.C. CAPITAL, LP; from Travis County; 3rd Court of Appeals District (03-12-00153-CV, ___ SW3d ___, 04-10-12)
abatement order issued May 31, 2013, lifted
joint motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

- 12-0961 SAECO ELECTRIC & UTILITY, LTD. v. CHRISTOPHER D. GONZALES; from Bexar County; 4th Court of Appeals District (04-11-00305-CV, 392 SW3d 803, 10-17-12)
abatement order issued June 14, 2013, lifted
joint motion to lift abatement, reverse without regard to the merits, and remand to the trial court to effectuate settlement agreement granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without hearing oral argument or considering the merits, the Court grants the motion for rehearing and the petition for review, vacates the judgments of the trial court and court of appeals, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

THE SUPREME COURT OF TEXAS

Orders Pronounced July 11, 2013

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

13-0315 IN RE TERRI COX FERGUSON; from Harris County; 1st Court of Appeals
District (01-12-00607-CV, ___ SW3d ___, 03-12-13)

agreed motion to dismiss granted

THE SUPREME COURT OF TEXAS

Orders Pronounced July 12, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 13-0316 IN THE INTEREST OF C.B.B., A CHILD; from Smith County; 12th Court of Appeals District (12-12-00106-CV, ___ SW3d ___, 03-13-13)
- 13-0352 NKRUMAH CHRISTOPHER CYNTJE v. CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-12-00829-CV, ___ SW3d ___, 03-20-13)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0625 MIGUEL ANGEL GONZALEZ GUILBOT, CARLOS A. GONZALEZ GUILBOT AND MARIA ROSA DEL ARENAL DE GONZALEZ v. MARIA DEL CARMEN GUILBOT SERROS DE GONZALEZ, ET AL.; from Harris County; 14th Court of Appeals District (14-10-01149-CV, ___ SW3d ___, 03-29-12)
- 12-0970 IN THE MATTER OF THE GUARDIANSHIP OF V.A.; from Bexar County; 4th Court of Appeals District (04-11-00058-CV, 390 SW3d 414, 05-16-12)
- 13-0061 GRACIE E. MCBROOM v. WAYNE DICKINSON, PRESIDENT AND CEO, AND METAL BUILDING COMPONENTS, INTERNATIONAL; from Harris County; 14th Court of Appeals District (14-12-00866-CV, ___ SW3d ___, 11-20-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0119 IN RE EVEREST NATIONAL INSURANCE COMPANY, GALLAGHER
BASSETT SERVICES, INC. AND CHERYL VERGE; from Hays County; 3rd Court
of Appeals District (03-12-00750-CV, ___ SW3d ___, 01-18-13)
motion for emergency stay denied

13-0367 IN RE PAMELA HOLBROOK; from Ector County; 11th Court of Appeals District
(11-13-00141-CV, ___ SW3d ___, 05-09-13)
request for emergency temporary relief denied

13-0379 IN RE ANTHONY W. SPENCER

13-0402 IN RE JOSE BLAS DE LA CERDA; from Anderson County; 12th Court of Appeals
District (12-12-00149-CV, ___ SW3d ___, 02-06-13)

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

13-0362 IN RE EMEX HOLDINGS L.L.C.; from Hidalgo County; 13th Court of Appeals
District (13-11-00145-CV, ___ SW3d ___, 04-18-13)

motion to stay trial court proceedings granted
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced July 19, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 13-0160 IN THE MATTER OF H.T.S., A JUVENILE; from Bexar County; 4th Court of Appeals District (04-11-00847-CV, ___ SW3d ___, 12-31-12)
- 13-0272 FIRE INSURANCE EXCHANGE v. JUDY KENNEDY; from Tarrant County; 2nd Court of Appeals District (02-11-00437-CV, ___ SW3d ___, 01-31-13)
- 13-0285 KAMAL S. KADI v. AUTUMN CHASE TOWNHOMES OWNER'S ASSOCIATION, INC.; from Harris County; 1st Court of Appeals District (01-10-00487-CV, ___ SW3d ___, 08-09-12)
- 13-0351 CLINTON BRUNSON, M.D. v. ELLVAN JOHNSTON; from Tarrant County; 2nd Court of Appeals District (02-12-00122-CV, ___ SW3d ___, 01-17-13)
- 13-0359 SHALANDA D. MOORE AND JOSEPH R. WILLIE, II v. RIECKE BAUMANN; from Travis County; 3rd Court of Appeals District (03-11-00896-CV, ___ SW3d ___, 04-05-13)
- 13-0360 TIAN JIA v. XU HUA; from Harris County; 14th Court of Appeals District (14-12-01165-CV, ___ SW3d ___, 03-21-13)

13-0413 VINCENT WHITEHEAD v. BULLDOG BATTERY CORPORATION; from Collin County; 5th Court of Appeals District (05-12-00449-CV, 400 SW3d 115, 03-26-13)

13-0426 LINDA LEWIS AND ALICIA LEWIS v. WAXAHACHIE DAILY LIGHT, ET AL.; from Ellis County; 10th Court of Appeals District (10-12-00070-CV, ___ SW3d ___, 05-02-13)

13-0433 RICARDO A. RODRIGUEZ v. HENRY E. RUIZ, M.D.; from Hidalgo County; 13th Court of Appeals District (13-12-00789-CV, ___ SW3d ___, 03-07-13)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

13-0519 VERN CANNON v. MBCI, A DIVISION OF NCI GROUP, INC.; from Harris County; 14th Court of Appeals District (14-11-00895-CV, ___ SW3d ___, 04-30-13)

abatement order issued

[**Note:** Effective as of June 6, 2013, the case is abated pursuant to Tex. R. App. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. Tex. R. App. P. 8.3. All motions and other documents pending or filed are abated subject to being reargued in the event the case is reinstated. Tex. R. App. P. 8.2 and 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]

THE ABATEMENT ORDER IS EXTENDED IN THE FOLLOWING PETITION FOR REVIEW:

12-1037 TUTTLE & TUTTLE TRUCKING, INC. v. EOG RESOURCES, INC.; from Johnson County; 10th Court of Appeals District (10-11-00062-CV, 391 SW3d 240, 11-15-12)

motion to continue abatement of appeal pending settlement granted
abatement order issued

[**Note:** This case remains removed from the Court's active docket until August 19, 2013, by which time the parties must file either a status report or a motion to dismiss.]

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0411 IN RE DAVID CARL WORMINGTON; from Harris County; 14th Court of Appeals District (14-13-00231-CV; 14-12-00005-CV, ___ SW3d ___, 03-26-13)

THE SUPREME COURT OF TEXAS

Orders Pronounced July 26, 2013

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 13-0300 IN RE THE COMMITMENT OF DANIEL BOCANEGRA, JR.; from Montgomery County; 9th Court of Appeals District (09-11-00002-CV, ___ SW3d ___, 01-31-13)
- 13-0327 TINA AND LARRY PATTERSON v. CITY OF BELLMEAD; from McLennan County; 10th Court of Appeals District (10-12-00357-CV, ___ SW3d ___, 03-21-13)
- 13-0331 CODY ALAN MCADAMS v. KERRI DAWN DUNBAR; from Jefferson County; 9th Court of Appeals District (09-12-00331-CV, ___ SW3d ___, 01-24-13)
- 13-0365 LEONARD LEVINE AND HENRY CANTU, A PARTNERSHIP STYLED BEST ONE v. UNIQUE BEVERAGE COMPANY, DALE PAPPAS, ATKINSON CRAWFORD SALES, CO, and SCOTT GIBBONS; from Dallas County; 5th Court of Appeals District (05-11-01467-CV, ___ SW3d ___, 03-19-13)
- 13-0441 KENNETH WASHINGTON, AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF CLINTON WASHINGTON v. MICAELA E. LIEM AND TRUMPS, INC.; from Harris County; 1st Court of Appeals District (01-11-00924-CV, ___ SW3d ___, 04-11-13)

ORDERS ON MOTIONS FOR REHEARING

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

12-0508 BIG BIRD TREE SERVICE, INC. v. JULIAN GALLEGOS; from Dallas County; 5th Court of Appeals District (05-10-00923-CV, 365 SW3d 173, 03-22-12)

13-0307 CAROL JOHENE MORRIS v. MIDLAND CENTRAL APPRAISAL DISTRICT; from Midland County; 11th Court of Appeals District (11-13-00031-CV, ___ SW3d ___, 02-21-13)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0191 IN RE ROSHON DASHEN DAVIS; from Dallas County; 5th Court of Appeals District (05-13-00322-CV, ___ SW3d ___, 03-11-13)
as redrafted
motion for emergency relief denied

13-0524 IN RE REGINALD STEVENSON AND DIANE STEVENSON; from Jefferson County; 9th Court of Appeals District (09-13-00229-CV, ___ SW3d ___, 06-13-13)
motion for emergency relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

13-0457 IN RE TRAMAINE CHARGOIS SINGLETON F/K/A TRAMAINE
CHARGOIS; from Harris County; 14th Court of Appeals District (14-13-
00525-CV, ___ SW3d ___, 06-18-13)

The Court strikes the petition for writ of mandamus with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 52.3(k), and Misc. Docket No. 11-9152 - Electronic-Filing Rules 5 and is struck."

THE SUPREME COURT OF TEXAS

Orders Pronounced August 2, 2013

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

11-0778 THE CITY OF HOUSTON, TEXAS v. ROGER BATES, MICHAEL L. SPRATT AND DOUGLAS SPRINGER; from Harris County; 14th Court of Appeals District (14-10-00542-CV, ___ SW3d ___, 08-16-11)
joint motion to expedite issuance of mandate granted

THE FOLLOWING CAUSES ARE ABATED:

10-0927 RIO GRANDE REGIONAL HOSPITAL, INC. AND COLUMBIA RIO GRANDE HEALTHCARE, L.P. D/B/A RIO GRANDE REGIONAL HOSPITAL v. DIANA LOPEZ VILLARREAL, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF HERMES VILLARREAL, DECEASED, AND AS NEXT FRIEND OF SARAH VILLARREAL, LAUREN VILLARREAL, AND HERMES ALEJANDRO VILLARREAL, MINORS, AND HERMELINDA VILLARREAL, INDIVIDUALLY; from Hidalgo County; 13th Court of Appeals District (13-08-00542-CV, 329 SW3d 594, 09-30-10)
joint motion to abate appeal and permit proceedings in the trial court to effectuate settlement agreement granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until October 31, 2013, by which time the parties must file either a status report or a motion to dismiss.]

11-0366 ENTERPRISE PRODUCTS PARTNERS, L.P. AND DIXIE PIPELINE COMPANY
v. CATHERINE MITCHELL, ET AL.; from Harris County; 1st Court of Appeals
District (01-09-00653-CV, 340 SW3d 476, 02-10-11)
abatement order issued

[**Note:** The Court's abatement order of May 17, 2013 expired
by its own terms on July 16, 2013. The abatement is extended
until October 1, 2013 by which time the parties must file
either a status report or a motion to dismiss.]

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 13-0260 GWENDOLYN JEANNETTE WATEL v. DUMANN REALTY, LLC; from Dallas
County; 5th Court of Appeals District (05-12-00938-CV, ___ SW3d ___, 11-8-12)
- 13-0323 GLORIA OCHOA v. UNIVERSITY OF TEXAS SYSTEM; from Travis County; 3rd
Court of Appeals District (03-11-00596-CV, ___ SW3d ___, 12-21-12)
- 13-0378 ABEL M. SILLER, ENRIQUETA SILLER, MARIO M. SILLER, ANGELINA
SILLER, SANTIAGO SILLER AND VIRGINIA SILLER v. LPP MORTGAGE,
LTD; from La Salle County; 4th Court of Appeals District (04-11-00496-CV, ___
SW3d ___, 04-10-13)
- 13-0381 JIM RYMES, CAROL RYMES, DOUG VAUGHN, BETTY VAUGHN, JOE
CRAMER, PATSY CRAMER AND FRANK SCHULTZ v. CARIBBEAN
COWBOY, LLC D/B/A CARIBBEAN COWBOY RV RESORT; from Bandera
County; 4th Court of Appeals District (04-12-00032-CV, ___ SW3d ___, 01-30-13)
- 13-0382 REBECCA DES ROCHERS v. JOHN W. THOMAS, M.D. AND SOUTH TEXAS
RADIOLOGY GROUP; from Bexar County; 4th Court of Appeals District (04-12-
00120-CV, ___ SW3d ___, 03-27-13)
- 13-0387 JIMMY D. BRUNSON AND CARLA A. BRUNSON v. CHRISTIAN YOUTH
FOUNDATION D/B/A DISCIPLES CROSSING CAMP AND CONFERENCE
CENTER; from Henderson County; 12th Court of Appeals District (12-12-00186-CV,
___ SW3d ___, 04-17-13)
- 13-0392 LAWRENCE HIGGINS v. DAVID BLOUNT, CINDY EVANS AND DAVID
GLEASON; from Randall County; 7th Court of Appeals District (07-12-00093-CV,
___ SW3d ___, 05-17-13)

13-0420 HARVELLA JONES v. VILLAGES OF TOWN CENTER OWNERS ASSOCIATION, INC.; from Fort Bend County; 14th Court of Appeals District (14-12-00306-CV, ___ SW3d ___, 06-06-13)

13-0461 CHRIS TRAYLOR, COMMISSIONER OF THE TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES, AND TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES v. OAKVIEW HEALTHCARE RESIDENCE, LTD. D/B/A OAKVIEW HEALTHCARE RESIDENCE; from Travis County; 3rd Court of Appeals District (03-12-00072-CV, ___ SW3d ___, 03-08-13)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

13-0398 ADRIENNE GALLIEN v. GOOSE CREEK CONSOLIDATED INDEPENDENT SCHOOL DISTRICT; from Harris County; 14th Court of Appeals District (14-11-0938-CV, ___ SW3d ___, 03-19-13)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 53.2(k)(1) and Misc. Docket No. 12-9190 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by August 12, 2013."

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

13-0530 FREDRICK-MARSHAL: VAN HORN v. C. PAUL KEEFER, THE ESTATE OF JEWEL KEEFE, DECEASED, SAMUEL P. CAMPO, AND MICHA J. CAMPO; from Ellis County; 10th Court of Appeals District (10-12-00106-CV, ___ SW3d ___, 11-01-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0547 SURFACE PRODUCTION SYSTEMS, INC. AND EXPRO AMERICAS, LLC v. WPS, INC.; from Harris County; 1st Court of Appeals District (01-10-00041-CV, 369 SW3d 384, 01-31-12)
- 12-0807 HEADWATERS COALITION, INC., A SPONSORED MINISTRY OF THE CONGREGATION OF SISTERS OF CHARITY OF THE INCARNATE WORD AND THE RIVER ROAD NEIGHBORHOOD ASSOCIATION v. CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-11-00344-CV, 381 SW3d 543, 04-25-12)
- 13-0245 KIMBERLY GAFFORD v. QUANTUM SERVICING CORPORATION; from Tarrant County; 2nd Court of Appeals District (02-12-00506-CV, ___ SW3d ___, 02-15-13)
- 13-0252 IN THE INTEREST OF S.F., A CHILD; from Nueces County; 13th Court of Appeals District (13-11-00164-CV, ___ SW3d ___, 03-07-13)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 13-0481 IN RE SARA VILLARREAL, INDIVIDUALLY AND AS NEXT FRIEND OF CARLOTA MARTINEZ, MINOR, AND ROSALINDA GODINO MEDEL, INDIVIDUALLY AND ROSALINDA GODINO MEDEL AND ALVARO J. MEDEL, ON BEHALF OF THE ESTATE OF KAREN MEDEL; from Zapata County; 4th Court of Appeals District (04-12-00140-CV, ___ SW3d ___, 11-14-12)
- 13-0485 IN RE ALBERTO ROMAN GONZALEZ; 4th Court of Appeals District (04-13-00232-CV, ___ SW3d ___, 04-24-13)
- 13-0486 IN RE ALBERT RIGSBAY; from Grayson County; 5th Court of Appeals District (05-13-00549-CV, 05-13-00550-CV, 05-13-00551-CV, ___ SW3d ___, 05-07-13)

THE SUPREME COURT OF TEXAS

Orders Pronounced August 9, 2013

ORDERS ON CAUSES

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS DENIED:

11-0709 KIA MOTORS CORPORATION AND KIA MOTORS AMERICA, INC. v. LAWRENCE RUIZ (INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ANDREA RUIZ), SHENEQUA RUIZ, CHRISTOPHER RUIZ, AND SUZANNA RUIZ; from Dallas County; 5th Court of Appeals District (05-10-00198-CV, 348 SW3d 465, 08-05-11)

(Justice Boyd not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0561 LAMBERT ADUMEKWE v. NEW HAMPSHIRE INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-12-00169-CV, ___ SW3d ___, 04-11-13)

13-0393 JUAN ALFREDO MARTINEZ v. ARTHUR BECKWITH D/B/A B&B FARMS; from Hidalgo County; 13th Court of Appeals District (13-12-00498-CV, ___ SW3d ___, 04-18-13)

13-0419 WILLIAM DAVID GOLDEN v. JANET SUE GOLDEN; from Harris County; 1st Court of Appeals District (01-09-00735-CV, ___ SW3d ___, 02-07-13)

13-0470 MUHAMMAD RAMZAN KHAN v. FIRST MARK CREDIT UNION; from Wilson County; 4th Court of Appeals District (04-12-00465-CV, ___ SW3d ___, 05-22-13)

13-0498 MAXINE ADAMS AND CECIL ADAMS v. REBECCA ROSS; from Harris County; 1st Court of Appeals District (01-11-00098-CV, ___ SW3d ___, 03-21-13)

ORDERS ON MOTIONS FOR REHEARING

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

12-0449 JOHN GERMAN v. THE METHODIST HOSPITAL; from Harris County; 1st Court of Appeals District (01-09-00925-CV, 369 SW3d 333, 12-029-11)

13-0240 ALAN NEIL MCGILBERY v. DORIS FELIX MCGILBERY; from Harris County; 1st Court of Appeals District (01-11-00969-CV, ___ SW3d ___, 10-11-12)

MISCELLANEOUS

STAY ORDERS ARE ISSUED IN THE FOLLOWING CASES:

13-0321 KENNEDY HODGES, L.L.P. v. VENTURA GOBELLAN, JR. AND PAULA GOBELLAN; from Jackson County; 13th Court of Appeals District (13-12-00473-CV, ___ SW3d ___, 03-14-13)
emergency motion for temporary relief granted
stay order issued

13-0513 IN RE TEXAS ALCOHOLIC BEVERAGE COMMISSION AND SHERRY COOK, IN HER OFFICIAL CAPACITY AS TABC ADMINISTRATOR; from Travis County; 3rd Court of Appeals District (03-13-00435-CV, ___ SW3d ___, 07-03-13)
motion for temporary relief granted
stay order issued

13-0573 THE FREDERICKSBURG CARE COMPANY, L.P. v. JUANITA PEREZ, VIRGINIA GARCIA, PAUL ZAPATA, AND SYLVIA SANCHEZ, INDIVIDUALLY AND AS ALL HEIRS OF ELISA ZAPATA, DECEASED; from Bexar County; 4th Court of Appeals District (04-13-00111-CV, ___ SW3d ___, 06-26-13)
motion for stay granted
stay order issued

13-0576 THE WILLIAMSBURG CARE COMPANY, L.P. v. JESUSA ACOSTA, ET AL.;
from Bexar County; 4th Court of Appeals District (04-13-00110-CV, ___ SW3d ___,
06-26-13)
motion for stay granted
stay order issued

13-0577 THE FREDRICKSBURG CARE COMPANY, L.P. v. BRENDA LIRA, AS
REPRESENTATIVE OF THE ESTATE OF GUADALUPE QUESADA,
DECEASED; from Bexar County; 4th Court of Appeals District (04-13-00112-CV,
___ SW3d ___, 06-26-13)
motion for stay granted
stay order issued

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

13-0469 IN RE DEL RAY SANDERS; from Polk County

13-0489 IN RE MADELAYNE CASTILLO; from Travis County; 3rd Court of Appeals
District (03-13-00138-CV, ___ SW3d ___, 04-24-13)

13-0490 IN RE: BARTONVILLE WATER SUPPLY CORPORATION; from Denton
County; 4th Court of Appeals District (04-12-00483-CV, ___ SW3d ___, 06-12-13)

13-0493 IN RE SUBI ARUMUGAM ON BEHALF OF HIMSELF AND OTHERS
SIMILARLY SITUATED

**THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF
MANDAMUS IS DENIED:**

13-0537 IN RE STATE BOARD FOR EDUCATOR CERTIFICATION; from Travis County;
3rd Court of Appeals District (03-13-00376-CV, ___ SW3d ___, 07-03-13)
motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced August 16, 2013

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

- 10-0121 THE FINANCE COMMISSION OF TEXAS, THE CREDIT UNION COMMISSION OF TEXAS, AND TEXAS BANKERS ASSOCIATION v. VALERIE NORWOOD, ELISE SHOWS, MARYANN ROBLES-VALDEZ, BOBBY MARTIN, PAMELA COOPER, AND CARLOS RIVAS; from Travis County; 3rd Court of Appeals District (03-06-00273-CV, 303 SW3d 404, 01-08-10) agreed motion to withdraw as counsel granted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 13-0146 JUVENAL ALVARADO AND FELICIANO ALVARADO v. ROBERT GROCE DILL, INDIVIDUALLY AND D/B/A ARROW TOWING, SAMUEL LEE THOMPSON, BROCK KEITH DION, SOON PHAT, L.P., INDIVIDUALLY AND D/B/A CHARLESTON COURT, APARTMENTS, YIN SOON CHOI, MEI LIAN CHOI AND DERSING, INC., ET AL.; from Harris County; 14th Court of Appeals District (14-11-00033-CV; 14-10-00555-CV; 14-10-00603-CV; 396 SW3d 78, 01-17-13)
2 petitions
- 13-0247 THOMAS STEWART v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE; from Walker County; 7th Court of Appeals District (07-11-00410-CV, ___ SW3d ___, 01-02-13)
- 13-0279 ELIA GONZALEZ v. COPART AUTO AUCTIONS; from El Paso County; 8th Court of Appeals District (08-12-00346-CV, ___ SW3d ___, 03-28-13)
- 13-0339 LARON MEADOWS v. TARRANT COUNTY HOSPITAL DISTRICT D/B/A JPS HEALTH NETWORK; from Tarrant County; 2nd Court of Appeals District (02-12-00328-CV, ___ SW3d ___, 02-21-13)
as redrafted

- 13-0349 NORTHEAST NEIGHBORS COALITION AND TJFA, L.P. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND BFI WASTE SYSTEMS OF NORTH AMERICA, L.L.C.; from Travis County; 3rd Court of Appeals District (03-11-00277-CV, ___ SW3d ___, 03-28-13)
2 petitions
- 13-0415 MIKE KARLIN v. DCP MIDSTREAM, LP; from Hutchinson County; 7th Court of Appeals District (07-13-00059-CV, ___ SW3d ___, 06-06-13)
stay issued June 13, 2013, lifted
- 13-0444 FOUNDATION SURGERY AFFILIATES OF BRAZORIA COUNTY D/B/A BRAZORIA COUNTY SURGERY CENTER AND BRAZORIA COUNTY SURGERY CENTER v. AMANDA JONES AND DAVID JONES; from Brazoria County; 1st Court of Appeals District (01-10-00933-CV, ___ SW3d ___, 12-28-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

- 13-0610 JOE L. REECE v. U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION AS TRUSTEE, AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, ET AL.; from Tarrant County; 2nd Court of Appeals District (02-12-00427-CV, ___ SW3d ___, 05-30-13)

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

- 12-0909 JUDGE CARLOS CORTEZ v. COYT RANDALL (RANDY) JOHNSTON, THE DALLAS MORNING NEWS, ALM MEDIA, LLC D/B/A THE TEXAS LAWYER AND JUDGE MARTY LOWY; from Dallas County; 6th Court of Appeals District (06-11-00089-CV, 378 SW3d 468, 09-04-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 13-0479 IN RE JOHN ALBERT ESTRADA, SR.; from Dallas County; 5th Court of Appeals District (05-13-00383-CV, ___ SW3d ___, 04-03-13)
- 13-0491 IN RE PEGGY SMART, FORMERLY KNOWN AS PEGGY CHATELAIN; from Reeves County; 8th Court of Appeals District (08-13-00005-CV, ___ SW3d ___, 06-20-13)

THE SUPREME COURT OF TEXAS

Orders Pronounced August 23, 2013

ORDERS ON CAUSES

11-0394 LENNAR CORPORATION, LENNAR HOMES OF TEXAS SALES & MARKETING LTD. AND LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD. v. MARKEL AMERICAN INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-10-00008-CV, 342 SW3d 704, 04-19-11)

The Court reverses the court of appeals' judgment and affirms the judgment of the trial court.

Justice Hecht delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Green, Justice Johnson, Justice Willett, Justice Guzman, Justice Lehrmann, and Justice Devine joined.

Justice Boyd delivered a concurring opinion.

11-0441 IN RE MICHAEL N. BLAIR

The Court denies the petition for writ of mandamus.

Justice Hecht announced the decision of the Court and delivered an opinion, in which Justice Green, Justice Guzman, and Justice Devine joined.

Justice Boyd delivered an opinion concurring in the decision, in Part IV of which Justice Willett and Justice Lehrmann joined.

Justice Lehrmann delivered a dissenting opinion, in which Chief Justice Jefferson, Justice Johnson, and Justice Willett joined.

11-0729 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. CITY OF WACO; from Travis County; 3rd Court of Appeals District (03-09-00005-CV, 346 SW3d 781, 06-17-11)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Devine delivered the opinion of the Court.

12-0203 DALLAS COUNTY, TEXAS v. ROY LOGAN; from Dallas County; 5th Court of Appeals District (05-11-00480-CV, 359 SW3d 367, 01-24-12)

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

12-0388 PSYCHIATRIC SOLUTIONS, INC. AND MISSION VISTA BEHAVIORAL HEALTH SERVICES, INC. D/B/A MISSION VISTA BEHAVIORAL HEALTH CENTER v. KENNETH PALIT; from Bexar County; 4th Court of Appeals District (04-11-00172-CV, ___ SW3d ___, 03-28-12)

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.

Justice Guzman delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Green, Justice Johnson, Justice Willett, and Justice Devine joined.

Justice Boyd delivered a concurring opinion, in which Justice Lehrmann joined.

12-0501 TARA S. BRIGHTON F/K/A SYBIL B. KOSS v. GREGORY KOSS; from Dallas County; 5th Court of Appeals District (05-10-01613-CV, ___ SW3d ___, 03-26-12) abatement order issued June 7, 2013, lifted

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

12-0539 KEVIN T. MORTON v. HUNG NGUYEN AND CAROL S. NGUYEN; from Harris County; 14th Court of Appeals District (14-11-00126-CV, 369 SW3d 659, 05-17-12)

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

Justice Green delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Johnson, Justice Guzman, and Justice Devine joined.

Justice Boyd delivered an opinion concurring in part and dissenting in part, in which Justice Willett and Justice Lehrmann joined.

12-0907 ANTHONY L. MCCALLA AND CHERYL A. MCCALLA v. BAKER'S CAMPGROUND, INC. KELLI GRAVES AND KOURTNIE GRAVES; from Johnson County; 10th Court of Appeals District (10-11-00239-CV, ___ SW3d ___, 07-26-12)

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

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

11-0708 HAL RACHAL, JR. v. JOHN W. REITZ; from Dallas County; 5th Court of Appeals District (05-09-01422-CV, 347 SW3d 305, 07-22-11)

12-0358 UNIVERSITY OF HOUSTON v. STEPHEN BARTH; from Harris County; 1st Court of Appeals District (01-06-00490-CV, 365 SW3d 438, 08-25-11)

ORDERS ON CASES GRANTED

THE FOLLOWING CERTIFIED QUESTIONS FROM THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT ARE ACCEPTED:

13-0638 FRANKIE SIMS, ET AL. v. CARRINGTON MORTGAGE SERVICES, L.L.C.
[Note: The date and time for oral argument are yet to be determined.]

13-0639 STATE OFFICE OF RISK MANAGEMENT v. CHRISTY CARTY, INDIVIDUALLY AND AS NEXT FRIEND FOR B.C., J.C. AND M.C., MINORS AND AS REPRESENTATIVE OF THE ESTATE OF JIMMY CARTY JR., DECEASED
[Note: The date and time for oral argument are yet to be determined.]

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0024 IN THE MATTER OF THE MARRIAGE OF J.B. AND H.B.; from Dallas County; 5th Court of Appeals District (05-09-01170-CV, 326 SW3d 654, 08-31-10)

- consolidated for oral argument with -

11-0114 STATE OF TEXAS v. ANGELIQUE NAYLOR AND SABINA DALY; from Travis County; 3rd Court of Appeals District (03-10-00237-CV, 330 SW3d 434, 01-07-11)

- consolidated for oral argument with -

11-0222 IN RE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-10-00237-CV, 330 SW3d 434, 01-07-11)
[Note: These cases have been set for oral argument at 9:00 a.m., November 5, 2013.]
Time allotted to argue: 25/25 minutes

(Justice Lehrmann not sitting)

12-0604 HIGHLAND HOMES LTD. v. THE STATE OF TEXAS; from Bexar County; 8th Court of Appeals District (08-10-00215-CV, ___ SW3d ___, 06-13-12)
[Note: The date and time for oral argument are yet to be determined.]

12-0621 EXXON MOBIL CORPORATION v. WILLIAM T. DRENNEN, III; from Harris County; 14th Court of Appeals District (14-10-01099-CV, 367 SW3d 288, 02-14-12)
[Note: This case has been set for oral argument at 9:00 a.m., November 6, 2013.]
Time allotted to argue: 20/20 minutes

(Justice Guzman and Justice Lehrmann not sitting)

12-0739 AMERICO LIFE, INC., AMERICO FINANCIAL LIFE AND ANNUITY INSURANCE COMPANY, GREAT SOUTHERN LIFE INSURANCE COMPANY, THE OHIO STATE LIFE INSURANCE COMPANY, AND NATIONAL FARMERS' UNION LIFE INSURANCE COMPANY v. ROBERT L. MYER AND STRIDER MARKETING GROUP, INC.; from Dallas County; 5th Court of Appeals District (05-08-01053-CV, 371 SW3d 537, 06-06-12)
[Note: The date and time for oral argument are yet to be determined.]

12-0772 ZACHRY CONSTRUCTION CORPORATION v. PORT OF HOUSTON
AUTHORITY OF HARRIS COUNTY, TEXAS; from Harris County; 14th Court of
Appeals District (14-10-00708-CV, 377 SW3d 841, 08-09-12)
[Note: The date and time for oral argument are yet to be determined.]

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

13-0073 IN RE JOHN DOE A/K/A "TROOPER"; from Harris County; 1st Court of Appeals
District (01-11-00683-CV, ___ SW3 ___, 05-18-12)
[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:

- 12-0291 C2 CONSTRUCTION, INC. v. LTTS CHARTER SCHOOL, INC. D/B/A
UNIVERSAL ACADEMY; from Dallas County; 5th Court of Appeals District (05-
07-01469-CV, 358 SW3d 725, 10-28-11)
- 12-0356 STATE OFFICE OF RISK MANAGEMENT v. ELAINE E. BANKS JOINER; from
Travis County; 6th Court of Appeals District (06-11-00076-CV, 363 SW3d 242, 03-
21-12)
- 12-0541 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE
TRUSTEE FOR NEW CENTURY HOME LOAN TRUST 2006-2 v. STOCKDICK
LAND COMPANY; from Harris County; 14th Court of Appeals District (14-09-
00617-CV, 367 SW3d 308, 02-28-12)
- 12-0608 IN THE MATTER OF R.R.; from Harris County; 14th Court of Appeals District (14-
10-01233-CV, 373 SW3d 730, 05-24-12)
- 12-0691 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT
DALLAS v. JOHNNY FELIPE MUNOZ; from Dallas County; 5th Court of Appeals
District (05-11-01220-CV, ___ SW3d ___, 07-13-12)
- 12-0727 JAMES DIEHL v. CITY OF SAN ANTONIO; from Bexar County; 8th Court of
Appeals District (08-10-00204-CV, 387 SW3d 777, 04-25-12)

- 12-0805 RIO GRANDE REGIONAL HOSPITAL, ET AL. v. BELEM AYALA, INDIVIDUALLY AND AS NEXT FRIEND OF HER MINOR DAUGHTER, L.R., AND JUAN ANTONIO RIOS, JR., INDIVIDUALLY; from Hidalgo County; 13th Court of Appeals District (13-11-00686-CV, ___ SW3d ___, 08-24-12)
- 12-0814 STRAND SYSTEMS ENGINEERING, INC. v. JJW DEVELOPMENT, L.L.C. AND JOHN J. WINGFIELD, JR.; from Collin County; 5th Court of Appeals District (05-10-01359-CV, 378 SW3d 571, 08-24-12)
- 12-0858 THE MANSIONS IN THE FOREST, L.P. AND THE ESTATES-WOODLAND, L.P. v. MONTGOMERY COUNTY, TEXAS; from Montgomery County; 9th Court of Appeals District (09-09-00524-CV, ___ SW3d ___, 09-06-12)
- 12-0876 ADVOCARE INTERNATIONAL, L.P. v. BRUCE BADGETT AND TERESA BADGETT; from Dallas County; 5th Court of Appeals District (05-10-00917-CV, ___ SW3d ___, 03-13-12)
- (Justice Hecht not sitting)
- 12-0939 MICHAEL FOSTER NEEL, M.D., LESLIE SKINNER WELBORNE, M.D., AND LIVE OAK OB/GYN, P.A. v. TENET HEALTHSYSTEM HOSPITALS DALLAS, INC.; from Collin County; 5th Court of Appeals District (05-11-00342-CV, 378 SW3d 597, 08-27-12)
- 12-0986 UNION PACIFIC RAILROAD COMPANY v. RICHARD HAYNES; from Harris County; 1st Court of Appeals District (01-09-01096-CV, 395 SW3d 192, 08-31-12)
- 12-0994 HARRIS COUNTY APPRAISAL DISTRICT v. HOUSTON 8TH WONDER PROPERTY, L.P. D/B/A SIX FLAGS ASTROWORLD; from Harris County; 1st Court of Appeals District (01-10-00154-CV, 395 SW3d 245, 11-08-12)
- 12-1010 DONALD C. JACKSON v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE; from Brazoria County; 1st Court of Appeals District (01-10-00598-CV, ___ SW3d ___, 07-31-12)
- 12-1011 SADLER CLINIC ASSOCIATION, P.A., N/K/A SADLER CLINIC, PLLC v. GREATER HOUSTON RADIATION ONCOLOGY, P.A., ET AL.; from Montgomery County; 9th Court of Appeals District (09-11-00460-CV, 384 SW3d 875, 10-04-12)
2 petitions
- 13-0047 ALLEN MARK DACUS, ELIZABETH C. PEREZ, AND REV. ROBERT JEFFERSON v. ANNISE D. PARKER AND CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-11-00688-CV, ___ SW3d ___, 07-10-12)

- 13-0142 NICOLAS CANTU v. HIDALGO COUNTY, TEXAS; from Hidalgo County; 13th Court of Appeals District (13-11-00245-CV, 398 SW3d 824, 11-01-12) as redrafted
- 13-0170 KAREN FORD, SHERRY T. BRADSHAW, STEPHANIE MURPHY, RODNEY G. POWELL, JR., LARRY McDANIEL, ROB DEBOER, HERB AND DIANE HEFLIN AND DARRELL BROWN v. ADVOCARE INTERNATIONAL, L.P.; from Dallas County; 5th Court of Appeals District (05-10-00590-CV, ___ SW3d ___, 02-05-13)
- 13-0174 RUTH WHEELER v. JOHN COLLIER HINSON; from Travis County; 3rd Court of Appeals District (03-11-00067-CV, ___ SW3d ___, 01-25-13)
- 13-0176 RICHARD ZAPF, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HAZEL MARIE ZAPF, GARY ANGELLE, LOWELL ANGELLE, BARBARA ROGERS AND PATRICIA TOOLEY v. TEXAS DEPARTMENT OF TRANSPORTATION; from Jefferson County; 9th Court of Appeals District (09-11-00446-CV, ___ SW3d ___, 01-17-13)
- 13-0209 NACOGDOCHES HEART CLINIC, P.A., PRABHAKAR R. GUNIGANTI, M.D., AND EAST TEXAS CARDIOVASCULAR LABS, LLC v. VIJAY R. POKALA, M.D., D/B/A NACOGDOCHES CARDIAC CENTER; from Nacogdoches County; 12th Court of Appeals District (12-11-00133-CV, ___ SW3d ___, 02-06-13)
- 13-0216 BILL BUTCHER, KARI BUTCHER AND BUTCHER & BUTCHER v. KEN HOAGLAND; from Harris County; 14th Court of Appeals District (14-11-01074-CV, 396 SW3d 182, 01-24-13)
- 13-0224 HERBERT LAWRENCE POLINARD v. RALPH A. MEDINA AND ANN ANTHONY, LLC; from De Witt County; 13th Court of Appeals District (13-11-00403-CV, ___ SW3d ___, 07-19-12)
- 13-0227 RICHARD CARLSON, M.D. v. ARACELI GARZA; from Nueces County; 13th Court of Appeals District (13-12-00025-CV, 398 SW3d 848, 12-06-12)
- 13-0233 GOOD SHEPHERD MEDICAL CENTER - LINDEN, INC v. BOBBY TWILLEY; from Cass County; 6th Court of Appeals District (06-12-00098-CV, ___ SW3d ___, 03-01-13)
- 13-0243 SEASCAPE OWNERS ASSOCIATION, INC. v. INTERNATIONAL RISK CONTROL, L.L.C.; from Galveston County; 14th Court of Appeals District (14-12-00016-CV, 395 SW3d 821, 02-14-13)

13-0268 STANLEY C. HADDOCK v. CAPITAL ONE, N.A.; from Dallas County; 5th Court of Appeals District (05-10-01028-CV, 394 SW3d 605, 11-02-12)

(Justice Hecht not sitting)

13-0276 TOC ROCKY MOUNTAIN, INC. v. ENTERPRISE FIELD SERVICES, INC.; from Harris County; 1st Court of Appeals District (01-12-00345-CV, ___ SW3d ___, 02-28-13)

13-0278 CHARLOTTE WASHBURN OMOHUNDRO v. AMELINDA CRISPINA RAMIREZ-JUSTUS, INDIVIDUALLY AND AS TRUSTEE OF THE MIRIAM N. WASHBURN REVOCABLE LIVING TRUST; from Parker County; 8th Court of Appeals District (08-11-00113-CV, 392 SW3d 218, 11-30-12)

13-0290 CBS OUTDOOR, INC. v. LARRY E. POTTER; from Harris County; 1st Court of Appeals District (01-11-00650-CV, ___ SW3d ___, 01-24-13)

13-0291 METRO FORD TRUCK SALES, INC. v. MOTOR VEHICLE DIVISION, TEXAS DEPARTMENT OF MOTOR VEHICLES, FREIGHTLINER, LLC, N/K/A DAIMLER TRUCK NORTH AMERICA, LLC, AND STERLING TRUCK CORPORATION; from Travis County; 3rd Court of Appeals District (03-12-00411-CV, ___ SW3d ___, 03-13-13)

13-0299 F.B. LARREA v. VIRGILIO ÁVILA AND UNIVISION TELEVISION GROUP, INC.; from Dallas County; 5th Court of Appeals District (05-11-01637-CV, 394 SW3d 646, 12-18-12)

13-0302 ROBERT S. LITOFF v. KELLY M. CROSS; from Bexar County; 4th Court of Appeals District (04-11-00800-CV, ___ SW3d ___, 03-27-13)

13-0312 JOHN SLOAN AND ROBERT SLOAN v. CHARLES HILL AND PATRICIA HILL TRUSTEES OF THE CHARLES D. HILL AND PATRICIA D. HILL FAMILY TRUST; from Washington County; 1st Court of Appeals District (01-12-00045-CV, ___ SW3d ___, 03-05-13)

13-0325 PETE FAZIO, SHARI FAZIO AND ERIC FAZIO v. CYPRESS/GR HOUSTON I, L.P., CYPRESS/GR HOUSTON, INC., AND CYPRESS EQUITIES, INC.; from Harris County; 1st Court of Appeals District (01-09-00728-CV, ___ SW3d ___, 04-05-13)

13-0332 HARMOHINDER S. BHATIA, M.D. v. WOODLANDS NORTH HOUSTON HEART CENTER, P.L.L.C., ET AL.; from Harris County; 14th Court of Appeals District (14-11-00477-CV, 396 SW3d 658, 02-14-13)

- 13-0334 ANJELICA MITCHELL MOORE AND KEVIN ALEXANDER MOORE v. DONNA M. BROWN AND ALVIN BENARD BROWN; from Bell County; 3rd Court of Appeals District (03-11-00886-CV, ___ SW3d ___, 02-22-13)
- 13-0335 MAROY INTERNATIONAL, INC. v. RUBEN AND VICKY CANTU, INDIVIDUALLY AND D/B/A TWIN CITY MOTORS; from Webb County; 4th Court of Appeals District (04-12-00193-CV, ___ SW3d ___, 03-20-13)
- 13-0366 MAJID NIKMARAM v. SECURITY STATE BANK & TRUST; from Bexar County; 4th Court of Appeals District (04-11-00928-CV, 397 SW3d 715, 12-21-12)
- 13-0404 ARMANDO TORRALVA v. REV. HEATH PELOQUIN, ET. AL.; from Nueces County; 13th Court of Appeals District (13-12-00342-CV, 399 SW3d 690, 04-18-13)

(Justice Hecht not sitting)

- 13-0431 CHRIST TEMPLE OF DELIVERANCE CHURCH OF GOD IN CHRIST, INC. v. FELICIA WILLIAMS, INDIVIDUALLY D/B/A IN THE URBAN CITY INVESTMENT GROUP; from Harris County; 14th Court of Appeals District (14-12-00691-CV, 402 SW3d 28, 03-26-13)
- 13-0446 JACK ALSDURF v. RHONDA K. STADLER; from Potter County; 7th Court of Appeals District (07-12-00141-CV, 399 SW3d 642, 04-02-13)
- 13-0448 IN THE INTEREST OF I.R.H. AND Z.T.H., MINOR CHILDREN; from Bexar County; 4th Court of Appeals District (04-12-00366-CV, ___ SW3d ___, 05-01-13)
- 13-0454 INTEGRATED OF AMARILLO, INC. D/B/A PLUM CREEK SPECIALTY HOSPITAL v. PINKSTON-HOLLAR CONSTRUCTION SERVICES, INC. D/B/A CONSTRUCTION SERVICES, A TECTA AMERICA CORP. COMPANY; from Potter County; 7th Court of Appeals District (07-11-00422-CV, ___ SW3d ___, 04-02-13)
- 13-0487 DALLAS COUNTY SOUTHWESTERN INSTITUTE OF FORENSIC SCIENCES AND MEDICAL EXAMINER DEPARTMENT v. GLYNDA RAY; from Dallas County; 5th Court of Appeals District (05-12-01598-CV, 400 SW3d 219, 05-16-13)
- 13-0529 CADILLAC BAR WEST END REAL ESTATE AND L.K. WALES, ET AL. v. LANDRY'S CRAB SHACK, ET AL.; from Dallas County; 5th Court of Appeals District (05-11-01540-CV, 399 SW3d 703, 04-22-13)
- 13-0535 KENNETH W. HALL AND ROBERTA HALL v. DEUTSCHE BANK TRUST COMPANY, N.A. a/k/a DEUTSCHE BANK NATIONAL TRUST COMPANY; from Wood County; 6th Court of Appeals District (06-13-00003-CV, 400 SW3d 668, 05-07-13)

13-0558 IN THE MATTER OF THE GUARDIANSHIP OF CARLOS Y. BENAVIDES, JR.;
from Webb County; 4th Court of Appeals District (04-12-00321-CV, ___ SW3d ___,
03-13-13)

**THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF
JURISDICTION:**

13-0385 OLGA MURRY v. DODEKA, L.L.C.; from Tarrant County; 2nd Court of Appeals
District (02-12-00062-CV, ___ SW3d ___, 01-10-13)

THE MOTIONS IN THE FOLLOWING PETITION FOR REVIEW ARE DENIED:

13-0630 TRACY NIXON v. ATTORNEY GENERAL OF THE STATE OF TEXAS GREG
ABBOTT; from Dallas County; 5th Court of Appeals District (05-12-01065-CV, ___
SW3d ___, 08-05-13)
motion for emergency stay denied
motion to suspend enforcement of judgment denied
[Note: The petition for review remains pending before this Court.]

ORDERS ON MOTIONS FOR REHEARING

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

11-0226 LASALLE PIPELINE, LP v. DONNELL LANDS, L.P.; from McMullen County; 4th
Court of Appeals District (04-10-00272-CV, 336 SW3d 306, 12-15-10)

11-0710 HAL RACHAL, JR. v. LYNDA LETKIEWICZ AND RHONDA GAYLE FOSTER;
from Dallas County; 5th Court of Appeals District (05-09-01396-CV, ___ SW3d ___,
07-22-11)

12-0051 W. GRAEME ROUSTAN v. MICHAEL SANDERSON, WIFE ANN GAINOUS
AND RIDGLEA ENTERTAINMENT, INC.; from Tarrant County; 2nd Court of
Appeals District (02-09-00377-CV, ___ SW3d ___, 09-29-11)

12-0150 SOUTHWESTERN ELECTRIC POWER COMPANY v. PUBLIC UTILITY
COMMISSION OF TEXAS; from Travis County; 7th Court of Appeals District (07-
10-00108-CV, ___ SW3d ___, 11-04-11)
2 motions for rehearing

12-0591 HAGOP KOFDARALI, INDIVIDUALLY, AND ROBBIE L. SEBERN BURNS, INDIVIDUALLY v. JEFFRY DRUCE, INDIVIDUALLY, AND AS TRUSTEE OF THE DRUCE FAMILY LIVING TRUST AND JEFFRY DRUCE PROPERTIES, LLC; from Tarrant County; 2nd Court of Appeals District (02-09-00130-CV, 369 SW3d 355, 01-12-12)
2 motions for rehearing

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

13-0139 IN RE WILLIAM H. WYTTENBACH; from Hidalgo County; 13th Court of Appeals District (13-12-00760-CV, ___ SW3d ___, 12-18-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-1030 IN RE BRYAN C. WAGNER, JAMES D. FINLEY, TRADE EXPLORATION CORP., AND DUER WAGNER, III; from Harris County; 14th Court of Appeals District (14-12-00697-CV, 389 SW3d 577, 11-08-12)

(Justice Guzman and Justice Lehrmann not sitting)

13-0200 IN RE FIRST BAPTIST CHURCH OF SILSBEE, TEXAS; from Hardin County; 9th Court of Appeals District (09-12-00581-CV, ___ SW3d ___, 01-24-13)

13-0390 IN RE PATRICK O'CONNOR & ASSOCIATES, L.P. AND GULF APARTMENT INVESTORS, L.P.; from Harris County; 1st Court of Appeals District (01-12-00615-CV; 01-12-00976-CV, ___ SW3d ___, 04-09-13)

(Justice Willett not sitting)

13-0533 IN RE KIMBERLY DIANE PUCKETT SOLLEY; from Harris County; 14th Court of Appeals District (14-13-00438-CV, ___ SW3d ___, 07-09-13)

13-0619 IN RE LATRICE WILLIAMS; from Harris County; 1st Court of Appeals District (01-10-00296-CV)
motion for emergency stay denied
motion to exceed word limit dismissed as moot

THE MOTION IN THE FOLLOWING CASE IS GRANTED:

13-0576 THE WILLIAMSBURG CARE COMPANY, L.P. v. JESUSA ACOSTA, ET AL.;
from Bexar County; 4th Court of Appeals District (04-13-00110-CV, ___ SW3d ___,
06-26-13)
motion to modify stay granted
modified stay order issued
[**Note:** The petition for review remains pending before the Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced August 27, 2013

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

13-0651 IN RE THE PETROLEUM WORKERS UNION OF THE REPUBLIC OF MEXICO;
from Harris County; 14th Court of Appeals District (14-13-00737-CV, ___ SW3d
___, 08-23-13)
as amended
motion for emergency interim relief denied, as amended

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

13-0428 IN RE TWISTER B.V.; from Dallas County; 5th Court of Appeals District (05-13-
00587-CV, ___ SW3d ___, 06-11-13)
motion for temporary relief granted
stay order issued
[**Note:** The petition for writ of mandamus remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced August 30, 2013

ORDERS ON CAUSES

10-0933 IN RE TOYOTA MOTOR SALES, U.S.A., INC. AND VISCOUNT PROPERTIES II, L.P., D/B/A HOY FOX TOYOTA/LEXUS; from El Paso County; 8th Court of Appeals District (08-09-00293-CV, 327 SW3d 302, 09-29-10)

The Court conditionally grants the writ of mandamus.

Chief Justice Jefferson delivered the opinion of the Court.

Justice Lehrmann delivered a concurring opinion, in which Justice Devine joined.

(Justice Boyd not sitting)

11-0195 MONCRIEF OIL INTERNATIONAL, INC. v. OAO GAZPROM, GAZPROM EXPORT, LLC, AND GAZPROM MARKETING & TRADING, LTD.; from Tarrant County; 2nd Court of Appeals District (02-09-00336-CV, 332 SW3d 1, 11-24-10)

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

Justice Guzman delivered the opinion of the Court.

(Chief Justice Jefferson not sitting)

11-0265 THE EPISCOPAL DIOCESE OF FORT WORTH, ET AL. v. THE EPISCOPAL CHURCH, ET AL.; from Tarrant County

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

Justice Johnson delivered the opinion of the Court, in which Justice Hecht, Justice Green, and Justice Guzman joined, and in Parts I, II, III, and IV-A of which Chief Justice Jefferson joined.

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

11-0332 ROBERT MASTERSON, MARK BROWN, GEORGE BUTLER, CHARLES WESTBROOK, RICHEY OLIVER, CRAIG PORTER, SHARON WEBER, JUNE SMITH, RITA BAKER, STEPHANIE PEDDY, BILLIE RUTH HODGES, DALLAS CHRISTIAN, AND THE EPISCOPAL CHURCH OF THE GOOD SHEPHERD v. THE DIOCESE OF NORTHWEST TEXAS, THE REV. CELIA ELLERY, DON GRIFFIS, AND MICHAEL RYAN; from Tom Green County; 3rd Court of Appeals District (03-10-00015-CV, 335 SW3d 880, 03-16-11)

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

Justice Johnson delivered the opinion of the Court, in which Justice Hecht, Justice Green, Justice Guzman, and Justice Devine joined, and in parts I, II, III-A, and V of which Justice Willett and Justice Boyd joined.

Justice Boyd delivered a concurring opinion, in which Justice Willett joined.

Justice Lehrmann delivered a dissenting opinion, in which Chief Justice Jefferson joined.

11-0438 JOSE L. ELIZONDO AND GUILLERMINA ELIZONDO v. RONALD D. KRIST, THE KRIST LAW FIRM, P.C., KEVIN D. KRIST, AND WILLIAM T. WELLS; from Harris County; 14th Court of Appeals District (14-09-00267-CV, 338 SW3d 17, 12-14-10)

The Court affirms the court of appeals' judgment.

Justice Willett delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Green, Justice Johnson, Justice Guzman, and Justice Devine joined.

Justice Boyd delivered a dissenting opinion, in which Justice Lehrmann joined.

(Justice Hecht not sitting)

11-0541 DYNEGY INC. v. TERRY W. YATES, INDIVIDUALLY, AND TERRY W. YATES, P.C.; from Harris County; 4th Court of Appeals District (04-10-00041-CV, 345 SW3d 516, 02-23-11)

2 petitions
as reinstated

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.

Justice Green delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Johnson, Justice Willett, Justice Lehrmann, and Justice Boyd joined.

Justice Devine delivered a dissenting opinion.

(Justice Guzman not sitting)

11-0549 GEOFFREY DUGGER v. MARY ANN ARREDONDO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF JOEL MARTINEZ, DECEASED; from Dallas County; 5th Court of Appeals District (05-09-00625-CV, 347 SW3d 757, 05-31-11)

The Court affirms the court of appeals' judgment.

Justice Green delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Johnson, Justice Guzman, Justice Lehrmann, and Justice Boyd joined.

Justice Hecht delivered a dissenting opinion, in which Justice Willett and Justice Devine joined.

11-0554 CITY OF LORENA, TEXAS v. BMTP HOLDINGS, L.P.; from McLennan County; 10th Court of Appeals District (10-09-00146-CV, 359 SW3d 239, 06-01-11)

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

Justice Guzman delivered the opinion of the Court, in which Justice Green, Justice Johnson, Justice Willett, Justice Lehrmann, Justice Boyd, and Justice Devine joined.

Justice Lehrmann delivered a concurring opinion.

Justice Hecht delivered a dissenting opinion, in which Chief Justice Jefferson joined.

11-0686 TEXAS ADJUTANT GENERAL'S OFFICE v. MICHELE NGAKOUE; from Travis County; 3rd Court of Appeals District (03-09-00087-CV, ___ SW3d ___, 04-29-11)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Green, and Justice Devine joined.

Justice Boyd delivered a dissenting opinion, in which Justice Johnson, Justice Willett, and Justice Guzman joined.

11-0826 MICHAEL A. ZANCHI, M.D., MICHAEL A. ZANCHI, M.D., P.A., AND PARIS REGIONAL ANESTHESIA, P.A. v. REGINALD KEITH LANE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JUAMEKA CYNARRA ROSS, DECEASED, ET AL.; from Lamar County; 6th Court of Appeals District (06-11-00036-CV, 349 SW3d 97, 09-01-11)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court.

Justice Hecht delivered a concurring opinion.

11-0934 LIBERTY MUTUAL INSURANCE COMPANY v. RICKY ADCOCK; from Tarrant County; 2nd Court of Appeals District (02-11-00059-CV, 353 SW3d 246, 10-20-11)

The Court affirms the court of appeals' judgment.

Justice Guzman delivered the opinion of the Court, in which Justice Johnson, Justice Willett, Justice Lehrmann, Justice Boyd, and Justice Devine joined.

Justice Green delivered a dissenting opinion, in which Chief Justice Jefferson and Justice Hecht joined.

12-0601 CANUTILLO INDEPENDENT SCHOOL DISTRICT v. YUSUF ELIAS FARRAN; from El Paso County; 8th Court of Appeals District (08-10-00289-CV, ___ SW3d ___, 06-13-12)

2 petitions

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

Per Curiam Opinion

12-0628 MARC H. NATHAN v. STEPHEN WHITTINGTON; from Harris County; 1st Court of Appeals District (01-10-00971-CV, 371 SW3d 399, 04-12-12)

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 reinstates the judgment of the trial court.

Per Curiam Opinion

THE FOLLOWING CAUSES ARE DISMISSED:

10-0927 RIO GRANDE REGIONAL HOSPITAL, INC. AND COLUMBIA RIO GRANDE HEALTHCARE, L.P. D/B/A RIO GRANDE REGIONAL HOSPITAL v. DIANA LOPEZ VILLARREAL, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF HERMES VILLARREAL, DECEASED, AND AS NEXT FRIEND OF SARAH VILLARREAL, LAUREN VILLARREAL, AND HERMES ALEJANDRO VILLARREAL, MINORS, AND HERMELINDA VILLARREAL, INDIVIDUALLY; from Hidalgo County; 13th Court of Appeals District (13-08-00542-CV, 329 SW3d 594, 09-30-10)

motion to lift abatement and effectuate settlement agreement, granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court vacates the judgments of the court of appeals and the trial court, and dismisses the case.

12-0124 IN RE CONTINENTAL TIRE THE AMERICAS, LLC; from Harris County; 1st Court of Appeals District (01-11-00984-CV, ___ SW3d ___, 01-19-12)

joint motion to dismiss granted

THE FOLLOWING CAUSES ARE SET FOR SUBMISSION:

11-0161 LARRY T. LONG, L. ALLAN LONG, AND B. VIRGINIA LONG, IN THEIR CAPACITIES AS TRUSTEES OF THE LAWRENCE ALLAN LONG TRUST, THE CHARLES EDWARD LONG TRUST, THE LARRY THOMAS LONG TRUST AND THE JOHN STEPHEN LONG TRUST D/B/A THE LONG TRUSTS v. CASTLE TEXAS PRODUCTION LIMITED PARTNERSHIP; from Rusk County; 12th Court of Appeals District (12-09-00189-CV, 330 SW3d 749, 12-30-10)

abatement order issued December 3, 2012, lifted
petition reinstated

[**Note:** This case has been set for oral argument at 9:00 a.m., November 5, 2013.]

Time allotted to argue: 20/20 minutes

12-0604 HIGHLAND HOMES LTD. v. THE STATE OF TEXAS; from Bexar County; 8th Court of Appeals District (08-10-00215-CV, ___ SW3d ___, 06-13-12)

[**Note:** Oral argument of this case will be conducted on Thursday, November 7, 2013 at 9:00 a.m. at Texas A&M University, College Station, Texas. *See* Tex. Const. art. V, § 3(a).]

Time allotted to argue: 20/20 minutes

12-0739 AMERICO LIFE, INC., AMERICO FINANCIAL LIFE AND ANNUITY INSURANCE COMPANY, GREAT SOUTHERN LIFE INSURANCE COMPANY, THE OHIO STATE LIFE INSURANCE COMPANY, AND NATIONAL FARMERS' UNION LIFE INSURANCE COMPANY v. ROBERT L. MYER AND STRIDER MARKETING GROUP, INC.; from Dallas County; 5th Court of Appeals District (05-08-01053-CV, 371 SW3d 537, 06-06-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 6, 2013.]

Time allotted to argue: 20/20 minutes

12-0772 ZACHRY CONSTRUCTION CORPORATION v. PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, TEXAS; from Harris County; 14th Court of Appeals District (14-10-00708-CV, 377 SW3d 841, 08-09-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 6, 2013.]

Time allotted to argue: 20/20 minutes

13-0073 IN RE JOHN DOE A/K/A "TROOPER"; from Harris County; 1st Court of Appeals District (01-11-00683-CV, ___ SW3 ___, 05-18-12)

[**Note:** Oral argument of this case will be conducted on Thursday, November 7, 2013 at 9:00 a.m. at Texas A&M University, College Station, 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:

11-0905 THE CITY OF HOUSTON, TEXAS v. JANE UCHE AMADI, CONSTANCE NNADI AND WORLD ANOINTING CENTER MINISTRIES, INC.; from Harris County; 14th Court of Appeals District (14-10-01216-CV, 369 SW3d 254, 10-27-11)

11-0949 THE CITY OF HOUSTON, TEXAS v. ROSALBA RODRIGUEZ; from Harris County; 14th Court of Appeals District (14-11-00136-CV, 369 SW3d 262, 11-03-11)

11-0979 THE CITY OF HOUSTON, TEXAS v. JOSHUA COOPER, HENRY KANDEH AND WESLEY ALLEN; from Harris County; 14th Court of Appeals District (14-11-00092-CV, ___ SW3d ___, 07-28-11)

11-0989 THE CITY OF HOUSTON, TEXAS v. KELVIN JOHNSON; from Harris County; 14th Court of Appeals District (14-11-00220-CV, ___ SW3d ___, 11-17-11)

- 11-1029 THE CITY OF HOUSTON, TEXAS v. GLORIA ESPARZA; from Harris County; 1st Court of Appeals District (01-11-00046-CV, 369 SW3d 238, 10-07-11)
- 12-0019 THE CITY OF HOUSTON v. ANTOINETTE WASHINGTON; from Harris County; 14th Court of Appeals District (14-11-00305-CV, ___ SW3d ___, 12-22-11)
- 12-0023 THE CITY OF HOUSTON, TEXAS v. JOHN MCCLAIN AND CARITA DOUVIO; from Harris County; 1st Court of Appeals District (01-11-00194-CV, ___ SW3d ___, 12-01-11)
- 12-0063 THE CITY OF HOUSTON, TEXAS v. FRANCISCO EDUARDO MARQUEZ AND EDNA ARVIZU MARQUEZ, EACH INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATE OF RENE MARQUEZ, DECEASED, AND FRANCISCO MARQUEZ, JR.; from Harris County; 1st Court of Appeals District (01-11-00493-CV, ___ SW3d ___, 12-08-11)
- 12-0088 THE CITY OF HOUSTON, TEXAS v. CESAR I. URIBE-MENDOZA AND IVONNE AGUILAR-ANGELES; from Harris County; 14th Court of Appeals District (14-11-00647-CV, ___ SW3d ___, 12-22-11)
- 12-0111 THE CITY OF HOUSTON, TEXAS v. GOVERNMENT EMPLOYEE INSURANCE COMPANY AS SUBROGEE OF JOHN GUNN; from Harris County; 1st Court of Appeals District (01-11-00173-CV, 403 SW3d 256, 12-29-11)
- 12-0116 THE CITY OF HOUSTON, TEXAS v. JESSICA GUNN; from Harris County; 1st Court of Appeals District (01-11-00034-CV, 389 SW3d 401, 12-29-11)

- 12-0134 THE CITY OF HOUSTON, TEXAS v. LUIS CRESPO AMAZQUITA; from Harris County; 14th Court of Appeals District (14-11-00087-CV, ___ SW3d ___, 01-05-12)
- 12-0160 CITY OF HOUSTON v. KARLA SAN MIGUEL, INDIVIDUALLY AND AS NEXT FRIEND OF F.S., A MINOR AND CRISTINA CASIQUE; from Harris County; 1st Court of Appeals District (01-10-01071-CV, ___ SW3d ___, 11-10-11)
- 12-0177 CITY OF HOUSTON v. SHAI TSAIG AND SAMI PEREZ; from Harris County; 1st Court of Appeals District (01-11-00432-CV, ___ SW3d ___, 01-19-12)
- 12-0186 THE CITY OF HOUSTON, TEXAS v. GREGORY SAUCEDA; from Harris County; 14th Court of Appeals District (14-11-00391-CV, ___ SW3d ___, 02-02-12)
- 12-0270 THE CITY OF HOUSTON, TEXAS v. DAVID JENKINS; from Harris County; 14th Court of Appeals District (14-11-00091-CV, 363 SW3d 808, 02-14-12)
- 12-0272 THE CITY OF HOUSTON, TEXAS v. PRINCESS ELAINE STEWART; from Harris County; 14th Court of Appeals District (14-11-00648-CV, ___ SW3d ___, 02-23-12)
- 12-0288 TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES A/K/A RICHMOND STATE SUPPORTED LIVING CENTER v. PAMELA JOHNSON, GUARDIAN OF THE PERSON AND ESTATE OF GERALD CARR; from Fort Bend County; 1st Court of Appeals District (01-11-00526-CV, ___ SW3d ___, 01-05-12)

- 12-0313 TEXAS PARKS & WILDLIFE DEPARTMENT v. TEODORA VILLARREAL; from Starr County; 4th Court of Appeals District (04-11-00380-CV, 363 SW3d 216, 12-30-11)
- 12-0379 THE CITY OF HOUSTON v. THEODORE GWINN; from Harris County; 1st Court of Appeals District (01-11-00524-CV, ___ SW3d ___, 03-29-12)
- 12-0424 CITY OF HOUSTON v. GRETA MCMAHON, INDIVIDUALLY AND AS NEXT FRIEND OF KELSEY MCMAHON; from Harris County; 1st Court of Appeals District (01-11-01037-CV, ___ SW3d ___, 04-12-12)
- 12-0532 TEXAS DEPARTMENT OF PUBLIC SAFETY v. RACHEL DEAKYNE; from Bexar County; 4th Court of Appeals District (04-11-00271-CV, 371 SW3d 303, 03-07-12)
- 12-0553 CITY OF HOUSTON v. BLANCA VALLEJO AND ANJEL FLORES; from Harris County; 1st Court of Appeals District (01-11-00133-CV, 371 SW3d 499, 05-22-12)
- 12-0554 CITY OF HOUSTON v. SAN JUANA RODRIGUEZ INDIVIDUALLY, AND AS NEXT FRIEND OF JUAN RODRIGUEZ; from Harris County; 1st Court of Appeals District (01-11-00196-CV, 371 SW3d 492, 05-22-12)
- 12-0587 CITY OF HOUSTON v. RACHEL A. LACKEY; from Harris County; 1st Court of Appeals District (01-11-00248-CV, ___ SW3d ___, 05-31-12)
- 12-0588 CITY OF HOUSTON v. ENRIQUE GUZMAN AND HARRIS COUNTY; from Harris County; 1st Court of Appeals District (01-11-00234-CV, ___ SW3d ___, 05-31-12)

- 12-0643 CITY OF HOUSTON v. KELVIN ATKINS; from Harris County; 1st Court of Appeals District (01-12-00190-CV, ___ SW3d ___, 06-21-12)
- 13-0051 CITY OF HOUSTON v. GOVERNMENT EMPLOYEES INSURANCE COMPANY, AS SUBROGEE OF ERIK USTRUCK; from Harris County; 1st Court of Appeals District (01-11-00877-CV, ___ SW3d ___, 12-06-12)
- 13-0292 MARTHA GREGORY D/B/A WORKZONE TECHNOLOGIES v. PORTER & HEDGES, L.L.P.; from Harris County; 14th Court of Appeals District (14-12-00197-CV, 398 SW3d 881, 03-21-13)
- 13-0376 GERALD BYRON BARRAS v. LESLEA LORING BARRAS; from Galveston County; 14th Court of Appeals District (14-11-00954-CV, 396 SW3d 154, 01-24-13)
- 13-0389 JUSTIN WEISS SMITH v. KRISTINA BILBAN; from Collin County; 5th Court of Appeals District (05-12-01194-CV, ___ SW3d ___, 04-24-13)
- 13-0401 JOHN R. CHANCE v. CITIMORTGAGE, INC.; from Dallas County; 5th Court of Appeals District (05-12-00306-CV, ___ SW3d ___, 02-06-13)
- 13-0405 ROBERT J. PELTIER, SR. v. BEN JARVIS; from Smith County; 12th Court of Appeals District (12-12-00180-CV, 400 SW3d 644, 04-24-13)
- 13-0440 NANCY GILMORE AND LINDSEY HENDRICKS v. KERRY HALIBURTON, MABREE HALIBURTON AND TAYLOR HALIBURTON; from Madison County; 10th Court of Appeals District (10-12-00062-CV, ___ SW3d ___, 05-02-13)

- 13-0475 GONZALO SALDANA v. ESTELLA SALDANA; from Navarro County; 1st Court of Appeals District (01-12-00092-CV, ___ SW3d ___, 05-09-13)
- 13-0521 LORRIE JEAN SMITH v. SUMEER HOMES, INC., ET AL.; from Dallas County; 5th Court of Appeals District (05-11-01632-CV, ___ SW3d ___, 06-06-13)
- 13-0570 EDWARD PAUL CELESTINE, JR. v. COURTYARD OF THREE FOUNTAINS ASSOCIATION AND KRJ MANAGEMENT, INC.; from Harris County; 14th Court of Appeals District (14-12-00248-CV, ___ SW3d ___, 06-20-13)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-1037 TUTLE & TUTLE TRUCKING, INC. v. EOG RESOURCES, INC.; from Johnson County; 10th Court of Appeals District (10-11-00062-CV, 391 SW3d 240, 11-15-12)
- abatement order issued June 7, 2013, lifted
petition reinstated
unopposed motion to dismiss appeal with prejudice granted

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0619 TITUS REGIONAL MEDICAL CENTER v. GLENNA VIRGINIA ROACH; from Titus County; 6th Court of Appeals District (06-11-00022-CV, ___ SW3d ___, 06-24-11)
- 12-0845 LINDA MARIE TURNER v. LEWIS ALLEN TURNER; from Leon County; 11th Court of Appeals District (11-10-00192-CV, ___ SW3d ___, 07-31-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 13-0569 IN RE RHONDA TAYLOR AS NEXT FRIEND OF KEVIN R. GORDON,
A MENTAL QUALIFIED DISABLED PERSON; from McLennan County
- 13-0581 IN RE GREGORY RANDALL ROOF
- 13-0586 IN RE ERIC FLORES; 3rd Court of Appeals District (03-13-00338-CV, ___
SW3d ___, 06-07-13)

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 13-0572 IN RE GARY CAMPBELL; from Bexar County; 4th Court of Appeals
District (04-12-00654-CV, ___ SW3d ___, 11-21-12)