



THE SUPREME COURT OF TEXAS

Orders Pronounced May 8, 2015

ORDERS ON CAUSES

12-0255 GENE E. PHILLIPS, INDIVIDUALLY AND D/B/A PHILLIPS OIL INTERESTS, LLC, EURENERGY RESOURCES CORPORATION, SYNTEK WEST, INC., CABELTEL INTERNATIONAL CORPORATION, NATRON INVESTMENTS, A&B CAPITAL CORPORATION, SOUTHMARK CORPORATION, BASIC CAPITAL MANAGEMENT, INC., MAY TRUST, O.S. HOLDINGS, INC., AND ENVICON DEVELOPMENT CORPORATION 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

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

Chief Justice Hecht delivered the opinion of the Court.

12-0987 GHARDA USA, INC. AND GHARDA CHEMICALS, LTD. v. CONTROL SOLUTIONS, INC., UNITED PHOSPHORUS, INC., AND MARK BOYD; from Harris County; 1st Court of Appeals District (01-10-00719-CV, 394 SW3d 127, 08-16-12)

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

Justice Green delivered the opinion of the Court.

13-0042 GENIE INDUSTRIES, INC. v. RICKY MATAK, BELINDA MATAK AND MISTY SONNIER, AS REPRESENTATIVE OF THE ESTATE OF WALTER PETE LOGAN MATAK, DECEASED; from Jefferson County; 13th Court of Appeals District (13-11-00050-CV, ___ SW3d ___, 12-06-12)

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

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

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

13-0080 RSUI INDEMNITY COMPANY v. THE LYND COMPANY; from Bexar County; 4th Court of Appeals District (04-11-00193-CV, 399 SW3d 197, 03-28-12)

The Court affirms the court of appeals' judgment.

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

Chief Justice Hecht delivered a dissenting opinion, in which Justice Green and Justice Brown joined.

13-0175 MAGDALENA ADRIENNA ABUTAHOUN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE HEIRS AND ESTATE OF ROBERT WAYNE HENDERSON, DECEASED, AND TANYA ELAINE HENDERSON, INDIVIDUALLY IN HER OWN RIGHT AND AS NEXT FRIEND OF Z.Z.H., A MINOR v. THE DOW CHEMICAL COMPANY; from Dallas County; 5th Court of Appeals District (05-11-01277-CV, 395 SW3d 335, 02-08-13)

The Court affirms the court of appeals' judgment.

Justice Green delivered the opinion of the Court.

13-0795 CITY OF DALLAS v. TCI WEST END, INC.; from Dallas County; 5th Court of Appeals District (05-11-00582-CV, 407 SW3d 292, 04-15-13)

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 that court.

Per Curiam Opinion

14-0095 WAYNE VENTLING v. PATRICIA M. JOHNSON; from Nueces County; 13th Court of Appeals District (13-12-00398-CV, ___ SW3d ___, 12-19-13)

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

Justice Lehrmann delivered the opinion of the Court.

14-0107 CUAHUTEMOC ("TIM") GONZALEZ v. ERMA GONZALES RAMIREZ, INDIVIDUALLY, AS REPRESENTATIVE OF THE ESTATE OF RAYMOND RAMIREZ, DECEASED, AND AS NEXT FRIEND OF R.L.R., J.R., M.R., R.R., AND D.R., MINOR CHILDREN; JANIE CROSBY; AND SAMUEL LEE JACKSON, INDIVIDUALLY, AS NEXT FRIEND OF T.C.J., A MINOR CHILD, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF REXEE JO JACKSON, DECEASED; from Lamb County; 7th Court of Appeals District (07-11-00385-CV, ___ SW3d ___, 08-29-13)

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, renders judgment in part, and remands the case to that court.

Per Curiam Opinion

14-0122 LIFE PARTNERS, INC. AND MILKIE/FERGUSON INVESTMENT, INC. v. MICHAEL ARNOLD, JANET ARNOLD, STEVE SOUTH AS TRUSTEE AND ON BEHALF OF THE SOUTH LIVING TRUST, JOHN S. FERRIS, M.D., CHRISTINE DUNCAN, AND ALL OTHERS SIMILARLY SITUATED; from Dallas County; 5th Court of Appeals District (05-12-00092-CV, 416 SW3d 577, 08-28-13)

2 petitions

- consolidated for oral argument with -

14-0226 LIFE PARTNERS HOLDINGS, INC., LIFE PARTNERS, INC., BRIAN D. PARDO, R. SCOTT PEDEN, ADVANCE TRUST & LIFE ESCROW SERVICES, L.T.A., AND PURCHASE ESCROW SERVICES,

LLC v. STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-13-00195-CV, ___ SW3d ___, 02-06-14)

2 petitions

The Court affirms the courts of appeals' judgments.

Justice Boyd delivered the opinion of the Court.

14-0175 IN RE LONGVIEW ENERGY COMPANY AND IN RE HUFF ENERGY FUND, L.P., AND RILEY-HUFF ENERGY GROUP, LLC; from Zavala County; 4th Court of Appeals District (04-12-00630-CV)

2 petitions

The Court denies the petitions for writ of mandamus.

Chief Justice Hecht delivered the opinion of the Court.

14-0214 ANDREWS COUNTY, TEXAS, ANDREWS INDUSTRIAL FOUNDATION, AND ANDREWS CHAMBER OF COMMERCE v. SIERRA CLUB; from Andrews County; 8th Court of Appeals District (08-13-00003-CV, ___ SW3d ___, 12-06-13)

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

14-0536 JESUS RUBEN MOLINA v. ELIAS ALVARADO; from Upton County; 8th Court of Appeals District (08-13-00157-CV, 441 SW3d 578, 04-23-14)

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 PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

14-0976 ERIC W. NORRIS v. TRIUMPH HOSPITAL OF EAST HOUSTON, L.P.; from Harris County; 14th Court of Appeals District (14-13-00431-CV, ___ SW3d ___, 06-12-14)

as redrafted

15-0057 BLANCA EMID PETTY v. JOHN KENT PETTY; from Wharton County; 13th Court of Appeals District (13-14-00051-CV, ___ SW3d ___, 10-30-14)

as amended

motion for reconsideration denied

motion for findings of fact and conclusions of law denied

15-0069 CLIFFORD FAIRFAX v. BRAD LIVINGSTON, ET AL.; from Anderson County; 12th Court of Appeals District (12-14-00233-CV, ___ SW3d ___, 08-27-14)

15-0070 ROBERT KARLSENG v. WELLS FARGO BANK, N.A.; from Dallas County; 5th Court of Appeals District (05-13-01734-CV, ___ SW3d ___, 12-19-14)

(Justice Johnson not sitting)

15-0163 SHERYL BUCHANAN v. COMPASS BANK; from Tarrant County; 2nd Court of Appeals District (02-14-00034-CV, ___ SW3d ___, 01-15-15)

15-0168 SIGN EFFECTS SIGN COMPANY, LLC v. SIGN WAREHOUSE.COM; from Grayson County; 5th Court of Appeals District (05-12-01301-CV, ___ SW3d ___, 01-30-15)

ORDERS ON MOTIONS FOR REHEARING

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

14-0368 NATIONS CONSTRUCTION MANAGEMENT, INC. AND LIBERTY MUTUAL INSURANCE COMPANY v. HEITKAMP SWIFT ARCHITECTS, INC.; from Harris County; 14th Court of Appeals District (14-12-00873-CV, ___ SW3d ___, 01-23-14)

14-0968 THOMAS O. BENNETT, JR., JAMES B. BONHAM CORPORATION AND WAYNE H. PARIS v. RANDY REYNOLDS, LARRY GRANT, AND RICHARD L. MILLER; from San Saba County; 3rd Court of Appeals District (03-12-00568-CV, ___ SW3d ___, 08-22-14)

15-0009 IN THE INTEREST OF E.D.F. AND C.G.F., CHILDREN; from Terry County; 7th Court of Appeals District (07-12-00470-CV, ___ SW3d ___, 10-09-14)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

15-0230 IN RE DAVID GLEN HARRIS; from Tarrant County; 2nd Court of Appeals District (02-15-00027-CV, ___ SW3d ___, 02-05-15)

15-0251 IN RE DELORIS PHILLIPS; from Dallas County; 5th Court of Appeals District (05-15-00244-CV)