



THE SUPREME COURT OF TEXAS

Orders Pronounced September 22, 2017

ORDERS ON CAUSES

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 14-1007 GREAT AMERICAN INSURANCE COMPANY AND GREAT AMERICAN LLOYDS INSURANCE COMPANY v. GLEN HAMEL AND MARSHA HAMEL; from Tarrant County; 8th Court of Appeals District (08-11-00302-CV, ___ SW3d ___, 09-19-14)
- 14-1033 COMMUNITY HEALTH SYSTEMS PROFESSIONAL SERVICES CORPORATION, ET AL. v. HENRY ANDREW HANSEN, II, M.D.; from Brazos County; 13th Court of Appeals District (13-14-00039-CV, 519 SW3d 614, 11-06-14)
- 15-0338 TOM BENNETT AND JAMES B. BONHAM CORPORATION v. LARRY WAYNE GRANT; from San Saba County; 3rd Court of Appeals District (03-11-00669-CV, 460 SW3d 220, 03-20-15)
- 15-0403 VIRGINIA O. KINSEL, AS ATTORNEY-IN-FACT FOR J. FRANK KINSEL, J. FRANK KINSEL, JR., CAROLE K. EDWARDS, AND CATHERINE K. COLLINS v. JANE O. LINDSEY, INDIVIDUALLY AND AS CO-TRUSTEE OF THE LESEY B. KINSEL TRUST, ROBERT N. OLIVER, KEITH BRANYON AND JACKSON WALKER, LLP; from Tarrant County; 7th Court of Appeals District (07-13-00130-CV, 518 SW3d 1, 04-10-15)
(Justice Lehrmann not sitting)
- 15-0569 BP AMERICA PRODUCTION COMPANY v. RED DEER RESOURCES, LLC; from Lipscomb County; 7th Court of Appeals District (07-14-00032-CV, 466 SW3d 335, 05-18-15)
- 15-0610 LEAH ANNE GONSKI MARINO, M.D. F/K/A LEAH ANNE GONSKI, M.D. v. SHIRLEY LENOIR, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SHANA LENOIR, AND CHRISTOPHER MCKNIGHT, INDIVIDUALLY AND AS NEXT FRIEND OF NAYLA MCKNIGHT; from Harris County; 1st Court of Appeals District (01-13-01034-CV, 469 SW3d 669, 07-02-15)

- 15-0763 MIGUEL ANGEL LOYA v. LETICIA B. LOYA; from Harris County; 14th Court of Appeals District (14-14-00208-CV, 473 SW3d 362, 07-28-15)
- 15-0803 SHIELDS LIMITED PARTNERSHIP v. BOO NATHANIEL BRADBERRY AND 40/40 ENTERPRISES; from Dallas County; 5th Court of Appeals District (05-14-00258-CV, 518 SW3d 49, 06-23-15)
- 15-0909 COLUMBIA VALLEY HEALTHCARE SYSTEM, L.P. D/B/A VALLEY REGIONAL MEDICAL CENTER v. MARIA ZAMARRIPA, AS GUARDIAN OF THE ESTATES OF R.F.R. AND R.J.R., MINORS; from Cameron County; 13th Court of Appeals District (13-14-00696-CV, 520 SW3d 62, 08-31-15)
- 16-0007 PINTO TECHNOLOGY VENTURES L.P.; PINTO TV ANNEX FUND, L.P.; PTV SCIENCES II, L.P.; RIVERVEST VENTURE FUND I, L.P.; RIVERVEST VENTURE FUND II, L.P.; RIVERVEST VENTURE II (OHIO), L.P.; BAY CITY CAPITAL FUND IV, L.P.; BAY CITY CAPITAL FUND IV CO-INVESTMENT FU v. JEFFERY SHELDON AND ANDRAS KONYA, M.D., PH.D.; from Harris County; 14th Court of Appeals District (14-13-01066-CV, 477 SW3d 411, 09-10-15)
- 16-0096 JULIE HERSH v. JOHN TATUM AND MARY ANN TATUM; from Dallas County; 5th Court of Appeals District (05-14-01318-CV, 493 SW3d 675, 12-30-15)
- 16-0155 JAMES H. DAVIS, INDIVIDUALLY AND D/B/A JD MINERALS, AND JD MI, LLC v. MARK MUELLER; from Harrison County; 6th Court of Appeals District (06-14-00100-CV, 485 SW3d 622, 02-04-16)

(Justice Boyd not sitting)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 16-0341 LARRY BOS AND MARY BOS v. CRAIG S. SMITH, INDIVIDUALLY AND AS NEXT FRIEND OF M.W.F.S., A MINOR, C.S.S., A MINOR, J.E.S., A MINOR, AND V.A.S., A MINOR; from Nueces County; 13th Court of Appeals District (13-14-00456-CV, 492 SW3d 361, 03-10-16)

2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., February 6, 2018.]
Time allotted to argue: 20/20 minutes

- 16-0412 TRO-X, L.P. v. ANADARKO PETROLEUM CORPORATION; from Ward County; 8th Court of Appeals District (08-15-00158-CV, 511 SW3d 778, 03-18-16)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2018.]
Time allotted to argue: 20/20 minutes

16-0549 DR. BEHZAD NAZARI, D.D.S., ET AL. v. THE STATE OF TEXAS; XEROX CORPORATION; AND XEROX STATE HEALTHCARE, LLC, F/K/A ACS STATE HEALTHCARE, LLC; from Travis County; 3rd Court of Appeals District (03-15-00252-CV, 497 SW3d 169, 06-17-16)

[Note: This case has been set for oral argument at 9:00 a.m., February 6, 2018.]
Time allotted to argue: 20/20 minutes

16-0897 NEIGHBORHOOD CENTERS, INC. v. DOREATHA WALKER; from Harris County; 1st Court of Appeals District (01-14-00844-CV, 499 SW3d 16, 05-24-16)

[Note: This case has been set for oral argument at 9:00 a.m., November 7, 2017.]
Time allotted to argue: 20/20 minutes

16-1005 KENNETH H. TARR v. TIMBERWOOD PARK OWNERS ASSOCIATION, INC.; from Bexar County; 4th Court of Appeals District (04-16-00022-CV, 510 SW3d 725, 11-16-16)

[Note: This case has been set for oral argument at 9:00 a.m., February 6, 2018.]
Time allotted to argue: 20/20 minutes

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

17-0019 IN RE MAHINDRA, USA INC.; from Harris County; 1st Court of Appeals District (01-16-00718-CV, ___ SW3d ___, 12-20-16)

[Note: This case has been set for oral argument at 9:00 a.m., February 7, 2018.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

16-0347 RICHARDSON EAST BAPTIST CHURCH v. PHILADELPHIA INSURANCE COMPANY AND JAMES GREENHAW; from Dallas County; 5th Court of Appeals District (05-14-01491-CV, ___ SW3d ___, 03-30-16)

16-0551 IN RE GAMBLING DEVICES AND PROCEEDS; from Webb County; 4th Court of Appeals District (04-15-00357-CR, ___ SW3d ___ 06-08-16)

16-0948 TEXAS DEPARTMENT OF PUBLIC SAFETY v. MERARDO BONILLA; from El Paso County; 8th Court of Appeals District (08-13-00117-CV, 509 SW3d 570, 10-12-16)

16-0956 KENNETH L. HAEDGE, DALE C. TIUPPIT, DENVER TIPPIT, CASE S. JONES AND CLINTON H. SHED v. CENTRAL TEXAS CATTLEMEN'S ASSOCIATION, DOUG ALLEN, BRANDON BELT, MARK CAROTHERS, K.T. BOTKIN, LARRY FRY, JACKIE HYMAN, JR., RANDY PATTERSON, JUST TATUM AND SANDRA TATUM; from Coryell County; 7th Court of Appeals District (07-15-00368-CV, ___ SW3d ___, 10-11-16)

16-0982 CITY OF ALEDO v. TODD BRENNAN, ET AL.; from Parker County; 2nd Court of Appeals District (02-14-00147-CV, ___ SW3d ___, 06-02-16)

- 16-0983 TODD BRENNAN, ET AL. v. CITY OF WILLOW PARK, ET AL.; from Parker County; 2nd Court of Appeals District (02-14-00153-CV, ___ SW3d ___, 06-02-16)
- 17-0125 CARMEL FINANCIAL CORPORATION, INC. v. BEN CARSON IN HIS OFFICIAL CAPACITY AS SECRETARY OF HOUSING AND URBAN DEVELOPMENT AND STEPHANIE DICKSON; from Harris County; 14th Court of Appeals District (14-15-00478-CV, 514 SW3d 291, 12-29-16)
(Justice Johnson not sitting)
- 17-0139 ROBERT ANDRESAKIS v. BENJAMIN ALEXANDER MODISETT, CORI ANNE MODISETT, HCSB, AND STEPHEN A. ABLES; from Lubbock County; 7th Court of Appeals District (07-16-00003-CV, ___ SW3d ___, 01-04-17)
- 17-0188 VENKY VENKATRAMAN v. JYOTI MASUREKAR; from Dallas County; 5th Court of Appeals District (05-15-00792-CV, ___ SW3d ___, 11-18-16)
as reinstated
abatement order issued September 1, 2017, lifted
motion for rehearing reinstated
motion for rehearing granted, as reinstated
order dismissing petition for review for want of jurisdiction on June 16, 2017, withdrawn
- 17-0239 TRECE MEUTH v. CITY OF SEGUIN; from Guadalupe County; 4th Court of Appeals District (04-16-00183-CV, ___ SW3d ___, 02-15-17)
- 17-0244 KENTON ARTHUR MANION v. LAUREN DAWN MANION; from Nueces County; 13th Court of Appeals District (13-16-00501-CV, ___ SW3d ___, 11-10-16)
- 17-0285 JERRY DURANT v. COMPASS BANK; from Parker County; 2nd Court of Appeals District (02-15-00390-CV, 516 SW3d 557, 01-05-17)
- 17-0322 VIAJES GERPA, S.A. v. SEYED REZA FAZELI AND DUBAI FINANCIAL LLC; from Harris County; 14th Court of Appeals District (14-15-00608-CV, ___ SW3d ___, 12-29-16)
- 17-0383 RYAN LYONS, SR. AND ALL OTHER OCCUPANTS OF 735 BEE CREEK DRIVE, CEDAR HILL, TEXAS 75104 v. DEUTSCHE BANK NATIONAL TRUST COMPANY, IN TRUST FOR REGISTERED HOLDER OF LONG BEACH MORTGAGE LOAN TRUST 2006-WLI, ASSET-BACKED CERTIFICATES, SERIES 2006-WLI, ITS SUCCESSORS AND/OR ASSIGNS; from Dallas County; 5th Court of Appeals District (05-16-00607-CV, ___ SW3d ___, 03-02-17)

- 17-0406 MARK TRIMBLE, INDIVIDUALLY AND AS ASSIGNEE FOR I.B. AND MILDRED HENDERSON v. FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Galveston County; 1st Court of Appeals District (01-15-00921-CV, 516 SW3d 24, 12-20-16)
- 17-0420 ANA SOPHIA SPENCER AND WILLIAM ALEX SPENCER v. JENNIFER OVERPECK; from Bexar County; 4th Court of Appeals District (04-16-00565-CV, ___ SW3d ___, 03-15-17)
- 17-0427 HARRIS COUNTY TAX ASSESSOR-COLLECTOR v. ANHEUSER-BUSCH, L.L.C.; from Harris County; 1st Court of Appeals District (01-15-00422-CV, 516 SW3d 1, 10-11-16)
- 17-0446 CITY OF HOUSTON AND ITS CURRENT MAYOR SYLVESTER TURNER v. PHILLIP PAUL BRYANT, ET AL.; from Harris County; 1st Court of Appeals District (01-16-00273-CV, 516 SW3d 47, 01-12-17)
- 17-0479 IN THE INTEREST OF G.G.C. AKA G.C.G., E.G.C., R.D.G.C. AKA R.G.C., K.S.G.M. AKA K.G.M., K.M.G.M. AKA K.G.M. AND K.E.G.M. AKA K.G.M., CHILDREN; from Harris County; 1st Court of Appeals District (01-16-00891-CV, ___ SW3d ___, 05-02-17)
counsel's motion to withdraw granted
- 17-0567 KEVIN D. FIELDS v. GOOD SHEPHERD HOSPITAL, INC., D/B/A GOOD SHEPHERD MEDICAL CENTER; from Gregg County; 6th Court of Appeals District (06-17-00001-CV, ___ SW3d ___, 05-31-17)
- 17-0582 ESTATE OF JOHN DAVID HARRIS, DECEASED; from Tarrant County; 2nd Court of Appeals District (02-17-00108-CV, ___ SW3d ___, 06-15-17)
- 17-0585 GLORIA DOUGLAS AND CHARLIE DOUGLAS, JR. v. FIRST NATIONAL BANK OF HUGHES SPRINGS; from Cass County; 6th Court of Appeals District (06-16-00090-CV, ___ SW3d ___, 06-06-17)
- 17-0591 KENNETH M. JASINSKI v. PUBLIC UTILITY COMMISSION OF TEXAS AND ONCOR ELECTRIC DELIVERY COMPANY LLC; from Travis County; 3rd Court of Appeals District (03-16-00725-CV, ___ SW3d ___, 06-14-17)
- 17-0618 \$102,450 IN UNITED STATES CURRENCY, LOTS 1-6, SEC. 1, BLK 3, LOTS 17-22, SEC. 1, BLK 3, RESIDENCES & OUTBUILDINGS, (JAMES W. VANG) v. THE STATE OF TEXAS; from Polk County; 9th Court of Appeals District (09-16-00171-CV, ___ SW3d ___, 06-22-17)
- 17-0633 KATHY WILBURN AND KORWIN WILBURN v. SUSAN DACUS; from Collin County; 5th

ORDERS ON MOTIONS FOR REHEARING

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

- 17-0115 THOMAS FLORENCE v. MARTINAY DAVENPORT III; JAMES STIVERS, GRIEVANCE INVESTIGATOR; JAMES ANDERS, ASSISTANT WARDEN; MARK ROTH, STEP II GRIEVANCE INVESTIGATOR; TDCJ-CID; from Wichita County; 2nd Court of Appeals District (02-16-00109-CV, ___ SW3d ___, 12-01-16)
- 17-0174 CHICO AUTO PARTS & SERVICE, INC. v. CRAIG M. CROCKETT; from Tarrant County; 8th Court of Appeals District (08-15-00021-CV, 512 SW3d 560, 01-18-17)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 17-0148 IN RE NOBLE BUILDING AND DEVELOPMENT, LLC, D/B/A NOBLE BUILDING & DEVELOPMENT, LLC; from Harris County; 14th Court of Appeals District (14-16-00699-CV, 513 SW3d 97, 11-17-16)
relator's motion for temporary relief dismissed as moot
- 17-0158 IN RE C&C ROAD CONSTRUCTION, INC.; from El Paso County; 8th Court of Appeals District (08-16-00299-CV, ___ SW3d ___, 01-06-17)
motion to withdraw as counsel granted
stay order issued August 4, 2017, lifted
- 17-0354 IN RE MOHAMMED GHANIM, MIJADA GHANIM AND GREY PIERSON; from Tarrant County; 2nd Court of Appeals District (02-17-00034-CV, ___ SW3d ___, 02-09-17)
- 17-0670 IN RE ADVOCARE INTERNATIONAL, LP; from Collin County; 5th Court of Appeals District (05-17-00575-CV, ___ SW3d ___, 08-14-17)
relator's emergency motion to stay denied