



THE SUPREME COURT OF TEXAS

Orders Pronounced April 13, 2018

ORDERS ON CAUSES

14-0721 USAA TEXAS LLOYDS COMPANY v. GAIL MENCHACA; from Montgomery County; 13th Court of Appeals District (13-13-00046-CV, ___ SW3d ___, 07-31-14)

The Court's opinion and judgment issued April 7, 2017 are withdrawn and the opinion and judgment issued this date are substituted.

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

Justice Boyd announced the Court's judgment and delivered the Court's opinion as to Parts I, II, and III.A, in which Chief Justice Hecht, Justice Green, Justice Guzman, Justice Lehrmann, Justice Devine, and Justice Brown joined, a plurality opinion as to Parts III.B and III.C, in which Chief Justice Hecht, Justice Lehrmann, and Justice Devine joined, and an opinion as to Parts III.D, III.E, III.F, and III.G, in which Justice Lehrmann and Justice Devine joined.

Chief Justice Hecht delivered a concurring opinion.

Justice Blacklock concurs in the judgment without opinion.

Justice Green delivered a dissenting opinion in which Justice Guzman and Justice Brown joined as to Parts I, II, and IV, and a plurality opinion as to Part III, in which Chief Justice Hecht, Justice Guzman, and Justice Brown joined.

(Justice Johnson not sitting)

15-0155 ENDEAVOR ENERGY RESOURCES, L.P. AND ENDEAVOR PETROLEUM, L.L.C. v. DISCOVERY OPERATING, INC. AND PATRIOT ROYALTY AND LAND, L.L.C.; from Martin County; 11th Court of Appeals District (11-12-00322-CV, ___ SW3d ___, 10-23-14)

The Court affirms the court of appeals' judgment.

Justice Boyd delivered the opinion of the Court.

15-0935 XOG OPERATING, LLC AND GERONIMO HOLDING CORPORATION v. CHESAPEAKE EXPLORATION LIMITED PARTNERSHIP AND CHESAPEAKE EXPLORATION, L.L.C.; from Wheeler County; 7th Court of Appeals District (07-13-00439-CV, 480 SW3d 22, 09-02-15)

The Court affirms the court of appeals' judgment.

Chief Justice Hecht delivered the opinion of the Court.

16-0107 ALBERT G. HILL, JR. v. SHAMOUN & NORMAN, LLP; from Dallas County; 5th Court of Appeals District (05-13-01634-CV, 483 SW3d 767, 01-26-16)

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

Justice Green delivered the opinion of the Court.

(Justice Guzman not sitting)

16-0120 STEVEN PAINTER; TONYA WRIGHT, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF EARL A. WRIGHT, III, DECEASED; VIRGINIA WEAVER, INDIVIDUALLY AND AS NEXT FRIEND OF A.A.C., A MINOR; AND TABITHA R. ROSELLO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ALBERT CARILLO, DECEASED v. AMERIMEX DRILLING I, LTD.; from Pecos County; 8th Court of Appeals District (08-14-00134-CV, 511 SW3d 700, 11-03-15)

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

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

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

Justice Blacklock did not participate in the decision.

16-0498 JEFFERSON COUNTY, TEXAS v. JEFFERSON COUNTY CONSTABLES ASSOCIATION; from Jefferson County; 13th Court of Appeals District (13-14-00188-CV, 512 SW3d 434, 05-05-16)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green, Justice Guzman, Justice Devine, Justice Brown, and Justice Blacklock joined.

Justice Boyd delivered a dissenting opinion, in which Justice Johnson joined.

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)

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

Chief Justice Hecht delivered the opinion of the Court.

Justice Johnson delivered a concurring opinion.

Justice Blacklock did not participate in the decision.

17-0197 IN RE PAUL & CYNTHIA ELIZONDO AND EAGLE FABRICATORS, INC.; from Harris County; 1st Court of Appeals District (01-16-00602-CV, 516 SW3d 101, 02-02-17)

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

Per Curiam Opinion

17-0231 SCHLUMBERGER TECHNOLOGY CORPORATION v. MICHAEL PASKO AND PEGGY PASKO; from De Witt County; 13th Court of Appeals District (13-15-00619-CV, ___ SW3d ___, 12-08-16)

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

17-0395 IN RE CAROLINA GARZA; from Jim Wells County; 4th Court of Appeals District (04-17-00096-CV, ___ SW3d ___, 03-29-17)
stay order issued August 29, 2017, lifted

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

Per Curiam Opinion

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 16-0836 THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, BELLA PATEL, M.D., F.C.C.P., RICHARD W. SMALLING, M.D., PH.D., RUCKSHANDA MAJID, M.D., AND FRANCISCO FUENTES, M.D. v. TOMAS G. RIOS, M.D.; from Harris County; 1st Court of Appeals District (01-15-01071-CV, 507 SW3d 312, 09-01-16)
- 17-0099 IN RE BERTRAM TURNER AND REGULATORY LICENSING & COMPLIANCE, L.L.C.; from Harris County; 14th Court of Appeals District (14-16-00967-CV, ___ SW3d ___, 01-05-17)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0767 HUGO XAVIER DE LOS SANTOS v. COMMISSION FOR LAWYER DISCIPLINE; from Bexar County; 4th Court of Appeals District (04-16-00065-CV, ___ SW3d ___, 05-17-17)
- 18-0210 LAURIE B. GRADY v. NATIONSTAR MORTGAGE, LLC, AND U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-BC5; from Tarrant County; 2nd Court of Appeals District (02-16-00481-CV, ___ SW3d ___, 11-22-17)
- 18-0212 FEYSAL GHAFARI v. EMPIRE PETROLEUM PARTNERS, LLC; from Tarrant County; 2nd Court of Appeals District (02-17-00164-CV, ___ SW3d ___, 02-22-18)
- 18-0218 GLEN COMEAUX AND GWENDOLYN COMEAUX v. NECHES FEDERAL CREDIT UNION AND DARRICK MCGRIFF, INDIVIDUALLY AND D/B/A ABC CONTRACTING, INC.; from Jefferson County; 9th Court of Appeals District (09-16-00113-CV, ___ SW3d ___, 01-11-18)
- 18-0284 IN THE INTEREST OF T.T., G.H., A.H., W.H., J.H., AND K.H., CHILDREN; from Lamb County; 7th Court of Appeals District (07-17-00325-CV, ___ SW3d ___, 02-09-18)
motion to withdraw as counsel granted

ORDERS ON MOTIONS FOR REHEARING

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

17-0706 JOSE A. SOLIZ v. HOME DEPOT, USA, INC.; from Williamson County; 3rd Court of Appeals District (03-16-00248-CV, ___ SW3d ___, 07-19-17)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

17-0341 IN RE J.P.; from Tarrant County; 2nd Court of Appeals District (02-17-00069-CV, ___ SW3d ___, 04-05-17)

18-0090 IN RE ROBERT R. WIGHTMAN-CERVANTES; from Tarrant County; 2nd Court of Appeals District (02-17-00155-CV, ___ SW3d ___, 02-09-18)
emergency applications for emergency relief denied
renewed motion to stay denied

18-0200 IN RE CHRISTOPHER CALLANO; from Carson County; 7th Court of Appeals District (07-17-00435-CV, ___ SW3d ___, 12-18-17)