



THE SUPREME COURT OF TEXAS

Orders Pronounced February 8, 2019

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 18-1155 BEARD PROCESS SOLUTIONS, INC. v. THE BRANDT COMPANIES, LLC AND BRANDT INDUSTRIES, LLC; from Dallas County; 5th Court of Appeals District (05-17-00780-CV, ___ SW3d ___, 08-29-18)

joint motion to effectuate settlement, being treated as a petition for review, granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, vacates the judgment of the trial court, and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement.

- 19-0073 ROCKY L. SALINAS, D.D.S., AND RGV SMILES BY ROCKY L. SALINAS D.D.S. P.A., BOTH INDIVIDUALLY AND D/B/A RGV SMILES AND RGV SMILES, INDIVIDUALLY v. RALPH RUBY; from Hidalgo County; 13th Court of Appeals District (13-16-00674-CV, ___ SW3d ___, 12-06-18)

agreed motion to vacate and remand, being treated as a petition for review, granted as follows:

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

- 19-0093 RH WHITE OAK, LLC, BRIAN HARDY, COLIN ZAK, ENTEX PARTNERS, LTD. AND ENTEX MANAGEMENT SERVICES, L.L.C. v. LONE STAR BANK AND RICKY JAMES HAJDIK; from Harris County; 14th Court of Appeals District (14-16-00840-CV, ___ SW3d ___, 10-11-18)

agreed motion for disposition pursuant to settlement, being treated as a petition for review, granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, vacates the judgments of the court of appeals and trial court, and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0731 STEVEN MCCRAW, IN HIS OFFICIAL CAPACITY AS THE DIRECTOR OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY v. C.I.; from Jefferson County; 9th Court of Appeals District (09-16-00302-CV, 525 SW3d 701, 08-03-17)
- 17-0744 JESSICA PARKER VALENTINE AND BRYAN L. PARKER v. INTERACTIVE BROKERS LLC; from Harris County; 1st Court of Appeals District (01-15-00943-CV, ___ SW3d ___, 08-22-17)
- 18-0251 PHARR-SAN JUAN-ALAMO INDEPENDENT SCHOOL DISTRICT v. MELBA LOZANO; from Hidalgo County; 13th Court of Appeals District (13-16-00408-CV, ___ SW3d ___, 01-31-18)
- 18-0356 JAMES NICHOLS, MELISSA NICHOLS, MARTHA MOORE, AND EDWARD NICHOLS, INDIVIDUALLY AND AS HEIRS OF THE ESTATE OF MELODY NICHOLS v. STEVEN MCKINNEY; from Ellis County; 10th Court of Appeals District (10-16-00037-CV, 553 SW3d 523, 03-14-18)
2 petitions
- 18-0452 HOUSTON TRUST COMPANY, AS TRUSTEE OF THE FREDRICKA H. CRAIN TRUST AMENDED AND RESTATED v. MUSTANG MINERALS, LLC; from Sterling County; 3rd Court of Appeals District (03-17-00152-CV, ___ SW3d ___, 01-11-18)
- 18-0556 TEXAS HEALTH AND HUMAN SERVICES COMMISSION v. DAVID DE LA CRUZ; from Hidalgo County; 13th Court of Appeals District (13-17-00292-CV, ___ SW3d ___, 05-24-18)
- 18-0597 CHRISTINA MOLINA v. JOHN GEARS, INDIVIDUALLY AND AS AN AGENT FOR ALL-STAR TIRE COMPANY, INC., ALL-STAR TIRE COMPANY, INC. AND ROBERT MORIN; from Harris County; 14th Court of Appeals District (14-16-00858-CV, ___ SW3d ___, 03-20-18)
- 18-0632 REBECCA PETERS v. BRUCE BYRNE, M.D.; from Rockwall County; 5th Court of Appeals District (05-17-00004-CV, ___ SW3d ___, 04-16-18)
- 18-0676 CHICAGO TITLE INSURANCE COMPANY v. COCHRAN INVESTMENTS, INC.; from Harris County; 14th Court of Appeals District (14-16-00119-CV, 550 SW3d 196, 06-14-18)
- 18-0742 MONEYGRAM INTERNATIONAL, INC. v. DEMETRI THEOFANOPOULOS; from Dallas County; 5th Court of Appeals District (05-17-00798-CV, ___ SW3d ___, 07-06-18)

(Justice Guzman not sitting)

- 18-0866 ROBERT HENNEKE v. TEXAS DEPARTMENT OF PUBLIC SAFETY; from Travis County; 3rd Court of Appeals District (03-18-00263-CV, ___ SW3d ___, 07-26-18)
- 18-0867 THE UNIVERSITY OF TEXAS-PAN AMERICAN, THE UNIVERSITY OF TEXAS SYSTEM, AND THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY v. ALEXANDER EDIONWE; from Hidalgo County; 13th Court of Appeals District (13-17-00156-CV, ___ SW3d ___, 08-27-18)
- 18-0894 ADRIANO KRUEL BUDRI v. DANIEL M. HUMPHREYS; from Tarrant County; 2nd Court of Appeals District (02-18-00070-CV, ___ SW3d ___, 08-09-18)
as redrafted
motion to take judicial notice dismissed as moot
motion for clarification dismissed as moot
- 18-0903 RAYMOND BRANTLEY v. ALIEF INDEPENDENT SCHOOL DISTRICT; from Harris County; 14th Court of Appeals District (14-17-00563-CV, 558 SW3d 747, 08-07-18)
- 18-0922 DONALD YOUNG, DORIS YOUNG AND DONNA HOLCOMB v. CHRIS DI FERRANTE; from Galveston County; 14th Court of Appeals District (14-16-00454-CV, 553 SW3d 125, 06-06-18)
as redrafted
- 18-0926 IN THE INTEREST OF T.A.L. AND C.E.L., CHILDREN; from McLennan County; 7th Court of Appeals District (07-17-00274-CV, ___ SW3d ___, 08-14-18)
- 18-0940 CHRISTOPHER LENAHAN D/B/A CPL SERVICES v. MICHAEL MACS, HIGH COTTON HOLDINGS, LLC, RANGER O&G OPERATING LLC AND RANGER EXPLORATION CORPORATION; from La Salle County; 4th Court of Appeals District (04-17-00033-CV, ___ SW3d ___, 01-03-18)
- 18-0959 MICHAEL E. MILLER v. LONE STAR HMA, LP AND MESQUITE HMA GENERAL, LLC; from Dallas County; 5th Court of Appeals District (05-17-00954-CV, ___ SW3d ___, 08-21-18)
- 18-0960 PINE FOREST INVESTMENTS GROUP, LLC v. THE COUNTY OF BASTROP, TEXAS, THE BASTROP INDEPENDENT SCHOOL DISTRICT AND THE CITY OF BASTROP, TEXAS; from Bastrop County; 3rd Court of Appeals District (03-16-00789-CV, ___ SW3d ___, 06-22-18)

- 18-0982 EDWIN EMENIKE v. PROGRESSIVE COUNTY MUTUAL INSURANCE COMPANY; from Travis County; 3rd Court of Appeals District (03-17-00684-CV, ___ SW3d ___, 08-28-18)
- 18-1001 IN THE INTEREST OF L.J.M., W.J.M. AND N.J.M., CHILDREN; from Harris County; 1st Court of Appeals District (01-18-00140-CV, ___ SW3d ___, 08-16-18)
- 18-1002 IN THE INTEREST OF S.S.M., A CHILD; from Harris County; 1st Court of Appeals District (01-18-00141-CV, ___ SW3d ___, 08-16-18)
- 18-1021 THE CAPITOL LIFE INSURANCE CO. v. LINDA S. NEWMAN, METLIFE INVESTORS GROUP, INC., METLIFE INSURANCE COMPANY USA, AMERICAN GENERAL LIFE INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-16-01476-CV, ___ SW3d ___, 09-13-18)
- 18-1033 CITY OF HOUSTON AND THE FIREFIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION FOR THE CITY OF HOUSTON v. STEVEN DUNBAR; from Harris County; 14th Court of Appeals District (14-17-00156-CV, 557 SW3d 745, 04-17-18)
- 18-1048 IRMA G. GALVAN v. ROSE B. GARCIA, INDEPENDENT ADMINISTRATRIX OF THE ESTATE OF RICHARD S. BARBOZA, DECEASED; from Harris County; 14th Court of Appeals District (14-16-00162-CV, ___ SW3d ___, 07-26-18)
- 18-1054 LONNIE D. CLARK AND TILL DAWN TATUM v. KATHLEEN MOORE AND ROBERT BRYAN BURROWS; from Terry County; 7th Court of Appeals District (07-18-00067-CV, ___ SW3d ___, 10-04-18)
- 18-1090 VICTOR VEGA v. LORIE DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE-INSTITUTIONAL DIVISION; from Anderson County; 12th Court of Appeals District (12-17-00302-CV, ___ SW3d ___, 08-22-18)
- 18-1100 MICHAEL S. LAND v. STEPHANIE ANNE LAND; from Harris County; 14th Court of Appeals District (14-17-00013-CV, 561 SW3d 624, 07-19-18)
- 18-1119 KENNETH W. MORRISON AND STONECOAT OF TEXAS, LLC v. PROCAL STONE DESIGN, LLC AND JOHN D. PROFANCHIK, SR.; from Dallas County; 5th Court of Appeals District (05-17-00680-CV, ___ SW3d ___, 08-28-18)
- 18-1125 JERRY PEREZ D/B/A LIGHTHOUSE INVESTMENTS v. DITECH SERVICING, LLC; from Hidalgo County; 13th Court of Appeals District (13-17-00123-CV, ___ SW3d ___, 08-31-18)

- 18-1140 KENNETH W. MORRISON AND STONECOAT OF TEXAS, LLC v. PROCAL STONE DESIGN, LLC; from Collin County; 5th Court of Appeals District (05-17-00696-CV, ___ SW3d ___, 08-28-18)
- 19-0040 IN THE INTEREST OF K.D., A CHILD; from Hunt County; 5th Court of Appeals District (05-18-00849-CV, ___ SW3d ___, 11-27-18)
- 19-0082 IN THE INTEREST OF E.X.G., A CHILD; from Bexar County; 4th Court of Appeals District (04-18-00659-CV, ___ SW3d ___, 12-12-18)
- 19-0101 IN THE INTEREST OF A.R.R., A.R., AND A.R., CHILDREN; from Bexar County; 4th Court of Appeals District (04-18-00578-CV, ___ SW3d ___, 12-12-18)
- 19-0103 IN THE INTEREST OF S.P., A.P., A.P., AND J.P., CHILDREN; from Montague County; 2nd Court of Appeals District (02-18-00243-CV, ___ SW3d ___, 12-13-18)

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

- 19-0069 DEDERIAN DEMOND HERRON, ET AL. v. ABIGAIL SALVADOR MUNOZ, ET AL.; from Dallas County; 5th Court of Appeals District (05-18-00668-CV, ___ SW3d ___, 10-10-18)
motion to turnover denied
motion for contempt denied

See TEX. R. APP. P. 53.7(a)

ORDERS ON MOTIONS FOR REHEARING

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

- 18-0728 IN THE ESTATE OF RICHARD ELWOOD NEWMAN, DECEASED; from Wilson County; 4th Court of Appeals District (04-17-00209-CV, ___ SW3d ___, 06-13-18)
- 18-0735 CHAN IL PAK v. AD VILLARAI, LLC, THE ASHLEY NICOLE WILLIAMS TRUST, VILLAS ON RAIFORD, LLC, AND VILLAS ON RAIFORD CARROLLTON SENIOR HOUSING, LLC; from Dallas County; 5th Court of Appeals District (05-14-01312-CV, ___ SW3d ___, 05-04-18)
- 18-0822 IN THE INTEREST OF A.R.R. AKA A.R.R., A.M.R. AND A.R.R., CHILDREN; from Harris County; 1st Court of Appeals District (01-18-00043-CV, ___ SW3d ___, 07-03-18)
counsel's motion to withdraw dismissed as moot
- 18-0840 LAYLA CLAIRE MARTIN OSLEY AND MILTON J. FLICK, TRUSTEE v. DORIS JACQUELYN NAYLOR; from McMullen County; 4th Court of Appeals District (04-17-00372-CV, ___ SW3d ___, 08-22-18)

- 18-1004 JEROME J. ISAAC AND MICHELLE P. ISAAC v. CITIMORTGAGE, INC.; from Williamson County; 1st Court of Appeals District (01-17-00521-CV, 563 SW3d 305, 08-14-18)
- 18-1036 BILLY CHARLES WILKINS v. JUDGE STEPHEN ELLIS; from Brown County; 11th Court of Appeals District (11-18-00208-CR, ___ SW3d ___, 08-16-18)
motion on reversible error dismissed as moot, as amended
- 18-1173 IN THE INTEREST OF J.T.T.J., K.A.T. AND R.D.R.T., MINOR CHILDREN; from Gonzales County; 13th Court of Appeals District (13-18-00319-CV, ___ SW3d ___, 11-01-18)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 18-0417 IN RE SCOTT VAN DYKE AND ANGLO-DUTCH ENERGY, LLC; from Harris County; 14th Court of Appeals District (14-18-00237-CV)
stay order issued May 9, 2018, lifted
- 18-0494 IN RE FEDERAL CORPORATION; from Hidalgo County; 13th Court of Appeals District (13-18-00060-CV, ___ SW3d ___, 01-24-18)
- 18-0844 IN RE ROY J. MOORE, PIERCE J. ROBERTS, JR., DAVID BROWN, CHRISTOPHER BAKER, JAMES KERR, FRANK MCCAMANT, NEIL KELLEN, JOSEPH MOWERY, STEPHENS INC., AND LANDIS+GYR TECHNOLOGY, INC.; from Bexar County; 4th Court of Appeals District (04-18-00236-CV, ___ SW3d ___, 08-29-18)
unopposed motion to file under seal granted
motion for temporary stay underlying trial court proceedings denied
- 18-0942 IN RE JOE FREDERICK; from Smith County
- 18-1044 IN RE LOWELL QUINCY GREEN; from McLennan County; 12th Court of Appeals District (12-18-00227-CV, ___ SW3d ___, 08-22-18)
- 18-1227 IN RE SOMAIAH KHOLAIF; from Harris County; 14th Court of Appeals District (14-18-00825-CV, ___ SW3d ___, 11-08-18)
- 19-0004 IN RE ISAAC MONTES; from Cameron County; 13th Court of Appeals District (13-18-00686-CV, ___ SW3d ___, 12-28-18)
motion to stay denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

18-0931 IN RE JACK BENJAMIN STRONG; from Travis County; 3rd Court of Appeals District (03-18-00348-CV, ___ SW3d ___, 08-29-18)
relator's unopposed motion to dismiss granted

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

18-0916 IN RE CHARLES ANTHONY ALLEN, SR.; from Dallas County; 5th Court of Appeals District (05-14-00389-CV, ___ SW3d ___, 04-17-14)
motion to take judicial notice denied