



THE SUPREME COURT OF TEXAS

Orders Pronounced May 3, 2019

ORDERS ON CAUSES

- 16-0874 MICHAEL JOE SORRELL AND SORRELL FAMILY, LTD PARTNERS v. ESTATE OF BENJAMIN HARDY CARLTON, III; from Brazoria County; 14th Court of Appeals District (14-15-00361-CV, 504 SW3d 379, 08-11-16)

The Court affirms the court of appeals' judgment.

Chief Justice Hecht delivered the opinion of the Court.

(Justice Busby not sitting)

- 17-0345 PATRICIA MOSLEY v. TEXAS HEALTH AND HUMAN SERVICES COMMISSION AND TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-16-00358-CV, 517 SW3d 346, 03-30-17)

The Court affirms the court of appeals' judgment in part and reverses it in part.

Justice Brown delivered the opinion of the Court.

Justice Blacklock delivered a concurring opinion, in which Justice Devine and Justice Busby joined.

- 17-0603 IN THE INTEREST OF A.L.M.-F., A.M., J.A.-F., N.A.-F., AND E.A.-F., CHILDREN; from McLennan County; 10th Court of Appeals District (10-17-00020-CV, 564 SW3d 441, 06-14-17)

The Court affirms the court of appeals' judgment.

Justice Guzman delivered the opinion of the Court.

- 17-0713 LUIS GARCIA, ET AL. v. CITY OF WILLIS, LEONARD REED, IN HIS OFFICIAL CAPACITY AS [MAYOR] OF THE CITY OF WILLIS, JAMES NOWAK IN HIS OFFICIAL CAPACITY AS CHIEF OF POLICE OF THE CITY OF WILLIS, HECTOR FORESTIER, IN HIS OFFICIAL CAPACITY AS CITY MANAGER OF THE CITY OF WILLIS; from Montgomery County; 9th Court of Appeals District (09-16-00164-CV, 523 SW3d 729, 07-06-17)

motion for leave to file supplement dismissed as moot

The Court affirms the court of appeals' judgment.

Justice Brown delivered the opinion of the Court.

- 17-0925 ENDEAVOR ENERGY RESOURCES, L.P. v. EVELYN CUEVAS, INDIVIDUALLY AND AS NEXT FRIEND OF C.C. AND E.C., MINOR CHILDREN, AND ON BEHALF OF THE ESTATE OF ANGEL CUEVAS, JR.; MELANIE MOLINA, AS NEXT FRIEND OF B.C., A

MINOR; NEW HAMPSHIRE INSURANCE CO.; AND ERIKA MESSER, AS NEXT FRIEND OF K.C., A MINOR; from Midland County; 11th Court of Appeals District (11-15-00157-CV, 531 SW3d 375, 10-05-17)

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

Justice Boyd delivered the opinion of the Court.

- 17-1003 BRAZOS ELECTRIC POWER COOPERATIVE, INC. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND RICHARD A. HYDE, EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 8th Court of Appeals District (08-16-00069-CV, 538 SW3d 666, 09-15-17)

The Court reverses the court of appeals' judgment and remands the case to the Texas Commission on Environmental Quality.

Justice Lehrmann delivered the opinion of the Court.

- 18-0128 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND RICHARD A. HYDE, P.E., EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. BRAZOS VALLEY ENERGY, LLC; HAYS ENERGY, LLC; ENNIS POWER CO., LLC; MIDLOTHIAN ENERGY, LLC; WISE COUNTY POWER CO., LLC; FREEPORT ENERGY CENTER, LLC; FREESTONE POWER GENERATION, LLC; AND TENASKA GATEWAY PARTNERS, LTD.; from Travis County; 3rd Court of Appeals District (03-16-00694-CV, 564 SW3d 1, 07-11-17)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court.

(Justice Guzman not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 19-0191 JONATHAN ARENO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF REBECCA ARENO, DECEASED, NATHAN ARENO AND PENNY WADE ARENO v. WILLIAM JAY BRYAN, M.D.; from Harris County; 1st Court of Appeals District (01-18-00085-CV, ___ SW3d ___, 12-20-18)
- 19-0326 IN THE INTEREST OF B.W.H., A CHILD; from Palo Pinto County; 11th Court of Appeals District (11-18-00264-CV, ___ SW3d ___, 03-14-19)
motion for leave to withdraw as counsel granted

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

- 19-0362 IN THE INTEREST OF T.R. AND P.H., CHILDREN; from Harris County; 1st Court of Appeals District (01-18-00834-CV, ___ SW3d ___, 02-14-19)
counsel's motion to withdraw granted

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:

- 17-0458 IN THE INTEREST OF A.E., A MINOR CHILD; from Montgomery County; 9th Court of Appeals District (09-16-00019-CV, ___ SW3d ___, 09-15-16)
- 18-0610 BERRY CONTRACTING, L.P., D/B/A BAY, LTD. AND JUAN TOMAS ALVAREZ v. GERNAL RANDOLPH "RANDY" MANN AND JENNIFER MANN; from Nueces County; 13th Court of Appeals District (13-17-00063-CV, 549 SW3d 314, 04-26-18)
- 18-0620 IN THE MATTER OF THE MARRIAGE OF CARRIE HOLLOMAN SLAGLE AND ALAN PAUL SLAGLE; from Brazoria County; 14th Court of Appeals District (14-16-00113-CV, ___ SW3d ___, 05-22-18)
- 18-0713 JUAN A. MARTIN-DE-NICOLAS v. AAA TEXAS COUNTY MUTUAL INSURANCE COMPANY; from Travis County; 3rd Court of Appeals District (03-17-00054-CV, ___ SW3d ___, 04-19-18)
- 18-0857 VICKI PRUITT JOHNSON v. JOHN GILMER JOHNSON, JOEL DAVID JOHNSON, JUDY FOWLER, ROSS GRIFFITH, CARY SCHROEDER, JAMES HOLLIDAY, DYANN MCCULLY, JOHN DOWDY, AND WILLIAM RIDGEWAY; from Tarrant County; 2nd Court of Appeals District (02-18-00011-CV, ___ SW3d ___, 06-28-18)
- 18-0864 RICHARD SCOTT GLADDEN v. DENTON CENTRAL APPRAISAL DISTRICT; from Denton County; 2nd Court of Appeals District (02-17-00400-CV, 554 SW3d 749, 07-05-18)
- 18-1131 VERNIE CALDWELL MARSHALL II AND MARSHA MARSHALL v. ENTERPRISE BANK, HERMAN DUHR, JR., AND JAMES HUDSON, INDIVIDUALLY; from Falls County; 10th Court of Appeals District (10-16-00379-CV, ___ SW3d ___, 09-05-18)
- 18-1146 LINDA D. NIELSEN v. MARIA JUANITA FOOTMAN; from Tarrant County; 2nd Court of Appeals District (02-17-00251-CV, ___ SW3d ___, 09-27-18)
- 18-1196 TIMOTHY CASTLEMAN AND CASTLEMAN CONSULTING, LLC v. INTERNET MONEY LTD. AND KEVIN O'CONNOR; from Lubbock County; 7th Court of Appeals District (07-16-00320-CV, ___ SW3d ___, 10-18-18)
as supplemented
- 19-0003 IN THE INTEREST OF C.J.W., A CHILD; from Harris County; 1st Court of Appeals District (01-18-00514-CV, ___ SW3d ___, 11-13-18)
- 19-0055 ESTATE OF JOHN DAVID HARRIS, DECEASED; from Tarrant County; 2nd Court of Appeals District (02-18-00093-CV, ___ SW3d ___, 11-29-18)

MISCELLANEOUS

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

- 19-0180 IN RE MELISSA PSIHOUKAKIS; from Bexar County; 4th Court of Appeals District (04-18-00880-CV, ___ SW3d ___, 12-19-18)
relator's motion for stay denied, as amended

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

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

- 16-0705 BBL BUILDERS, L.P. v. ELITE FRAMING, JEROME HENSLEY, RON HENSLEY, AND KIM CRAGER-HUNT; from Dallas County; 5th Court of Appeals District (05-15-01430-CV, ___ SW3d ___, 06-15-16)
abatement order issued January 18, 2017, lifted
petition reinstated
respondents' motion to reinstate case granted
respondents' motion to dismiss, or in the alternative, deny petition for review, denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 19-0360 IN RE CHRIS HANNA AND ROBIN HANNA; from Travis County; 3rd Court of Appeals District (03-19-00230-CV, ___ SW3d ___, 04-16-19)
relators' emergency motion for temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 18-0655 IN RE KOLBY LISTENBEE; from Tarrant County; 2nd Court of Appeals District (02-18-00199-CV, ___ SW3d ___, 07-13-18)
abatement order issued March 22, 2019, lifted
mandamus reinstated
unopposed motion to dismiss granted