



THE SUPREME COURT OF TEXAS

Orders Pronounced October 8, 2021

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

19-0689 KATHLEEN POWELL & PAUL LUCCIA v. CITY OF HOUSTON, TEXAS; from Harris County; 1st Court of Appeals District (01-18-00237-CV, 580 SW3d 391, 06-25-19)

Supplemental Opinion on Motion for Rehearing

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

19-1108 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DOS REPÚBLICAS COAL PARTNERSHIP v. MAVERICK COUNTY, CITY OF EAGLE PASS, ENVIRONMENTAL DEFENSE FUND, WALTER HERRING, ERNESTO IBARRA, GABRIEL DE LA CERDA, MIKE HERNANDEZ, BOULWARE AND ANSON FAMILY, LTD., AND MAVERICK COUNTY ENVIRONMENTAL AND PUBLIC HEALTH ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-17-00785-CV, ___ SW3d ___, 11-15-19)

joint motion to extend time for oral argument denied

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

21-0158 ROAD SYSTEMS, INC. v. LINDSAY CORPORATION; from Howard County; 11th Court of Appeals District (11-19-00409-CV, ___ SW3d ___, 12-10-20)

motion to dismiss, granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petitions for review, vacates the judgments of the court of appeals and trial court, and dismisses the case as moot.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 21-0408 WALLY YAMMINE v. DAVID PAUL HEALY, HDH FINANCIAL, LLC, DPH CAPITAL, LLC, AND HY CAPITAL, LLC; from Tarrant County; 7th Court of Appeals District (07-20-00022-CV, ___ SW3d ___, 02-05-21)
- 21-0508 HARRIET NICHOLSON v. HARVEY LAW GROUP, NATIONSTAR MORTGAGE LLC, RECONTRUST COMPANY, N.A., AND THE BANK OF NEW YORK MELLON; from Tarrant County; 2nd Court of Appeals District (02-20-00180-CV, ___ SW3d ___, 03-25-21)
motion to stay denied
- 21-0640 GINGER LIGHT AND JAMES JUSTIN LIGHT v. MIKE THOMA; from Lubbock County; 7th Court of Appeals District (07-20-00311-CV, ___ SW3d ___, 06-14-21)
- 21-0654 WEST INLAND ENERGY, INC. v. ROCKWATER ENERGY SOLUTIONS, INC.; from Scurry County; 11th Court of Appeals District (11-19-00219-CV, ___ SW3d ___, 06-04-21)
- 21-0734 REGINA NACHAEL HOWELL FOSTER v. AREYA HOLDER; from Tarrant County; 2nd Court of Appeals District (02-20-00327-CV, ___ SW3d ___, 06-10-21)
- 21-0833 IN THE INTEREST OF A.L.B., A CHILD; from Bexar County; 4th Court of Appeals District (04-21-00134-CV, ___ SW3d ___, 08-11-21)

ORDERS ON MOTIONS FOR REHEARING

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

- 20-0224 UPS GROUND FREIGHT, INC. AND PHILLIP VILLARREAL v. CAMERONN MORRISON; from Rusk County; 12th Court of Appeals District (12-19-00302-CV, ___ SW3d ___, 11-27-19)
(Justice Lehrmann and Justice Busby not participating)
- 20-0225 UPS GROUND FREIGHT, INC. AND PHILLIP VILLARREAL v. SEAN TROTTER AND MICAH TROTTER; from Rusk County; 12th Court of Appeals District (12-19-00135-CV, 606 SW3d 781, 11-27-19)
(Justice Lehrmann and Justice Busby not participating)
- 20-0437 HOSSEIN S. NAMDARKHAN AND BARDIA NAMDARKHAN v. GLAST, PHILLIPS & MURRAY, P.C., MARK C. ENOCH, MARK C. ENOCH, PC, AND MATTHEW ENOCH; from Dallas County; 5th Court of Appeals District (05-18-00802-CV, ___ SW3d ___, 04-24-20)

20-0928 JOSE DOMINGUEZ v. AMERICAN EXPRESS BANK FSB; from Fort Bend County; 14th Court of Appeals District (14-17-00157-CV, ___ SW3d ___, 05-29-20)

21-0357 CDM CONSTRUCTORS, INC. AND CDM SMITH, INC. v. CITY OF WESLACO, TEXAS; from Hidalgo County; 13th Court of Appeals District (13-19-00447-CV, ___ SW3d ___, 03-25-21)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

21-0674 IN RE ERIC J. MAPES; from Ector County

motion to correct errors, being treated as motion for rehearing, denied

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

21-0845 IN RE AMIN AL-AHMAD, M.D., AND TEXAS CARDIAC ARRHYTHMIA, PLLC; from Travis County; 3rd Court of Appeals District (03-21-00469-CV, ___ SW3d ___, 09-24-21)
relators' motion for immediate temporary relief to stay denied

Justice Devine and Justice Blacklock dissent from the Court's denial of the petition for writ of mandamus and motion for immediate temporary relief.

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

21-0860 IN RE ATAIN SPECIALTY INSURANCE COMPANY; from Galveston County; 1st Court of Appeals District (01-21-00237-CV, ___ SW3d ___, 09-30-21)

unopposed motion for emergency relief to stay granted
stay order issued

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

THE MOTIONS TO STAY IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

21-0363 IN RE WALMART, INC. AND WAL-MART STORES TEXAS, LLC; from El Paso County; 8th Court of Appeals District (08-20-00191-CV, 620 SW3d 851, 03-26-21)

relators' emergency motion for temporary relief denied

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

21-0650 IN RE WALMART, INC. AND WAL-MART STORES TEXAS, LLC; from El Paso County; 8th Court of Appeals District

relators' emergency motion for temporary relief denied

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