



THE SUPREME COURT OF TEXAS

Orders Pronounced January 26, 2024

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

- 22-0901 U.S. POLYCO, INC. v. TEXAS CENTRAL BUSINESS LINES CORPORATION; from Ellis County; 10th Court of Appeals District (10-19-00004-CV, ___ SW3d ___, 07-27-22)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 22-0620 TEXAS DISPOSAL SYSTEMS LANDFILL, INC. v. TRAVIS CENTRAL APPRAISAL DISTRICT, BY AND THROUGH MARYA CRIGLER, ACTING IN HER OFFICIAL CAPACITY AS CHIEF APPRAISER OF TRAVIS CENTRAL APPRAISAL DISTRICT; from Travis County; 3rd Court of Appeals District (03-20-00122-CV, ___ SW3d ___, 06-22-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 22, 2024.]

Time allotted to argue: 20/20 minutes

- 22-0662 THE CITY OF AUSTIN v. NOEL POWELL; from Travis County; 3rd Court of Appeals District (03-21-00146-CV, ___ SW3d ___, 05-13-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 22, 2024.]

Time allotted to argue: 20/20 minutes

22-0733 RIVER PLANTATION COMMUNITY IMPROVEMENT ASSOCIATION
v. RIVER PLANTATION PROPERTIES LLC AND PREISLER GOLF
PROPERTIES LLC; from Montgomery County; 9th Court of Appeals District
(09-20-00036-CV, 661 SW3d 812, 04-28-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 20, 2024.]
Time allotted to argue: 20/20 minutes

23-0094 CITY OF HOUSTON v. RUBEN RODRIGUEZ AND FREDERICK OKON;
from Harris County; 14th Court of Appeals District (14-21-00107-CV, 658
SW3d 633, 09-08-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 22,
2024.]

Time allotted to argue: 20/20 minutes

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

23-0414 IN RE KHUSRO RASHID, M.D.; from Bexar County; 4th Court of Appeals
District (04-23-00383-CV, ___ SW3d ___, 05-31-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 19, 2024.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

22-0400 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. UNION
PACIFIC RAILROAD COMPANY, JESSE L. MYROW, AND WESLEY R.
MYROW; from Travis County; 3rd Court of Appeals District (03-21-00082-
CV, ___ SW3d ___, 04-07-22)

22-0746 JOLIE CHU v. WINDERMERE LAKES HOMEOWNERS ASSOCIATION,
INC.; from Harris County; 14th Court of Appeals District (14-21-00001-CV,
652 SW3d 899, 08-30-22)

motion to consolidate dismissed as moot

- 22-0914 NETFLIX, INC.; NETFLIX WORLDWIDE ENTERTAINMENT, LLC; KYOKO MIYAKE; SARIT G. WORK; SAMANTHA KNOWLES; KATE GILL; JIGSAW PRODUCTIONS, LLC; MUDDY WATERS PRODUCTIONS LLC; ALEX GIBNEY; PHILIP ROSS; JO ANN RIVERA; LAURA A. MARTINEZ; BRITTANY A. MARTINEZ; MICHELLE C. MARTINEZ; AND JOSE H. MARTINEZ, v. TONYA BARINA; from Bexar County; 4th Court of Appeals District (04-21-00327-CV, ___ SW3d ___, 08-31-22)
- 22-1013 MONTGOMERY J. BENNETT AND DALLAS EXPRESS MEDIA, INC. D/B/A THE DALLAS EXPRESS v. STEVEN MONACELLI AND THE DALLAS WEEKLY, INC.; from Henderson County; 12th Court of Appeals District (12-22-00044-CV, ___ SW3d ___, 08-30-22)
- 22-1018 SM ENERGY COMPANY v. UNION PACIFIC RAILROAD COMPANY; from Howard County; 11th Court of Appeals District (11-21-00052-CV, 652 SW3d 830, 06-23-22)
- (Justice Lehrmann not participating)
- 22-1063 LUIS R. VARELA v. CITY OF EL PASO; from El Paso County; 8th Court of Appeals District (08-21-00116-CV, 656 SW3d 451, 10-25-22)
- 23-0171 ABDERRAHIM ENNADI v. SOPHIE ANDREE CHRISTINE ENNADI; from Harris County; 1st Court of Appeals District (01-21-00252-CV, ___ SW3d ___, 01-05-23)
- 23-0201 TECHNOX ENGINEERING AND SERVICES PRIVATE, LTD. v. SUNWOO CO., LTD.; from Harris County; 1st Court of Appeals District (01-22-00006-CV, ___ SW3d ___, 12-29-22)
- 23-0217 EMILY FOURNIER, DAVID FOURNIER, THOMAS NELMS, AND SUSAN NELMS v. ANGELWYLDE HOA, INC. AND ANGELWYLDE PLACE HOMEOWNERS ASSOCIATION, INC.; from Travis County; 3rd Court of Appeals District (03-21-00269-CV, ___ SW3d ___, 03-17-23)
motion to consolidate dismissed as moot

- 23-0301 CHRIS KILBOURNE v. OVINTIV EXPLORATION, INC.; from Montgomery County; 9th Court of Appeals District (09-21-00375-CV, ___ SW3d ___, 02-09-23)
- 23-0335 MANISCH SOHANI AND ANIS VIRANI v. NIZAR SUNESARA; from Harris County; 1st Court of Appeals District (01-20-00114-CV, ___ SW3d ___, 01-31-23)
- 23-0336 ENVEN ENERGY CORPORATION AND ENVEN ENERGY VENTURES, LLC v. DAVID M. DUNWOODY, JR.; from Harris County; 14th Court of Appeals District (14-21-00699-CV, ___ SW3d ___, 04-18-23)
- 23-0349 IN THE INTEREST OF J.M.R.C. AND J.M.A.C., CHILDREN; from Harris County; 14th Court of Appeals District (14-22-00681-CV, ___ SW3d ___, 03-17-23)
- 23-0395 KEVIN DALE DIDWAY AND WILLIAM MARK DIDWAY v. JAMES GRIFFIS; from Williamson County; 8th Court of Appeals District (08-22-00141-CV, 677 SW3d 91, 04-28-23)
- 23-0399 IN THE INTEREST OF E.G.P.; from Montgomery County; 9th Court of Appeals District (09-22-00330-CV, ___ SW3d ___, 06-15-23)
- 23-0445 CLAYMORE HOLDINGS, LLC v. CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH AND CREDIT SUISSE (USA) LLC; from Dallas County; 5th Court of Appeals District (05-21-00649-CV, ___ SW3d ___, 02-14-23)
- (Justice Huddle and Justice Young not participating)
- 23-0479 KALEI MERRILL v. MITCHELL CURRY, MELINDA DEFELICE AND TAMIRA GRIFFIN, EACH INDIVIDUALLY AS DEFENDANTS; from Collin County; 5th Court of Appeals District (05-21-00934-CV, ___ SW3d ___, 04-25-23)

- 23-0547 IN THE INTEREST OF I.J.K. AND E.A.K., CHILDREN; from El Paso County; 8th Court of Appeals District (08-22-00055-CV, ___ SW3d ___, 04-28-23)
- 23-0557 EAGLE ROCK TIMBER, INC. v. ROCK HARD RENTAL, LLC AND SOLID ROCK CRUSHING, LLC; from Kerr County; 4th Court of Appeals District (04-21-00372-CV, 672 SW3d 438, 03-15-23)
- 23-0683 BARRETT FIREARMS MANUFACTURING, INC., BARRETT FIREARMS USA, INC., AND FEDERAL CARTRIDGE COMPANY v. XAVIER FLORES; from Bexar County; 4th Court of Appeals District (04-22-00136-CV, 673 SW3d 353, 07-12-23)
2 petitions
- 23-0732 STATE OF TEXAS v. L.S.L.H.; from Randall County; 7th Court of Appeals District (07-23-00011-CV, ___ SW3d ___, 07-26-23)
- 23-0759 DENISE MCDONALD AND DIANA DOBBINS v. JACY GATES; from Coleman County; 11th Court of Appeals District (11-22-00054-CV, 674 SW3d 420, 08-03-23)
- 23-0770 CHARLES CAUTHORN v. PIRATES PROPERTY OWNERS ASSOCIATION; from Galveston County; 1st Court of Appeals District (01-22-00401-CV, 679 SW3d 876, 08-29-23)
motion to consolidate dismissed as moot
- 23-0771 COTTONWOOD TRAIL INVESTMENTS, LLC v. PIRATES PROPERTY OWNERS ASSOCIATION; from Galveston County; 1st Court of Appeals District (01-22-00400-CV, ___ SW3d ___, 08-29-23)
motion to consolidate dismissed as moot

- 23-0831 LEWIS FIRST MONDAY, INC. v. CITY OF CANTON; from Van Zandt County; 6th Court of Appeals District (06-23-00027-CV, ___ SW3d ___, 08-03-23)
- 23-0888 IN THE INTEREST OF B.U., A CHILD; from Montague County; 2nd Court of Appeals District (02-23-00150-CV, ___ SW3d ___, 09-14-23)
- 23-0893 AUSTIN JSB, LTD. v. OTWELL REALTY, LTD.; from Travis County; 3rd Court of Appeals District (03-22-00459-CV, ___ SW3d ___, 08-18-23)
- 23-0896 MATTHEW BROWN v. WILLIAM EDMONDS AND PAMELA EDMONDS, INDIVIDUALLY AND AS NEXT FRIEND ON BEHALF OF A.B., C.B., AND M.B.; from Brazos County; 10th Court of Appeals District (10-23-00039-CV, ___ SW3d ___, 08-23-23)
- 23-0902 MAGDALENA FLORES v. CRYSTAL CITY INDEPENDENT SCHOOL DISTRICT; from Zavala County; 8th Court of Appeals District (08-23-00021-CV, ___ SW3d ___, 09-21-23)
- 23-0947 EUGENIA WOODARD v. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS COMPENSATION; CAPP ELECTRIC COMPANY; AND TEXAS MUTUAL INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-22-00761-CV, ___ SW3d ___, 08-29-23)
- 23-0949 TITE WATER ENERGY, LLC v. WILD WILLY'S WELDING, LLC; from Harris County; 1st Court of Appeals District (01-22-00158-CV, ___ SW3d ___, 08-31-23)
- 23-0986 DAISY CAMPOS RODRIGUEZ v. RICARDO "RICHIE" RANGEL, JR.; from Webb County; 4th Court of Appeals District (04-23-00099-CV, 679 SW3d 890, 11-13-23)

Respondent's amended motion is granted in part and petitioner is denied the right to file a motion for rehearing. *See* Tex. R. App. P. 64.1.

- 23-0991 STEVEN M. DUNBAR v. CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-21-00570-CV, ___ SW3d ___, 05-23-23)
- 23-1021 TIFFANY LONG AND ALL OCCUPANTS v. PARATHEKE ENTERPRISES, LLC; from Grayson County; 5th Court of Appeals District (05-22-00685-CV, ___ SW3d ___, 08-15-23)
- 23-1041 IN THE INTEREST OF L.W., A CHILD; from Hunt County; 6th Court of Appeals District (06-23-00059-CV, ___ SW3d ___, 10-27-23)
- 24-0031 IN THE INTEREST OF A.E., P.E., AND Q.S. A/K/A Q.S., JR., CHILDREN; from Gregg County; 6th Court of Appeals District (06-23-00061-CV, ___ SW3d ___, 11-27-23)

ORDERS ON MOTIONS FOR REHEARING

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

- 23-0182 JORGE ANDRADE v. LOGICORP MEXICO SA DE CV; from Hidalgo County; 13th Court of Appeals District (13-21-00243-CV, ___ SW3d ___, 01-26-23)
- 23-0406 WES GILBREATH, JR., STACEY GILBREATH POWELL, ELLIOT GILBREATH, AND MARK RITTER; SIGNAD, LTD., SIGNAD GP, LLC, BEN NEVIS WEST, LTD., CULCREUCH WEST, LLC, BIG SIGNS & LEASING #1, LTD., BIG SIGNS & LEASING #2, LTD., BIG SIGNS & LEASING #3, LTD., BIG SIGNS & LEASING #4, LTD., BIG SIGNS & LEASING #5, LTD., AND BIG SIGNS & LEASING #6, LTD., BIG EASTEX #1, LTD., REALTY ACQUISITIONS & HOLDINGS, LLC, AND BIG LEASING, LLC v. LISA R. GILBREATH HORAN, INDIVIDUALLY AND AS TRUSTEE OF THE LISA GILBREATH HORAN 2001 IRREVOCABLE TRUST; from Harris County; 1st Court of Appeals District (01-17-00316-CV, ___ SW3d ___, 04-20-23)
- 2 rehearings

23-0795 JOHN E. DELOACH, INDIVIDUALLY, JOHN E. DELOACH AS GENERAL PARTNER OF JOHN E. DELOACH FAMILY LIMITED PARTNERSHIP, AND JOHN E. DELOACH FAMILY LIMITED PARTNERSHIP v. STEPHEN STELLY; from Chambers County; 1st Court of Appeals District (01-19-00182-CV, ___ SW3d ___, 08-17-23)

23-0828 TERENCE GREGORY v. ALBERT PUNCHARD; from Lee County; 14th Court of Appeals District (14-23-00247-CV, ___ SW3d ___, 06-08-23)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

23-0013 IN RE RLB CONTRACTING, INC.; from Harris County; 14th Court of Appeals District (14-21-00399-CV, ___ SW3d ___, 08-23-22)
stay order issued January 13, 2023, lifted

23-0232 IN RE PUBLICACIONES E. IMPRESOS DEL NORTE, S. DE R.L. DE C.V., PUBLICACIONES PASO DEL NORTE, S.A. DE C.V., AND PASO DEL NORTE PUBLISHING, INC.; from El Paso County; 8th Court of Appeals District (08-22-00099-CV, 661 SW3d 569, 02-08-23)

23-0939 IN RE THE LANDING AT BLANCO PROPERTY OWNERS ASSOCIATION; from Blanco County; 3rd Court of Appeals District (03-23-00487-CV, ___ SW3d ___, 11-01-23)
as redrafted

23-0983 IN RE RYAN, LLC; from Montgomery County; 9th Court of Appeals District (09-23-00140-CV, ___ SW3d ___, 10-19-23)

23-1012 IN RE RODOLFO G. ROSA; from Denton County; 2nd Court of Appeals District (02-23-00413-CV, ___ SW3d ___, 12-07-23)

24-0035 IN RE DAVID DILLARD; from Travis County; 3rd Court of Appeals District (03-23-00198-CV, ___ SW3d ___, 12-29-23)
motion for emergency relief denied

THE DECISION OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING
APPEAL IS AFFIRMED:

23-0352 PETER JONATHAN CRESCI v. COMMISSION FOR LAWYER
DISCIPLINE (BODA Cause No. 65262)