



# THE SUPREME COURT OF TEXAS

Orders Pronounced June 13, 2025

## ORDERS ON CAUSES

23-0167 THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY v. RITA OTEKA;  
from Hidalgo County; 13th Court of Appeals District (13-22-00063-CV, 704  
SW3d 1, 01-26-23)

The Court affirms the court of appeals' judgment.

Justice Devine delivered the opinion of the Court.

23-0365 EIS DEVELOPMENT II, LLC v. BUENA VISTA AREA ASSOCIATION,  
LANCE W. HALL AND HEATHER R. HALL, JASON PAUL SMITHEY,  
DAVID W. MOLENGRAAF AND KIMBERLEY K. MOLENGRAAF,  
ALEXANDER E.W.J. SCHINDLER AND ANGELA R. SCHINDLER, AS  
INDIVIDUALS; from Ellis County; 8th Court of Appeals District (08-22-  
00006-CV, 690 SW3d 369, 04-12-23)

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

Justice Busby delivered the opinion of the Court, in which Justice Boyd,  
Justice Devine, Justice Bland, and Justice Sullivan joined, in which Chief  
Justice Blacklock joined as to Part I, and in which Justice Lehrmann, Justice  
Huddle, and Justice Young joined as to Parts II, III, and IV.

Justice Lehrmann filed an opinion dissenting in part, in which Justice Huddle  
and Justice Young joined.

23-0868 WHITE KNIGHT DEVELOPMENT, LLC v. DICK B. SIMMONS, SR.,  
AND JULIE M. SIMMONS; from Brazos County; 10th Court of Appeals  
District (10-21-00309-CV, 703 SW3d 136, 08-30-23)

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

Justice Huddle delivered the opinion of the Court.

23-0965 IN THE INTEREST OF N.L.S. AND E.J.C. A/K/A E.J.C., CHILDREN; from  
Brazoria County; 1st Court of Appeals District (01-23-00297-CV, \_\_\_ SW3d  
\_\_\_, 10-12-23)

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 in part and remands the case to that court.

Per Curiam Opinion

Chief Justice Blacklock filed a dissenting opinion, in which Justice Devine  
and Justice Sullivan joined.

24-0149 IN RE MARTIN LEE KAY; from Harris County; 14th Court of Appeals  
District (14-23-00710-CV)

stay order issued April 5, 2024, 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

24-0714 GARY PEREZ AND MATILDE TORRES v. CITY OF SAN ANTONIO  
(U.S. Fifth Circuit 23-50746)

The Court answers the question certified by the United States Court of  
Appeals for the Fifth Circuit.

Justice Boyd delivered the opinion of the Court, in which Chief Justice  
Blacklock, Justice Lehrmann, Justice Devine, Justice Busby, Justice Bland,  
Justice Huddle, and Justice Young joined.

Justice Sullivan filed a dissenting opinion.

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

24-0286 STUDIO E. ARCHITECTURE AND INTERIORS, INC. v. EMILY LEHMBERG; from Bexar County; 4th Court of Appeals District (04-22-00857-CV, 690 SW3d 725, 02-28-24)

petitioner's unopposed motion to reschedule oral argument granted

[**Note:** The date and time for oral argument are yet to be determined.]

**ORDERS ON CASES GRANTED**

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

24-0037 NUSTAR ENERGY, L.P. v. GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS; AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-21-00669-CV, 683 SW3d 831, 12-21-23)

[**Note:** The date and time for oral argument are yet to be determined.]

(Justice Lehrmann not participating)

24-0340 REYNALDO "REY" GONZALEZ, JR., M.D., J.D. v. TEXAS MEDICAL BOARD; from Travis County; 3rd Court of Appeals District (03-22-00205-CV, \_\_\_ SW3d \_\_\_, 10-31-23)

[**Note:** The date and time for oral argument are yet to be determined.]

24-0438 BRAXTON MINERALS III, LLC v. ROBERT SCOTT BAUER AND BRAXTON MINERALS II, LLC; from Tarrant County; 2nd Court of Appeals District (02-23-00269-CV, 689 SW3d 633, 04-18-24)

[**Note:** The date and time for oral argument are yet to be determined.]

24-0516 RON VALK D/B/A PLATINUM CONSTRUCTION v. COPPER CREEK DISTRIBUTORS, INC. AND JOSE DONICETH ESCOFFIE; from Rockwall County; 5th Court of Appeals District (05-23-00123-CV, \_\_\_ SW3d \_\_\_, 05-24-24)

[**Note:** The date and time for oral argument are yet to be determined.]

24-0525 S&B ENGINEERS & CONSTRUCTORS, LTD. AND ZURICH AMERICAN INSURANCE COMPANY v. SCALLON CONTROLS, INC.; from Jefferson County; 9th Court of Appeals District (09-22-00261-CV, \_\_\_ SW3d \_\_\_, 05-23-24)

2 petitions

[**Note:** The date and time for oral argument are yet to be determined.]

24-0543 FAMILY DOLLAR STORES OF TEXAS, LLC, ARCP FDCCC1403 LLC, 7B BUILDING & DEVELOPMENT, LLC, TRIPLE C DEVELOPMENT, INC., BURKHARDT ENGINEERING COMPANY, AND M&S UTILITY CONSTRUCTION, LLC v. JLMH INVESTMENTS, LLC; from Tarrant County; 2nd Court of Appeals District (02-23-00233-CV, \_\_\_ SW3d \_\_\_, 06-13-24)

[**Note:** The date and time for oral argument are yet to be determined.]

24-0864 CITY OF SAN ANTONIO v. NADINE REALME; from Bexar County; 4th Court of Appeals District (04-23-00885-CV, \_\_\_ SW3d \_\_\_, 08-28-24)

[**Note:** The date and time for oral argument are yet to be determined.]

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

24-0494 IN RE BRENHAM NURSING AND REHABILITATION CENTER, AND REGENCY IHS OF BRENHAM, LLC; from Washington County; 1st Court of Appeals District (01-23-00946-CV, \_\_\_ SW3d \_\_\_, 03-05-24)

[**Note:** The date and time for oral argument are yet to be determined.]

**ORDERS ON PETITIONS FOR REVIEW**

**THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:**

23-0780 COBB DEVELOPMENT AND VANCE COBB v. TIMOTHY FRANCIS MCCABE; from Travis County; 3rd Court of Appeals District (03-21-00524-CV, \_\_\_ SW3d \_\_\_, 06-15-23)

24-0418 CITY OF DALLAS v. KATRINA AHRENS; S.A., AND M.A., CHILDREN; from Johnson County; 10th Court of Appeals District (10-23-00315-CV, \_\_\_ SW3d \_\_\_, 04-11-24)

- 24-0617 DANIEL KEARNS v. RON HELLER & BUSINESS AIR INC.; from Bexar County; 8th Court of Appeals District (08-23-00300-CV, \_\_\_ SW3d \_\_\_, 06-18-24)  
motion to strike, as amended, dismissed as moot
- 24-0671 THE BANK OF SAN ANTONIO AND TEXAS EXPRESS FUNDING, LLC v. DEWEY BRYANT AND PAUL WEAVER; from Comal County; 3rd Court of Appeals District (03-22-00311-CV, \_\_\_ SW3d \_\_\_, 07-03-24)  
(Justice Boyd not participating)
- 24-0684 THAO VAN DAO, PHUONG THU NGUYEN, KIENG KIN HUYNH, THUA THI LUONG, AND THUY THU NGUYEN v. THE QUOC TRINH; from Brazoria County; 14th Court of Appeals District (14-23-00131-CV, \_\_\_ SW3d \_\_\_, 05-09-24)
- 24-0687 THOMAS GUNDERSON v. NATIONAL INDOOR RV CENTERS, LLC; from Denton County; 2nd Court of Appeals District (02-24-00025-CV, \_\_\_ SW3d \_\_\_, 07-11-24)
- 24-0722 BENJAMIN J. CORBIN AND CINDY NICOLE KROTH v. THE COMMONS OF LAKE HOUSTON PROPERTY OWNERS ASSOCIATION, INC.; from Harris County; 14th Court of Appeals District (14-23-00668-CV, 696 SW3d 267, 07-23-24)
- 24-0739 IN THE INTEREST OF P.A., A CHILD; from Dallas County; 5th Court of Appeals District (05-22-01048-CV, \_\_\_ SW3d \_\_\_, 04-17-24)  
motion to dismiss, as amended, dismissed as moot
- 24-0821 JAMES C. DONNAN AND TREASA LYNN DONNAN v. RTJ CAPITAL GROUP, LLC; from Bell County; 7th Court of Appeals District (07-23-00360-CV, \_\_\_ SW3d \_\_\_, 07-31-24)

- 24-0862 EDUARDO F. MORENO, INDIVIDUALLY, AND D/B/A CASA BLANCA COLLISION v. HARRIS COUNTY TAX ASSESSOR COLLECTOR; from Harris County; 14th Court of Appeals District (14-22-00607-CV, \_\_\_ SW3d \_\_\_, 08-29-24)
- 24-0886 JEROME KARAM AND JMK5 HOLDINGS, LLC v. THE AKERS FIRM, PLLC; BROCK AKERS CORDT AKERS; DALY & BLACK, P.C.; AND ANDREW DAO; from Galveston County; 14th Court of Appeals District (14-23-00127-CV, \_\_\_ SW3d \_\_\_, 07-09-24)
- 24-0893 JOHN DAVIS, INDIVIDUALLY AND AS GUARDIAN OF THE PERSON AND ESTATE OF ANGELA DAVIS, AN INCAPACITATED PERSON v. TEXAS HEALTH HARRIS METHODIST HOSPITAL SOUTHWEST FORT WORTH; from Tarrant County; 2nd Court of Appeals District (02-23-00055-CV, \_\_\_ SW3d \_\_\_, 08-01-24)
- 24-0916 CITY OF HOUSTON v. JESSICA ZUNIGA; from Harris County; 1st Court of Appeals District (01-23-00853-CV, \_\_\_ SW3d \_\_\_, 07-02-24)  
Justice Young filed an opinion concurring in the denial of the petition for review, in which Justice Lehrmann, Justice Boyd, and Justice Sullivan joined.
- 24-0928 KELLI DEWISPELARE v. JAMIE DEWISPELARE; from Dallas County; 5th Court of Appeals District (05-24-00176-CV, \_\_\_ SW3d \_\_\_, 09-23-24)
- 24-0932 DELIRIUM TV LLC v. TRAN DANG; from Harris County; 1st Court of Appeals District (01-23-00383-CV, \_\_\_ SW3d \_\_\_, 04-09-24)  
petitioner's emergency motion for stay dismissed as moot
- 24-0935 LAUREN FLODQUIST v. CHRISTON GRIFFIN; from Denton County; 2nd Court of Appeals District (02-24-00047-CV, \_\_\_ SW3d \_\_\_, 10-10-24)

24-0936 DANIEL KEARNS v. RON HELLER & BUSINESS AIR INC.; from Bexar County; 4th Court of Appeals District (04-23-01089-CV, \_\_\_ SW3d \_\_\_, 07-17-24)

motion to strike dismissed as moot

24-0959 CITY OF BUDA v. N. M. EDIFICIOS, LLC; from Hays County; 7th Court of Appeals District (07-23-00427-CV, \_\_\_ SW3d \_\_\_, 07-02-24)

24-0968 ANIBAL CANALES, JR. v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, BRYAN COLLIER, BOBBY LUMPKIN, AND KELLY STRONG; from Travis County; 3rd Court of Appeals District (03-23-00248-CV, \_\_\_ SW3d \_\_\_, 07-12-24)

24-0975 DIANE CREPEAU AND LARI RENINGER v. MICHAEL COMBS AND MICHAEL COMBS PROPERTIES, LLC; from Dallas County; 5th Court of Appeals District (05-23-00088-CV, \_\_\_ SW3d \_\_\_, 10-07-24)

24-0977 DOUBLE H INTERNATIONAL HOLDINGS, INC. v. BAKER AVIATION, LLC AND BAKER AVIATION MAINTENANCE, LLC; from Tarrant County; 2nd Court of Appeals District (02-22-00342-CV, \_\_\_ SW3d \_\_\_, 08-15-24)

(Justice Devine not participating)

24-1007 STACY DEBNAM v. GAY AND LOUDERMILK ENGINEERS, INC.; from Harris County; 14th Court of Appeals District (14-23-00954-CV, \_\_\_ SW3d \_\_\_, 10-15-24)

24-1028 KENNETH DALE STEPHENS v. BARBARA LYNN STEPHENS; from Tarrant County; 2nd Court of Appeals District (02-23-00081-CV, \_\_\_ SW3d \_\_\_, 09-19-24)

24-1068 HUNT COUNTY APPRAISAL DISTRICT v. LAKE TAWAKONI WIND POINT PARK CORPORATION; from Hunt County; 6th Court of Appeals District (06-24-00016-CV, \_\_\_ SW3d \_\_\_, 10-28-24)

(Justice Devine not participating)

- 25-0163 FARMERS TEXAS COUNTY MUTUAL INSURANCE CO. v. FLOYD BARR; from Montgomery County; 9th Court of Appeals District (09-22-00321-CV, \_\_\_ SW3d \_\_\_, 05-23-24)
- 25-0167 IN THE INTEREST OF M.S., S.M., K.S., AND A.G., CHILDREN; from Hall County; 7th Court of Appeals District (07-24-00264-CV, \_\_\_ SW3d \_\_\_, 01-08-25)
- 25-0241 STATE FARM LLOYDS v. ALICE LADKIN; from Tarrant County; 2nd Court of Appeals District (02-23-00213-CV, \_\_\_ SW3d \_\_\_, 02-06-25)
- 25-0290 DEK-M NATIONWIDE, LTD v. DAVID HILL D/B/A DOH OIL CO., CASSIE MOSELEY, DAVID MOSELEY AND COLORADO COUNTY CENTRAL APPRAISAL DISTRICT; from Colorado County; 14th Court of Appeals District (14-24-00118-CV, \_\_\_ SW3d \_\_\_, 12-12-24)
- 25-0293 ADRIANO KRUEL BUDRI v. GREG PATRICK MCALLISTER AND JEREMY W. HAWPE; from Tarrant County; 2nd Court of Appeals District (02-24-00092-CV, \_\_\_ SW3d \_\_\_, 02-13-25)  
motion for temporary relief and stay, as amended, dismissed as moot
- 25-0304 HARRIS COUNTY APPRAISAL DISTRICT v. 11490 WESTHEIMER ROAD LLC (ROYAL OAKS CENTRE OFFICE BUILDING); from Harris County; 14th Court of Appeals District (14-24-00293-CV, \_\_\_ SW3d \_\_\_, 11-26-24)
- 25-0313 EDWARD JACKSON, ET AL. v. HARRISON CENTRAL APPRAISAL DISTRICT; from Harrison County; 6th Court of Appeals District (06-24-00077-CV, \_\_\_ SW3d \_\_\_, 02-26-25)

25-0324 JOHN MICHAEL HERRMANN AND CONCHITA HENARES  
HERRMANN v. CREDIT UNION OF TEXAS; from Guadalupe County; 4th  
Court of Appeals District (04-24-00848-CV, \_\_\_ SW3d \_\_\_, 02-26-25)  
motion to exceed word limit granted

25-0395 T.B. FARMS, LTD. v. GRAND PRIX PIPELINE, LLC; from Madison  
County; 1st Court of Appeals District (01-23-00243-CV, \_\_\_ SW3d \_\_\_, 03-  
27-25)

(Justice Devine not participating)

### **ORDERS ON MOTIONS FOR REHEARING**

#### **THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS GRANTED:**

24-0834 AMBER CARDEN AND WILLIAM DUNCAN MCGEE v. MINTON,  
BASSETT, FLORES & CARSEY, P.C.; AND JOHN C. CARSEY,  
INDIVIDUALLY; from Travis County; 3rd Court of Appeals District (03-22-  
00513-CV, \_\_\_ SW3d \_\_\_, 08-21-24)  
denial of petition for review on January 31, 2025, withdrawn  
petition reinstated

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

23-0423 PBEX II, LLC; PBEX OPERATIONS, LLC; PBEX OPERATING, LTD.;  
WORD B. WILSON INVESTMENTS, LP; PRIMERO ENERGY, LLC;  
CHEL-TRAND HOLDINGS, LLC; WPW PERMIAN LLC; AND CBS  
PERMIAN, LLC; AND TORCH OIL & GAS COMPANY v.  
DORCHESTER MINERALS, L.P. AND DORCHESTER MINERALS  
OPERATING, L.P.; from Midland County; 7th Court of Appeals District (07-  
21-00212-CV, 670 SW3d 374, 04-28-23)  
2 rehearings

(Justice Devine not participating)

## MISCELLANEOUS

### THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

24-0537 IN RE J. KYLE BASS, ET AL.; from Dallas County; 5th Court of Appeals District (05-23-00359-CV, \_\_\_ SW3d \_\_\_, 03-18-24)

24-0999 IN RE WESTPORT INSURANCE CORPORATION; from Newton County; 9th Court of Appeals District (09-24-00127-CV, \_\_\_ SW3d \_\_\_, 10-24-24)  
motion for temporary relief dismissed as moot

(Justice Devine not participating)

25-0376 IN RE STEPHEN PATRICK BLACK; from Guadalupe County; 4th Court of Appeals District (04-24-00692-CV, \_\_\_ SW3d \_\_\_, 04-09-25)

25-0381 IN RE ANDRÉ A. WHEELER; from Harris County; 1st Court of Appeals District (01-24-00862-CV, \_\_\_ SW3d \_\_\_, 03-27-25)

25-0384 IN RE C.B.; from Denton County; 2nd Court of Appeals District (02-25-00026-CV, \_\_\_ SW3d \_\_\_, 03-06-25)  
motion to strike granted  
motion for stay denied

### STAY ORDERS ARE ISSUED IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS:

25-0316 IN RE PATRICK DAUGHERTY; from Dallas County; 5th Court of Appeals District (05-25-00442-CV, \_\_\_ SW3d \_\_\_, 04-14-25)  
relator's emergency motion for stay and temporary relief granted, as supplemented  
stay order issued

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

25-0428 IN RE AUTOMOTIVE PROMOTION CONSULTANTS, LLC D/B/A RENT  
2 OWN HQ; from Harris County; 14th Court of Appeals District (14-24-  
00883-CV, \_\_\_ SW3d \_\_\_, 05-15-25)

administrative stay order issued May 23, 2025, lifted  
relator's motion for emergency temporary relief granted in part  
stay order issued

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

THE FOLLOWING PETITION FOR WRIT OF INJUNCTION IS DENIED:

25-0373 IN RE JOSEPH DINGLER; from Tarrant County