



## Case Summaries April 17, 2026

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### DECIDED CASES

***Tex. Comm'n on Env't Quality v. Paxton***, \_\_\_ S.W.3d \_\_\_, 2026 WL \_\_\_ (Tex. Apr. 17, 2026) [23-0244]

At issue in this case is whether TCEQ timely asked the Attorney General if it could withhold contested documents under the Public Information Act.

TCEQ received a request from Sierra Club under the Public Information Act. According to TCEQ, many of the requested documents were protected against disclosure. So, in a letter to OAG, TCEQ asked whether it could withhold the documents. Under the Act, that letter was due no later than 10 days after Sierra Club's request, but OAG said it received the letter too late. TCEQ asked OAG to reconsider based on evidence TCEQ failed to include in its letter, but OAG declined. TCEQ then sued OAG under the Act, seeking a declaratory judgment to allow it to withhold the documents. Sierra Club intervened. The district court granted summary judgment for Sierra Club, ordering TCEQ to produce the documents. The court of appeals affirmed.

The Supreme Court reversed and remanded for further proceedings, holding that TCEQ did not miss its deadline. The Court held that TCEQ's follow-up email to Sierra Club reset its ten-day clock under the Act because TCEQ attempted to narrow the universe of documents at issue. The Court also found that TCEQ gained time back because it established with sufficient evidence that its request was deposited in interagency mail in a timely fashion.

Justice Busby filed a dissenting opinion. He would have held that TCEQ's email to Sierra Club did not discuss how the disclosure might be narrowed or clarified and, therefore, did not restart the clock under the Act.

***Valk v. Copper Creek Distributions, Inc.***, \_\_\_ S.W.3d \_\_\_, 2026 WL \_\_\_ (Tex. Apr. 17, 2026) [24-0516]

At issue in this case is whether the court of appeals erred when it remanded for a new trial based on jury-charge error despite the presence of other, unaddressed rendition points.

Ron Valk d/b/a Platinum Construction sued Copper Creek Distributors and others based on an alleged labor-theft scheme. Following a jury verdict and judgment for Platinum, Copper Creek appealed and raised several issues, including some that, if meritorious, would have entitled Copper Creek to rendition of judgment. The court of appeals considered only one issue: whether the trial court erred by giving a spoliation instruction. The court reversed and remanded for a new trial in the interest of justice, reasoning that the erroneous instruction prevented full development and presentation of the evidence.

The Supreme Court reversed and remanded the case to the court of appeals. The Court held that remanding for a new trial without first considering appellate issues that might result in rendition was improper. The Court explained that, while there are circumstances in which a remand for further development or in the interest of justice is appropriate instead of rendition, those are cases where the governing law changed during the life of the case or where the trial court's error precluded a party from presenting a necessary aspect of its case. The Court concluded there was no change in the law, and this record did not suggest that the instruction precluded presentation or development of the evidence, so the court of appeals could have rendered a judgment if it had determined that the rendition points were meritorious. The Court also noted that the court of appeals' failure to first consider the rendition points erroneously limited its harm analysis.