



THE SUPREME COURT OF TEXAS

Orders Pronounced May 22, 2026

ORDERS ON CAUSES

24-0045 K&K INEZ PROPERTIES, LLC, DAVID KUCERA, AND VALERIE KUCERA v. CLAY KOLLE AND LACY KOLLE; from Victoria County; 13th Court of Appeals District (13-21-00460-CV, 712 SW3d 125, 12-28-23)

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

Justice Huddle delivered the opinion of the Court.

24-0213 JOHN P. BOERSCHIG v. RIO GRANDE ELECTRIC COOPERATIVE, INC.; from Kinney County; 4th Court of Appeals District (04-22-00270-CV, 719 SW3d 327, 01-17-24)

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

Justice Busby delivered the opinion of the Court, in which Justice Devine, Justice Young, Justice Sullivan, and Justice Hawkins joined.

Justice Hawkins filed a concurring opinion.

Justice Bland filed a dissenting opinion, in which Chief Justice Blacklock, Justice Lehrmann, and Justice Huddle joined.

24-0293 IN RE GREYSTAR DEVELOPMENT & CONSTRUCTION, L.P.;
GABRIELLA TOWER, LLC; AND GREYSTAR DEVELOPMENT &
CONSTRUCTION, L.P.—GABRIELLA TOWER CONTRACTOR SERIES;
from Dallas County; 5th Court of Appeals District (05-23-01168-CV, 716
SW3d 747, 04-10-24)

stay order issued April 29, 2024, lifted

The Court conditionally grants in part the writ of mandamus.

Justice Busby delivered the opinion of the Court, in which Chief Justice
Blacklock, Justice Lehrmann, Justice Devine, and Justice Hawkins joined.

Justice Huddle filed an opinion concurring in part and dissenting in part, in
which Justice Bland, Justice Young, and Justice Sullivan joined.

24-1078 KEN PAXTON, ATTORNEY GENERAL OF TEXAS v. THE CITY OF
AUSTIN AND AUSTIN TRANSIT PARTNERSHIP LOCAL
GOVERNMENT CORPORATION; from Travis County; 15th Court of
Appeals District (15-24-00078-CV, 722 SW3d 50, 10-08-24)

The Court, treating the petition for review as a petition for writ of mandamus,
conditionally grants the writ of mandamus.

Chief Justice Blacklock delivered the opinion of the Court.

(Justice Sullivan not participating)

25-0161 PRABHAKAR GOPALAN v. ANDREA MARSH; from Travis County; 3rd
Court of Appeals District (03-22-00649-CV, 706 SW3d 650, 01-23-25)

respondent's motion to file under seal granted in part
petitioner's motion for leave to file sur-sur reply brief granted
respondent's motion to return amicus filing dismissed as moot
respondent's motion to abate dismissed as moot
petitioner's motion to strike sur-reply letter denied
respondent's motion to strike portions of petitioner's brief denied
petitioner's motion to strike and to disregard denied

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

Justice Devine delivered the opinion of the Court.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 25-1095 DAVID LYNN v. RONALD FERGUSON; from Tarrant County; 2nd Court of Appeals District (02-25-00619-CV, ___ SW3d ___, 05-14-26)
motion to exceed word count granted
abatement order issued February 12, 2026, lifted
petition reinstated
- 26-0080 NIKOLAJ ZBIKOWSKI v. SEAN FLUEGGE; from Bexar County; 4th Court of Appeals District (04-24-00651-CV, ___ SW3d ___, 12-10-25)
as reinstated
- 26-0138 IN THE INTEREST OF M.M.H.H., A CHILD; from Harris County; 1st Court of Appeals District (01-25-00461-CV, ___ SW3d ___, 12-18-25)
counsel's motion to withdraw granted
- 26-0220 RAIN LEVY MINNS UDALL v. MICHAEL MINNS; from Travis County; 3rd Court of Appeals District (03-24-00064-CV, 730 SW3d 704, 01-30-26)
- 26-0225 THOMAS ANDERSON v. KATRINA WYNNE; from Harris County; 14th Court of Appeals District (14-24-00586-CV, ___ SW3d ___, 11-25-25)
- 26-0233 IN THE INTEREST OF I.H., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-25-00524-CV, ___ SW3d ___, 01-30-26)
counsel's motion to withdraw granted
- 26-0360 EMILIO MENCHACA v. HOMEOWNERS OF AMERICA INSURANCE COMPANY; from Galveston County; 1st Court of Appeals District (01-23-00633-CV, ___ SW3d ___, 07-31-25)

- 26-0370 THE CITY OF WINONA, TEXAS v. NOLAN FARMS, LLC; from Smith County; 12th Court of Appeals District (12-25-00130-CV, ___ SW3d ___, 01-30-26)
- 26-0376 IN THE INTEREST OF A.A., H.A. AND R.A., CHILDREN; from Dallas County; 5th Court of Appeals District (05-25-00595-CV, ___ SW3d ___, 03-05-26)
- 26-0381 IN THE INTEREST OF K.B., A CHILD; from Henderson County; 12th Court of Appeals District (12-25-00281-CV, ___ SW3d ___, 03-18-26)
2 petitions
- 26-0408 IN THE INTEREST OF A.Y., A CHILD; from Harris County; 1st Court of Appeals District (01-25-00846-CV, ___ SW3d ___, 03-12-26)
counsel's motion to withdraw granted
- 26-0425 IN THE INTEREST OF J.D., R.D.-G., K.G., AND L.G., CHILDREN; from Tarrant County; 2nd Court of Appeals District (02-25-00574-CV, ___ SW3d ___, 03-26-26)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

- 26-0510 PRACTICAL TECHNOLOGY, INC. v. NEUROLOGICAL FITNESS EQUIPMENT AND EDUCATION, LLC; from Travis County; 3rd Court of Appeals District (03-26-00141-CV, ___ SW3d ___, 04-10-26)

[**Note:** This case is removed from the Court's active docket until July 20, 2026, by which time the parties must file either a status report or a motion to lift abatement. *See Kunstplast of Am. v. Formosa Plastics Corp., USA*, 937 S.W.2d 45.]

ORDERS ON MOTIONS FOR REHEARING

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

- 25-0548 TERRY BURNS, M.D., AND STEPHEN M. RAPKIN v. THE CITY OF SAN ANTONIO, TEXAS, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, TEXAS, AND KEN PAXTON, ATTORNEY GENERAL OF TEXAS; from Travis County; 15th Court of Appeals District (15-24-00009-CV, 712 SW3d 194, 04-03-25)
- 25-0815 DON B. MEADOR; KAREN S. MEADOR; KIMBERLY DAWN PLACE, TRUSTEE OF THE BK EDWARDS WATER TRUST; AND MAXWELL SPECIAL UTILITY DISTRICT v. GUADALUPE-BLANCO RIVER TRUST, A TEXAS NON-PROFIT ORGANIZATION; from Hays County; 7th Court of Appeals District (07-24-00355-CV, ___ SW3d ___, 08-05-25)
- 26-0180 LI LI v. TGS-NOPEC GEOPHYSICAL COMPANY; from Harris County; 1st Court of Appeals District (01-24-00087-CV, ___ SW3d ___, 01-15-26)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 26-0330 IN RE HILARIO ZAMAGO; from Tarrant County; 2nd Court of Appeals District (02-26-00208-CV, ___ SW3d ___, 04-02-26)
relator's emergency motions for temporary relief dismissed as moot
- 26-0358 IN RE SHAKOURI SHAHRAM; from Collin County; 5th Court of Appeals District (05-09-00158-CR, ___ SW3d ___, 08-30-10)
- 26-0374 IN RE FARIBORZ SHOJAI; from Harris County; 14th Court of Appeals District (14-26-00063-CV, ___ SW3d ___, 01-27-26)
emergency motion for temporary relief dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

25-0928 IN RE PIER 6 SEAFOOD LLC, AND PRESTIGE OYSTERS, INC.; from Galveston County; 1st Court of Appeals District (01-25-00680-CV, ___ SW3d ___, 09-30-25)

joint motion for abatement granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until July 24, 2026, by which time the parties must file either a status report or a motion to dismiss.]