



THE SUPREME COURT OF TEXAS

Orders Pronounced June 26, 2015

ORDERS ON CAUSES

12-0657 ASHISH PATEL, ANVERALI SATANI, NAZIRA MOMIN, MINAZ CHAMADIA, AND VIJAY LAKSHMI YOGI v. TEXAS DEPARTMENT OF LICENSING AND REGULATION, ET AL.; from Travis County; 3rd Court of Appeals District (03-11-00057-CV, ___ SW3d ___, 07-25-12)

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

Justice Johnson delivered the opinion of the Court, in which Justice Green, Justice Willett, Justice Lehrmann, and Justice Devine joined.

Justice Willett delivered a concurring opinion, in which Justice Lehrmann and Justice Devine joined.

Justice Boyd delivered a concurring opinion.

Chief Justice Hecht delivered a dissenting opinion, in which Justice Guzman and Justice Brown joined.

Justice Guzman delivered a dissenting opinion.

13-0745 GREATER HOUSTON PARTNERSHIP v. KEN PAXTON, TEXAS ATTORNEY GENERAL; AND JIM JENKINS; from Travis County; 3rd Court of Appeals District (03-11-00130-CV, 407 SW3d 776, 01-31-13)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Guzman delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green, Justice Lehrmann, Justice Devine, and Justice Brown joined.

Justice Boyd delivered a dissenting opinion, in which Justice Johnson and Justice Willett joined.

13-0861 CANTEY HANGER, LLP v. PHILIP GREGORY BYRD, LUCY LEASING CO., L.L.C., AND PGB AIR, INC.; from Tarrant County; 2nd Court of Appeals District (02-11-00468-CV, 409 SW3d 772, 08-01-13)

The Court reverses the court of appeals' judgment in part and renders judgment.

Justice Lehrmann delivered the opinion of the Court, in which Justice Guzman, Justice Boyd, Justice Devine, and Justice Brown joined.

Justice Green delivered a dissenting opinion, in which Chief Justice Hecht, Justice Johnson, and

Justice Willett joined.

- 13-0867 LAURA BEEMAN AND JANET LOCK v. BRAD LIVINGSTON, IN HIS OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE; from Travis County; 3rd Court of Appeals District (03-12-00205-CV, 408 SW3d 566, 07-17-13)

The Court affirms the court of appeals' judgment.

Justice Johnson delivered the opinion of the Court.

- 13-1026 ROYSTON, RAYZOR, VICKERY, & WILLIAMS, LLP v. FRANCISCO "FRANK" LOPEZ; from Nueces County; 13th Court of Appeals District (13-11-00757-CV, 443 SW3d 196, 06-27-13)

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

- consolidated with

- 14-0109 IN RE ROYSTON, RAYZOR, VICKERY, & WILLIAMS, LLP; from Nueces County; 13th Court of Appeals District (13-11-00757-CV; 13-12-00023-CV, 443 SW3d 196, 06-27-13)

The Court denies the petition for writ of mandamus.

Justice Johnson delivered the opinion of the Court.

Justice Guzman delivered a concurring opinion, in which Justice Lehrmann and Justice Devine joined.

- 14-0346 BARBARA D. COSGROVE, INDIVIDUALLY AND AS THE TRUSTEE OF THE CHARLES AND BARBARA COSGROVE FAMILY REVOCABLE LIVING TRUST v. MICHAEL CADE AND BILLIE CADE; from Tarrant County; 2nd Court of Appeals District (02-11-00424-CV, 430 SW3d 488, 04-03-14)

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

Justice Willett delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green, Justice Lehrmann, and Justice Brown joined.

Justice Boyd delivered an opinion dissenting in part, in which Justice Johnson, Justice Guzman, and Justice Devine joined.

- 14-0465 MCGINNES INDUSTRIAL MAINTENANCE CORPORATION v. THE PHOENIX INSURANCE COMPANY AND THE TRAVELERS INDEMNITY COMPANY

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

Chief Justice Hecht delivered the opinion of the Court, in which Justice Green, Justice Willett, Justice Devine, and Justice Brown joined.

Justice Boyd delivered a dissenting opinion, in which Justice Johnson, Justice Guzman, and Justice Lehrmann joined.

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 13-0573 THE FREDERICKSBURG CARE COMPANY, L.P. v. JUANITA PEREZ, VIRGINIA GARCIA, PAUL ZAPATA, AND SYLVIA SANCHEZ, INDIVIDUALLY AND AS ALL HEIRS OF ELISA ZAPATA, DECEASED; from Bexar County; 4th Court of Appeals District (04-13-00111-CV, 406 SW3d 313, 06-26-13)

- 13-0576 THE WILLIAMSBURG CARE COMPANY, L.P. v. JESUSA ACOSTA, ET AL.; from Bexar County; 4th Court of Appeals District (04-13-00110-CV, 406 SW3d 711, 06-26-13)
- 13-0577 THE FREDERICKSBURG CARE COMPANY, L.P. v. BRENDA LIRA, AS REPRESENTATIVE OF THE ESTATE OF GUADALUPE QUESADA, DECEASED; from Bexar County; 4th Court of Appeals District (04-13-00112-CV, 407 SW3d 810, 06-26-13)
- 14-0015 RANDALL KALLINEN AND PAUL KUBOSH v. THE CITY OF HOUSTON; from Harris County; 1st Court of Appeals District (01-12-00050-CV, ___ SW3d ___, 08-29-13)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 14-0332 ROGER L. GRAHAM, JOHN B. GRAHAM, JOHN REGMUND, GLENN REGMUND, WILMA REGMUND, RAELEN REGMUND MATTINGLY, RAYANNE REGMUND CHESSER, ALBERT O. MENN AND IRENE C. MENN v. GEORGE J. PROCHASKA, JR., PATRICIA PROCHASKA HOLLAND, JEANETTE PROCHASKA MAZZA, DAWN PROCHASKA SNYDER, FREDERICK JAMES PROCHASKA, II AND REBECCA PROCHASKA WILLIS; from Karnes County; 4th Court of Appeals District (04-12-00755-CV, 429 SW3d 650, 12-31-13)
- 14-0345 EDUARDO A. GARZA v. DR. HECTOR FARIAS & VOICES IN DEMOCRATIC ACTION; from Webb County; 4th Court of Appeals District (04-13-00094-CV, 426 SW3d 808, 01-29-14)
motion to amend brief granted
- 14-0594 HALLIE BROCK (DECEASED), CAROLYN BROCK, NIKI POWELL, LINDA THOMPSON (DECEASED), MICHAEL BEAVER, MARISA REEVES, DINA ARTEBURY, KAY MOORE, JUDY BIRDWELL, LINDA COATS, WILLIAM THOMPSON, JILIAN HENSON v. GENE TIPTON; from Montague County; 8th Court of Appeals District (08-12-00138-CV, ___ SW3d ___, 03-21-14)
- 14-0744 BAUER-PILECO, INC. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st Court of Appeals District (01-12-00052-CV, 443 SW3d 304, 08-07-14)
- 14-0764 FIRST FINANCIAL INVESTMENT FUND HOLDINGS LLC D/B/A FIRST FINANCIAL INVESTMENT FUND II, LLC, FIRST FINANCIAL ASSET MANAGEMENT, INC. AND RECEIVABLES PERFORMANCE MANAGEMENT, LLC v. ANNA MARIE BERRY, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF PARKER T. BERRY; from Tarrant County; 8th Court of Appeals District (08-14-00097-CV, ___ SW3d ___, 05-23-14)
- 14-1085 MACKIE WOLF ZIENTZ & MANN, P.C. v. LUIS A. SANTIAGO AND LINDA A. SANTIAGO; from Collin County; 5th Court of Appeals District (05-13-00620-CV, ___ SW3d ___, 08-19-14)

- 15-0035 US KINGKING, LLC, WILLIAM L. NASH, JOHN NASH, AND CHARLES NASH v. RIPPY INTERESTS, LLC; from Leon County; 10th Court of Appeals District (10-12-00233-CV, ___ SW3d ___, 08-21-14)
- 15-0119 NATHAN WEILBACHER v. MELODIE CRAFT; from Dallas County; 5th Court of Appeals District (05-13-01252-CV, ___ SW3d ___, 11-19-14)
- 15-0141 THE GOOD SHEPHERD HOSPITAL, INC. v. RONALD MASTEN AND CHARLENE MASTEN; from Gregg County; 12th Court of Appeals District (12-13-00005-CV, ___ SW3d ___, 12-03-14)
- 15-0145 EDWARD BALDRIDGE v. CHUCK BRAUNER, IN HIS OFFICIAL CAPACITY AS CHIEF OF POLICE OF THE SPRING BRANCH INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT, AND THE SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; from Harris County; 1st Court of Appeals District (01-10-00852-CV, ___ SW3d ___, 08-29-13)
- 15-0235 DAVID ALBERT D/B/A DAVID ALBERT OIL & GAS AND ABX OIL & GAS, INC. v. DUNLAP EXPLORATION, INC.; from Palo Pinto County; 11th Court of Appeals District (11-12-00064-CV, 457 SW3d 554, 02-12-15)
- 15-0253 NANNETTE DULCIE v. GUARDIAN TRANSFER STORAGE CO., INC.; from Harris County; 14th Court of Appeals District (14-14-00230-CV, ___ SW3d ___, 02-05-15)
- 15-0259 SULMA GONZALES v. KELLER CROWLEY AND ASSET BUYERS, INC.; from Wilbarger County; 7th Court of Appeals District (07-14-00121-CV, ___ SW3d ___, 12-30-14)
- 15-0260 MICHAEL D. KARNES v. JALAPENO TREE HOLDINGS, LLC; MARK S. PARMERLEE; AND PAUL BAMBREY; from Dallas County; 8th Court of Appeals District (08-13-00314-CV, ___ SW3d ___, 02-20-15)
- 15-0347 GUY SPARKMAN v. MICROSOFT CORPORATION, SUPPORT SPACE, INC., AS AGENT FOR MICROSOFT CORP., OMAR FRANCO, AS AGENT FOR MICROSOFT CORP., AND ROBERT DOE, AS AGENT FOR MICROSOFT CORP.; from Smith County; 12th Court of Appeals District (12-13-00175-CV, ___ SW3d ___, 03-18-15)
- 15-0370 SANDRA GARZA DAVIS F/K/A SANDRA C. SAKS AND LANDEN SAKS v. LAUREN SAKS MERRIMAN AND MARCUS P. ROGERS, INTERIM TRUSTEE; from Bexar County; 4th Court of Appeals District (04-13-00518-CV, ___ SW3d ___, 03-04-15)

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

14-0784 JESUS MENDOZA v. SYLVIA MENDOZA; from Hidalgo County; 13th Court of Appeals District (13-14-00420-CV, ___ SW3d ___, 10-30-14)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED FOR WANT OF JURISDICTION:

15-0205 IN RE DAVID DOW; from Bexar County

Per Curiam Opinion

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

14-0375 IN RE O.E. INVESTMENTS, LTD. AND OTHAL E. BRAND, JR.; from Hidalgo County; 13th Court of Appeals District (13-14-00243-CV, ___ SW3d ___, 04-30-14)
motion to strike dismissed as moot
stay order issued June 13, 2014, lifted

14-0772 IN RE GEORGE HELLE III; from Harris County

as reinstated

15-0372 IN RE DAVID GLEN HARRIS; from Tarrant County; 2nd Court of Appeals District (02-15-00104-CV, ___ SW3d ___, 03-26-15)