



THE SUPREME COURT OF TEXAS

Orders Pronounced December 4, 2015

ORDERS ON CAUSES

13-0499 IN RE RSR CORPORATION AND QUEMETCO METALS LIMITED, INC.; from Dallas County; 5th Court of Appeals District (05-13-00124-CV, 405 SW3d 265, 06-05-13)

The Court conditionally grants the writ of mandamus.

Justice Devine delivered the opinion of the Court.

14-0006 KINGSAIRE, INC. D/B/A KINGS AIRE, INC. v. JORGE MELENDEZ; from El Paso County; 8th Court of Appeals District (08-11-00372-CV, 416 SW3d 898, 11-22-13)

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

Justice Lehrmann delivered the opinion of the Court.

Justice Guzman delivered a concurring opinion.

14-0410 SYLVIA GALVAN v. MEMORIAL HERMANN HOSPITAL SYSTEM; from Harris County; 14th Court of Appeals District (14-13-00120-CV, ___ SW3d ___, 01-28-14)

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 and remands the case to the trial court.

Per Curiam Opinion

14-0530 BNSF RAILWAY COMPANY v. JAMES E. PHILLIPS; from Tarrant County; 2nd Court of Appeals District (02-11-00250-CV, ___ SW3d ___, 05-22-14)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petitions for review and without hearing oral argument, the Court reverses the court of appeals' judgment and renders judgment.

Per Curiam Opinion

14-0694 TEXAS DEPARTMENT OF PUBLIC SAFETY v. MERARDO BONILLA; from El Paso County; 8th Court of Appeals District (08-13-00117-CV, ___ SW3d ___, 05-30-14)

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 and remands the case to that court.

Per Curiam Opinion

14-0753 U.S. METALS, INCORPORATED v. LIBERTY MUTUAL GROUP, INCORPORATED,
DOING BUSINESS AS LIBERTY INSURANCE CORPORATION (U.S. 5th Circuit 13-20433)

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

Chief Justice Hecht delivered the opinion of the Court.

15-0176 LEDFORD WHITE AND M&M JOINT VENTURE v. KENT DAVIS AND D. KENT DAVIS,
P.C.; from Tarrant County; 2nd Court of Appeals District (02-13-00191-CV, ___ SW3d ___, 12-29-14)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court vacates the court of appeals' judgment and remands the case to that court.

Per Curiam Opinion

ORDERS ON CASES GRANTED

THE FOLLOWING CERTIFIED QUESTION FROM THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT IS ACCEPTED:

15-0891 IN RE DEEPWATER HORIZON (U.S. 5th Circuit 14-31321)

[**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:

15-0195 IN THE INTEREST OF K.M.L., A CHILD; from San Jacinto County; 9th Court of Appeals District (09-11-00083-CV, ___ SW3d ___, 01-29-15)

2 petitions
as redrafted

15-0537 UNITED INDEPENDENT SCHOOL DISTRICT v. EXLP LEASING, LLC AND EES LEASING, LLC; from Webb County; 4th Court of Appeals District (04-14-00343-CV, ___ SW3d ___, 06-03-15)

15-0560 ANTONIO SEPEDA v. THE STATE OF TEXAS; from Galveston County; 14th Court of Appeals District (14-14-00443-CV, ___ SW3d ___, 07-16-15)

15-0622 RICHARD A. MYERS AND THOMAS J. WOUTERS v. HBC REAL HOLDINGS, LLC; from Dallas County; 5th Court of Appeals District (05-13-00113-CV, ___ SW3d ___, 05-14-15)

15-0654 ROBERT C. MORRIS v. KENNETH N. TARLTON; from Palo Pinto County; 11th Court of Appeals District (11-13-00199-CV, ___ SW3d ___, 07-23-15)

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 15-0660 STEVEN MITCHELL GARY v. MARY ROMAN: GERALD C. MOTON, ESQ.; IRENE HALL, GRAND JURY FOREMAN; AND UNIDENTIFIED PROSECUTORS OF THE 175TH DISTRICT COURT.; from Bexar County; 4th Court of Appeals District (04-15-00349-CV, ___ SW3d ___, 08-12-15)
- 15-0671 MARVIN WADDLETON III TDCJ # 1355746 v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.; from Bee County; 13th Court of Appeals District (13-13-00512-CV, ___ SW3d ___, 07-30-15)
- 15-0721 AMBER BUMPUS v. BRENT FITZGERALD; from Hunt County; 5th Court of Appeals District (05-12-00141-CV, ___ SW3d ___, 07-07-15)
- 15-0727 IN THE INTEREST OF K.A.K., A.A.K., A.A.K., K.A.K., AND A.M.A., MINOR CHILDREN; from Dallas County; 5th Court of Appeals District (05-14-00628-CV, ___ SW3d ___, 08-11-15)
- 15-0737 TCHEWAM "LILY" MUKWANGE v. PUBLIC STORAGE; from Harris County; 14th Court of Appeals District (14-14-00212-CV, ___ SW3d ___, 08-11-15)
- 15-0747 ERNEST K. BANKAS v. MAUREEN BANKAS; from Dallas County; 5th Court of Appeals District (05-15-00388-CV, ___ SW3d ___, 08-13-15)
- 15-0748 MARCUS C. MARSDEN, JR. AND LAURA B. MARSDEN v. TITAN OPERATING, LLC; from Parker County; 2nd Court of Appeals District (02-14-00303-CV, ___ SW3d ___, 08-27-15)
- 15-0786 TIMOTHY PURNELL, AS INDEPENDENT EXECUTOR, ESTATE OF TOMMY ARTHUR PURNELL, DECEASED v. TIFFANY LYNN FRASER; from Dallas County; 5th Court of Appeals District (05-13-01269-CV, ___ SW3d ___, 07-23-15)
- 15-0800 SAM HOUSTON AND MEERA SINGH v. ALLY FINANCIAL, INC.; from Williamson County; 3rd Court of Appeals District (03-14-00342-CV, ___ SW3d ___, 08-18-15)
- 15-0806 SVEN ERIK JOHANSSON v. BUNA I.S.D., ET AL.; from Jasper County; 14th Court of Appeals District (14-15-00318-CV, ___ SW3d ___, 08-06-15)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 15-0746 RR PRINCE RANCH SWD LIMITED v. WILLIAM O. WILEY, SHIRLEY WILEY AND WILLIAM O. WILEY D/B/A WEN-BE; from Leon County; 10th Court of Appeals District (10-14-00325-CV, ___ SW3d ___, 06-18-15)

ORDERS ON MOTIONS FOR REHEARING

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

- 13-0989 LEISEL MOSELEY, BRIAN DUNN AND JANEL DUNN v. HAPPY HILL FARM ACADEMY/HOME AND HAPPY HILL FARM CHILDREN'S HOME ENDOWMENT FUND, HAPPY HILL FARM CHILDREN HOME, INC. A/K/A DALLAS COWBOYS COURAGE HOUSE; from Somervell County; 10th Court of Appeals District (10-12-00197-CV, ___ SW3d ___, 09-05-13)
- 14-0126 STATE OF TEXAS v. ARRINGTON OUTDOOR OF FORT WORTH, L.P.; from Tarrant County; 8th Court of Appeals District (08-12-00034-CV, 416 SW3d 237, 11-13-13)
- 14-0498 IMAGINE AUTOMOTIVE GROUP, INC., IMAGINE AUTOMOTIVE GROUP, I., L.P., ECARLINK, L.P., ECARLINK GP, INC., BRETT STACY AND LEN CRITCHER v. BOARDWALK MOTOR CARS, LTD. D/B/A BOARDWALK PORSCHE (FORMERLY THE PORSCHE STORE), BOARDWALK AUTOMOBILES, LTD. D/B/A BOARDWALK AUDI (FORMERLY THE AUDI STORE), BOARDWALK TRANSPORTATION L.P. D/B/A BOARDWALK VOLKSWAGEN; from Collin County; 5th Court of Appeals District (05-11-01119-CV, 430 SW3d 620, 05-07-14)
- 15-0019 ALEXANDER R. DAVIS AND REBECCA R. DAVIS v. TEXAS MUTUAL INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-12-01715-CV, ___ SW3d ___, 07-28-14)
- 15-0132 MELISSA HERNANDEZ v. ANDRES BUENO; from Jim Wells County; 4th Court of Appeals District (04-14-00255-CV, 454 SW3d 178, 12-31-14)
- 15-0236 CAROL PASELK v. JUSTICE OF THE PEACE, PRECINCT 1, YVONNE KING; from Hopkins County; 6th Court of Appeals District (06-14-00047-CV, 455 SW3d 268, 01-09-15)
- 15-0382 DEAN'S CAMPIN' CO. v. PETER HARDSTEEN AND PAULINA MAYBERG HARDSTEEN AND TEXAS FARM BUREAU; from Grimes County; 1st Court of Appeals District (01-14-00135-CV, ___ SW3d ___, 04-30-15)
- 15-0541 ROWLAND J. MARTIN v. EDWARD BRAVENEC, ESQ. AND 1216 WEST AVE., INC.; from Bexar County; 4th Court of Appeals District (04-14-00483-CV, ___ SW3d ___, 05-13-15)

15-0600 GLENN HERBERT JOHNSON v. HARRIS COUNTY, ET AL.; from Harris County; 1st Court of Appeals District (01-14-00383-CV, ___ SW3d ___, 06-02-15)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

15-0739 IN RE WILLIAM E. JOHNSON

See TEX. CODE CRIM. PROC. art. 11.07 § 5.

15-0766 IN RE ROBERT LEE MARTIN; from Travis County; 3rd Court of Appeals District (03-15-0055-CV, ___ SW3d ___, 09-03-15)

15-0768 IN RE WILLIAM E. JOHNSON

See TEX. CODE CRIM. PROC. art. 11.07 § 5.

15-0817 IN RE ROBERT LEE MARTIN; from Travis County; 3rd Court of Appeals District (03-15-00582-CV, ___ SW3d ___, 09-23-15)

15-0856 IN RE WILLIAM E. JOHNSON

See TEX. CODE CRIM. PROC. art. 11.07 § 5.

THE ABATEMENT ORDER IS EXTENDED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

14-0749 IN RE JOHN REEDER; from Kaufman County; 5th Court of Appeals District (05-14-01126-CV, ___ SW3d ___, 09-12-14)

[**Note:** The Court's extended abatement order of October 9, 2015 expired by its own terms on November 9, 2015. The abatement is extended until January 15, 2016, by which time the parties must file either a status report or a motion to dismiss.]