



THE SUPREME COURT OF TEXAS

Orders Pronounced May 27, 2016

ORDERS ON CAUSES

- 14-0572 COYOTE LAKE RANCH, LLC v. THE CITY OF LUBBOCK; from Bailey County; 7th Court of Appeals District (07-14-00006-CV, ___ SW3d ___, 07-10-14)

The Court affirms the court of appeals' judgment.

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

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

- 14-0593 HALEY HEBNER AND DARRIN CHARLES SCOTT, INDIVIDUALLY AND AS NEXT FRIENDS OF R.M.S., A MINOR v. NAGAKRISHNA REDDY, M.D., AND NEW BRAUNFELS OB/GYN, P.A.; from Comal County; 3rd Court of Appeals District (03-12-00675-CV, ___ SW3d ___, 05-02-14)

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

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

Justice Boyd delivered a concurring opinion, in which Justice Willett joined.

Justice Johnson delivered a dissenting opinion.

- 14-0767 CHRIS LINEGAR v. DLA PIPER LLP (US); from Travis County; 11th Court of Appeals District (11-12-00201-CV, ___ SW3d ___, 07-24-14)

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

Justice Johnson delivered the opinion of the Court.

Justice Guzman did not participate.

- 14-1077 IN RE CHRISTUS SANTA ROSA HEALTH SYSTEM, D/B/A CHRISTUS SANTA ROSA HOSPITAL—NEW BRAUNFELS; from Comal County; 3rd Court of Appeals District (03-14-00692-CV, ___ SW3d ___, 11-13-14)

motion for leave to file petition for writ of mandamus dismissed as moot
motion for leave to file sur-reply brief dismissed as moot
motion to strike dismissed as moot

The Court conditionally grants the writ of mandamus.

Justice Green delivered the opinion of the Court.

15-0106 TOWN OF LAKEWOOD VILLAGE v. HARRY BIZIOS; from Denton County; 2nd Court of Appeals District (02-14-00143-CV, 453 SW3d 598, 12-31-14)

The Court affirms the court of appeals' judgment.

Justice Boyd delivered the opinion of the Court.

(Justice Johnson not sitting)

15-0117 IN RE LAZY W DISTRICT NO. 1; from Henderson County; 12th Court of Appeals District (12-14-00329-CV, ___ SW3d ___, 02-11-15)

stay order issued March 11, 2015, lifted

The Court conditionally grants the writ of mandamus.

Chief Justice Hecht delivered the opinion of the Court.

15-0563 DOCTORS HOSPITAL AT RENAISSANCE, LTD. AND RGV MED, LLC v. JESUS JAIME ANDRADE AND JESSICA ANDRADE; from Hidalgo County; 13th Court of Appeals District (13-15-00046-CV, ___ SW3d ___, 06-18-15)

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

Justice Lehrmann delivered the opinion of the Court.

15-0625 IN RE H.E.B. GROCERY COMPANY, L.P.; from Cameron County; 13th Court of Appeals District (13-15-00254-CV, ___ SW3d ___, 06-11-15)

stay order issued September 4, 2015, 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

15-0631 IN RE J.B. HUNT TRANSPORT, INC.; from Dallas County; 5th Court of Appeals District (05-15-00808-CV, ___ SW3d ___, 07-29-15)

stay order issued September 11, 2015, lifted

The Court conditionally grants the writ of mandamus.

Justice Willett delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

14-0819 CADENA COMERCIAL USA CORP. D/B/A OXXO v. TEXAS ALCOHOLIC BEVERAGE COMMISSION; from Travis County; 3rd Court of Appeals District (03-13-00262-CV, 449 SW3d 154, 09-05-14)

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

(Justice Boyd not sitting)

14-1038 LISA KRAMER, F/K/A LISA KASTLEMAN v. BRYAN KASTLEMAN; from Travis County; 3rd Court of Appeals District (03-13-00133-CV, ___ SW3d ___, 07-30-14)

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

15-0123 PEDERNAL ENERGY, LLC v. BRUINGTON ENGINEERING, LLC; from Zapata County; 4th Court of Appeals District (04-13-00558-CV, 456 SW3d 181, 08-27-14)
as corrected

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

15-0142 RICHARD D. CRAWFORD v. XTO ENERGY, INC.; from Tarrant County; 7th Court of Appeals District (07-14-00062-CV, 455 SW3d 245, 01-07-15)

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

15-0158 BYRDSON SERVICES, LLC D/B/A EXCELLO CONSTRUCCION, LLC v. SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION, ET AL.; from Jefferson County; 9th Court of Appeals District (09-14-00198-CV, 454 SW3d 581, 01-22-15)

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

15-0414 IN THE MATTER OF THE GUARDIANSHIP OF MARTHA T. LATTIMORE, AN ALLEGED INCAPACITATED PERSON; from Grayson County; 5th Court of Appeals District (05-14-01302-CV, ___ SW3d ___, 05-20-15)
motion to dismiss granted

Pursuant to Texas Rule of Appellate Procedure 56.2, after granting the petition for review and without hearing oral argument or considering the merits, the Court vacates the trial court's order and dismisses the case as moot.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

14-0979 FOREST OIL CORPORATION, NOW KNOWN AS SABINE OIL & GAS CORPORATION v. EL RUCIO LAND AND CATTLE COMPANY, INC., SAN JUANITO LAND PARTNERSHIP, LTD., MCALLEN TRUST PARTNERSHIP AND JAMES ARGYLE MCALLEN; from Harris County; 1st Court of Appeals District (01-13-00040-CV, 446 SW3d 58, 07-24-14)

(Justice Brown not sitting)

14-1033 COMMUNITY HEALTH SYSTEMS PROFESSIONAL SERVICES CORPORATION, ET AL. v. HENRY ANDREW HANSEN, II, M.D.; from Brazos County; 13th Court of Appeals District (13-14-00039-CV, ___ SW3d ___, 11-06-14)
motion for leave to file sur-reply brief dismissed as moot

15-0031 J. C. PENNEY COMPANY, INC., ET AL. v. EVERETT M. OZENNE, DERIVATIVELY ON

BEHALF OF J. C. PENNEY COMPANY, INC.; from Dallas County; 5th Court of Appeals District (05-13-01601-CV, 453 SW3d 509, 12-19-14)

- 15-0072 WAL-MART STORES TEXAS, LLC v. KIMBERLY G. SPARKMAN; from Denton County; 2nd Court of Appeals District (02-13-00355-CV, ___ SW3d ___, 12-11-14)
(Justice Willett not sitting)
- 15-0092 TEXAS MEDICAL BOARD AND SCOTT FRESHOUR, IN HIS OFFICIAL CAPACITY AS GENERAL COUNSEL OF THE TEXAS MEDICAL BOARD v. TELADOC, INC.; from Travis County; 3rd Court of Appeals District (03-13-00211-CV, 453 SW3d 606, 12-31-14)
- 15-0133 WEST STAR TRANSPORTATION, INC. v. CHARLES ROBISON AND CHERIE ROBISON; from Lubbock County; 7th Court of Appeals District (07-13-00109-CV, 457 SW3d 178, 01-23-15)
- 15-0188 ENGELMAN IRRIGATION DISTRICT v. SHIELD BROTHERS, INC.; from Hidalgo County; 13th Court of Appeals District (13-14-00070-CV, ___ SW3d ___, 01-15-15)
- 15-0255 GUADALUPE-BLANCO RIVER AUTHORITY v. TEXAS ATTORNEY GENERAL; ET AL.; from Travis County; 3rd Court of Appeals District (03-14-00393-CV, ___ SW3d ___, 02-26-15)
- 15-0261 NATIONAL LLOYDS INSURANCE COMPANY v. LATOSHA A. LEWIS; from Jefferson County; 9th Court of Appeals District (09-13-00413-CV, ___ SW3d ___, 02-19-15)
- 15-0299 TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS; CHERYL GOMEZ IN HER CAPACITY AS EXECUTIVE DIRECTOR; MICHAEL PUHL, IN HIS CAPACITY AS PRESIDING OFFICER; TEXAS ASSOCIATION FOR MARRIAGE AND FAMILY THERAPY v. TEXAS MEDICAL ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-13-00077-CV, 458 SW3d 552, 11-21-14)
- 15-0390 NATIONSTAR MORTGAGE, LLC v. KEN LANDERS AND CLARLINDA LANDERS; from Henderson County; 12th Court of Appeals District (12-14-00261-CV, ___ SW3d ___, 04-08-15)
- 15-0392 JUAN FRANCISCO MONTALVO, M.D., F.A.C.O.G., ET AL., M.D. v. GABRIELA LOPEZ; from Webb County; 4th Court of Appeals District (04-14-00803-CV, 466 SW3d 290, 04-08-15)
- 15-0431 MARIA HORTENCIA RUIZ v. JUDSON INDEPENDENT SCHOOL DISTRICT AND MICHAEL L. WILLIAMS, COMMISSIONER OF EDUCATION; from Bexar County; 4th Court of Appeals District (04-13-00706-CV, ___ SW3d ___, 03-31-15)

- 15-0470 MCGRAW MINERALS, LTD. v. COUNTY OF JASPER, TEXAS; from Jasper County; 13th Court of Appeals District (13-14-00373-CV, ___ SW3d ___, 05-07-15)
- 15-0533 UNITED PARCEL SERVICE, INC. AND ROLAND LEAL v. ROBERT SCOTT RANKIN, INDIVIDUALLY, RACHELLE RANKIN, INDIVIDUALLY AND AS NEXT FRIEND FOR A.R., A MINOR, AS NEXT FRIEND FOR K.R., A MINOR AND AS NEXT FRIEND FOR S.R., A MINOR; from Bexar County; 4th Court of Appeals District (04-14-00494-CV, 468 SW3d 609, 06-03-15)
- 15-0614 HOUSTON METHODIST HOSPITAL F/K/A THE METHODIST HOSPITAL v. KARA NGUYEN; from Harris County; 14th Court of Appeals District (14-14-01006-CV, 470 SW3d 127, 07-09-15)
- 15-0641 BELL HELICOPTER TEXTRON INC. v. JIMMY AND KAREN LEWIS; from Denton County; 2nd Court of Appeals District (02-14-00065-CV, ___ SW3d ___, 06-04-15)
- 15-0711 BURTON KAHN v. HELVETIA ASSET RECOVERY, INC.; from Bexar County; 4th Court of Appeals District (04-14-00569-CV, 475 SW3d 389, 08-19-15)
- 15-0724 IN THE INTEREST OF C.E.W., A CHILD; from Collin County; 5th Court of Appeals District (05-14-00459-CV, ___ SW3d ___, 08-31-15)
- 15-0734 IN RE A PURPORTED LIEN OR CLAIM AGAINST HELVETIA ASSET RECOVERY, INC.; from Bexar County; 4th Court of Appeals District (04-14-00357-CV, ___ SW3d ___, 07-22-15)
- 15-0784 NINA LOPEZ v. TARRANT COUNTY, TEXAS; from Tarrant County; 2nd Court of Appeals District (02-13-00194-CV, ___ SW3d ___, 08-25-15)
- 15-0810 CITY OF SOCORRO, TEXAS v. ENRIQUE HERNANDEZ AND DAVID MALDONADO; from El Paso County; 8th Court of Appeals District (08-14-00009-CV, ___ SW3d ___, 09-02-15)
- 15-0814 JPMORGAN CHASE BANK, N.A., TRUSTEE OF THE RED CREST TRUST v. LOUIS DORFMAN, ET AL. AND FRANK MORAVITS, ET AL.; from Tarrant County; 2nd Court of Appeals District (02-14-00057-CV, 470 SW3d 153, 07-16-15)
(Justice Willett and Justice Brown not sitting)
- 15-0816 ORCA/ICI DEVELOPMENT, ORCA PETROLEUM, LTD., ORCA ASSETS, G.P., L.L.C., AND ALLEN BERRY v. LOUIS DORFMAN, ET AL.; from Tarrant County; 2nd Court of Appeals District (02-14-00056-CV, 470 SW3d 153, 07-16-15)

(Justice Guzman and Justice Brown not sitting)

- 15-0832 PREMIUM ASSETS, INC. v. LYDIA A. GARCIA D/B/A JOE LYNN DAZZLES AND MORE AND LYDIA ANN GARCIA; from Nueces County; 13th Court of Appeals District (13-13-00549-CV, ___ SW3d ___, 08-27-15)
- 15-0858 WILDCAT CRANES, INC. v. JAVIER LOPEZ; from Tarrant County; 2nd Court of Appeals District (02-14-00254-CV, ___ SW3d ___, 07-30-15)
- 15-0861 BEXAR COUNTY HOSPITAL DISTRICT D/B/A UNIVERSITY HEALTH SYSTEM v. PAUL DOUGLAS HARLAN; from Bexar County; 4th Court of Appeals District (04-15-00155-CV, ___ SW3d ___, 08-05-15)
- 15-0864 SIDNEY B. HALE, JR. v. CITY OF BONHAM; from Fannin County; 6th Court of Appeals District (06-15-00021-CV, 477 SW3d 452, 09-23-15)
- 15-0893 KENNETH A. TOTZ, D.O., FACEP v. TELICIA OWENS; from Harris County; 1st Court of Appeals District (01-12-01108-CV, 478 SW3d 172, 10-08-15)
- 15-0894 MOSE A. GUILLORY AND MARY GUILLORY v. SEATON, LLC D/B/A STAFF MANAGEMENT; from Harris County; 1st Court of Appeals District (01-14-00379-CV, 470 SW3d 237, 08-06-15)
- 15-0901 WATER SPLASH, INC. v. TARA MENON; from Galveston County; 14th Court of Appeals District (14-14-00012-CV, 472 SW3d 28, 06-30-15)
- 15-0915 GREGG GIBB v. CONGLOMERATE GAS II, L.P. AND VANCOUVER SKY MANAGEMENT, L.L.C.; from Tarrant County; 2nd Court of Appeals District (02-14-00119-CV, ___ SW3d ___, 10-15-15)
- 15-0942 STEPHENS & JOHNSON OPERATING CO., ET AL. v. CHARLES W. SCHROEDER, ET AL.; from Jim Hogg County; 4th Court of Appeals District (04-14-00167-CV, ___ SW3d ___, 08-12-15)
- 15-0972 COTECHNO GROUP, INC. v. FAKHREALAM ATIQ; from Hays County; 3rd Court of Appeals District (03-13-00762-CV, ___ SW3d ___, 11-04-15)
- 15-0980 JOSEPH PRESSIL v. JASON A. GIBSON, JASON A. GIBSON, P.C. D/B/A THE GIBSON LAW FIRM, CLIFFORD D. PEEL, II, AND ANDREW C. SMITH; from Harris County; 14th Court of Appeals District (14-14-00731-CV, 477 SW3d 402, 09-10-15)

- 16-0051 CITY OF BAYTOWN, TEXAS v. ALAN SCHROCK; from Harris County; 1st Court of Appeals District (01-13-00618-CV, ___ SW3d ___, 12-10-15)
- 16-0215 IN THE INTEREST OF C.G.; from Nueces County; 13th Court of Appeals District (13-14-00544-CV, ___ SW3d ___, 02-04-16)
- 16-0221 DAVID GOAD v. COUNTY OF GUADALUPE; from Guadalupe County; 4th Court of Appeals District (04-14-00497-CV, ___ SW3d ___, 02-03-16)
- 16-0272 SHARLEEN WILSON ALLEN v. BRYON WILSON; from Red River County; 6th Court of Appeals District (06-15-00060-CV, ___ SW3d ___, 03-04-16)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF JURISDICTION:

- 15-0803 SHIELDS LIMITED PARTNERSHIP v. BOO NATHANIEL BRADBERRY AND 40/40 ENTERPRISES; from Dallas County; 5th Court of Appeals District (05-14-00258-CV, ___ SW3d ___, 06-23-15)
See TEX. GOV'T CODE § 22.225(b)(1)
- 16-0057 RICARDO VAIZ v. FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Cameron County; 13th Court of Appeals District (13-14-00110-CV, ___ SW3d ___, 11-05-15)
See TEX. GOV'T CODE § 22.225(b)(1)
- 16-0129 FRED MOSELY v. AMERICAN HOMES 4 RENT PROPERTIES EIGHT, LLC; from Tarrant County; 2nd Court of Appeals District (02-15-00200-CV, ___ SW3d ___, 12-10-15)
See TEX. GOV'T CODE § 22.225(b)(1)

ORDERS ON MOTIONS FOR REHEARING

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

- 14-0409 TRO-X, L.P. v. EAGLE OIL & GAS CO. AND EAGLE OIL & GAS PARTNERS, LLC; from Midland County; 11th Court of Appeals District (11-11-00290-CV, 427 SW3d 581, 04-24-14)
- 15-0487 IN THE MATTER OF C.Z.S.; from Montgomery County; 9th Court of Appeals District (09-14-00480-CV, ___ SW3d ___, 05-28-15)
- 15-0760 JAMIE HARVEL & THE AUSTIN POLICE ASSOCIATION v. TEXAS DEPARTMENT OF INSURANCE AND COMMISSIONER ROD BORDELON, IN HIS OFFICIAL CAPACITY; from Travis County; 13th Court of Appeals District (13-14-00095-CV, ___ SW3d ___, 06-11-15)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 15-0604 IN RE ROBINSON HELICOPTER COMPANY, INC.; from Harris County; 1st Court of Appeals District (01-15-00594-CV, ___ SW3d ___, 08-04-15)
stay order issued August 28, 2015, lifted
- 15-0640 IN RE MARK MEHRENS; from Harris County; 1st Court of Appeals District (01-15-00439-CV, ___ SW3d ___, 08-06-15)
- 16-0052 IN RE GARY W. LOWE; from Harrison County; 6th Court of Appeals District (06-08-00103-CV, ___ SW3d ___, 09-24-08)
- 16-0083 IN RE KANETRIA MCSHAN; from Tarrant County; 2nd Court of Appeals District (02-16-00009-CV)