



# THE SUPREME COURT OF TEXAS

Orders Pronounced July 1, 2016

## ORDERS ON CAUSES

14-0457 RSL FUNDING, LLC v. CHEVEZE D. PIPPINS, DANIEL P. MORRIS, DONNA M. O'BRIEN, METROPOLITAN LIFE INSURANCE COMPANY, METLIFE INSURANCE COMPANY OF CONNECTICUT AND METLIFE INVESTORS USA INSURANCE CO.; from Harris County; 14th Court of Appeals District (14-12-00279-CV, \_\_\_ SW3d \_\_\_, 01-30-14)

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

Per Curiam Opinion

14-0963 IN RE OCEANOGRAFIA, S.A. DE C.V., OTTO CANDIES LLC, CANDIES MEXICAN INVESTMENTS, AND OSA INTERNATIONAL; from Cameron County; 13th Court of Appeals District (13-14-00323-CV, \_\_\_ SW3d \_\_\_, 08-29-14)

unopposed motion to withdraw granted  
stay order issued February 27, 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

15-0094 CITY OF DALLAS v. DIANE SANCHEZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF MATTHEW SANCHEZ, DECEASED, AND ARNOLD SANCHEZ; from Dallas County; 5th Court of Appeals District (05-13-01651-CV, \_\_\_ SW3d \_\_\_, 10-27-14)

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 renders judgment.

Per Curiam Opinion

15-0419 BOBBY BROWN v. GEANNIE JONES AND JOHN JACKSON; from Walker County; 10th Court of Appeals District (10-15-00150-CV, \_\_\_ SW3d \_\_\_, 05-14-15)

motion for preliminary injunction dismissed as moot

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

## **ORDERS ON CASES GRANTED**

### THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

15-0749 NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA v. DOE #1, DOE #2, AND DOE #3; from Potter County; 7th Court of Appeals District (07-14-00109-CV, \_\_\_ SW3d \_\_\_, 07-06-15)

unopposed motion to grant petition for review, being treated as a petition for review, granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, vacates the judgments of the court of appeals and trial court, and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement.

## **ORDERS ON PETITIONS FOR REVIEW**

### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

15-0434 ESTATE LAND COMPANY, AARON WIESE, AND KAMAL BANANI (BANNAN) v. ANTHONY WIESE; from Harris County; 14th Court of Appeals District (14-13-00524-CV, \_\_\_ SW3d \_\_\_, 03-10-15)

respondent's motion to strike documents denied

16-0105 STEPHAN GONZALEZ, JESSIE GONZALEZ AND LENA MARTINEZ D/B/A MARTINEZ OFFICE SOLUTIONS AND NOTARY SERVICES v. STEPHANIE GONZALEZ; from Dallas County; 5th Court of Appeals District (05-14-01361-CV, \_\_\_ SW3d \_\_\_, 12-29-15)

16-0293 PAUL LEVATINO v. APPLE TREE CAFÉ TOURING, INC. AND ERICA WRIGHT; from Dallas County; 5th Court of Appeals District (05-15-00614-CV, \_\_\_ SW3d \_\_\_, 03-11-16)

16-0364 DOUGLAS MICHAEL BULTHUIS v. JOSE JUAN (J.J.) AVILA; from Hidalgo County; 13th Court of Appeals District (13-13-00717-CV, \_\_\_ SW3d \_\_\_, 12-29-15)

16-0376 THE BURRESCIA FAMILY REVOCABLE LIVING TRUST v. THE CITY OF DALLAS; from Dallas County; 5th Court of Appeals District (05-14-01311-CV, \_\_\_ SW3d \_\_\_, 04-07-16)

16-0396 IN THE INTEREST OF K.S., A CHILD; from Dallas County; 5th Court of Appeals District (05-15-01294-CV, \_\_\_ SW3d \_\_\_, 04-21-16)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

16-0451 ROSALIND KELLY AND RAFAEL DE LOS SANTOS v. OCWEN LOAN SERVICING, LLC AND MACKIE WOLF ZEINTZ & MANN, PC; from Denton County; 2nd Court of Appeals District (02-14-00232-CV, \_\_\_ SW3d \_\_\_, 01-14-16)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 9.4(h), (i)(3), (j), 53.2(k)(1)(A), and 53.7, and is struck. Petitioner is ordered to redraw; the petition is due to be filed by July 11, 2016."

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

15-0271 SUNNY OGBOMO AND JOAN KYANGUNGU v. AMERICAN HOMES 4 RENT PROPERTIES TWO, LLC, A DELAWARE LIMITED LIABILITY COMPANY; from Tarrant County; 2nd Court of Appeals District (02-14-00105-CV, \_\_\_ SW3d \_\_\_, 12-18-14)  
*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:

15-0881 GLEN SUMNER v. BOARD OF ADJUSTMENTS OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ART FLORES, RICHARD R. ROCKENBAUGH AND BETTY LUSK; from Harris County; 1st Court of Appeals District (01-14-00888-CV, \_\_\_ SW3d \_\_\_, 10-20-15)  
motion to amend motion for rehearing denied

15-1011 JOHN E. RODARTE, SR. v. BENEFICIAL TEXAS, INC.; from Bexar County; 4th Court of Appeals District (04-15-00647-CV, 482 SW3d 246, 12-09-15)

16-0002 STEPHEN AARON BERGENHOLTZ v. JOSEPHINE DONNA ESKENAZI; from Collin County; 5th Court of Appeals District (05-14-00609-CV, \_\_\_ SW3d \_\_\_, 07-23-15)

16-0110 DANNY AND NANCY VINES v. RAY DURRETT; from Angelina County; 12th Court of Appeals District (12-14-00258-CV, \_\_\_ SW3d \_\_\_, 12-30-15)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

16-0048 IN RE ESTATE LAND COMPANY, AARON WIESE AND KAMAL BANANI (BANNAN); from Harris County; 14th Court of Appeals District (14-13-00524-CV, \_\_\_ SW3d \_\_\_, 03-10-15)  
as supplemented

16-0108 IN RE GREGORY WHITELY; from Travis County; 3rd Court of Appeals District (03-15-00708-CV, \_\_\_ SW3d \_\_\_, 01-29-16)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 16-0153 IN RE BONNIE ALLEN THOMAS; from Johnson County; 10th Court of Appeals District (10-16-00009-CV, \_\_\_ SW3d \_\_\_, 01-28-16)
- 16-0481 IN RE RH WHITE OAK, LLC, BRIAN HARDY, COLIN ZAK, ENTEX PARTNERS, LTD AND ENTEX MANAGEMENT SERVICES, L.L.C.; from Harris County; 14th Court of Appeals District (14-15-00789-CV, \_\_\_ SW3d \_\_\_, 06-09-16)  
relators' emergency motion to stay denied, as amended