



THE SUPREME COURT OF TEXAS

Orders Pronounced June 23, 2017

ORDERS ON CAUSES

15-0502 NOBLE ENERGY, INC. v. CONOCOPHILLIPS COMPANY; from Harris County; 14th Court of Appeals District (14-13-00884-CV, 462 SW3d 255, 03-26-15)

The Court affirms the court of appeals' judgment.

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

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

(Justice Lehrmann not sitting)

15-0642 DELIA PAGAYON, MICHELLE FULTON, ALFREDO G. PAGAYON, MICHAEL G. PAGAYON, AND THE ESTATE OF ALFREDO M. PAGAYON v. EXXON MOBIL CORPORATION; from Harris County; 14th Court of Appeals District (14-13-00456-CV, 467 SW3d 36, 04-09-15)

2 petitions

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

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

Justice Boyd delivered an opinion concurring only in the judgment.

(Justice Lehrmann not sitting)

15-0705 EDWARD R. HUDSON, JR. AND WILLIAM A. HUDSON, II, INDIVIDUALLY AND AS CO-EXECUTORS OF THE ESTATE OF JOSEPHINE T. HUDSON, DECEASED, AND AS CO-TRUSTEES OF THE EDWARD R. HUDSON TRUST NO. ONE, JOSEPHINE TERRELL ARD RENSCH AND E. RANDALL HUDSON III v. MARY T. ARD; from Tarrant County; 2nd Court of Appeals District (02-13-00198-CV, ___ SW3d ___, 08-20-15)

as reinstated

joint motion to vacate judgments of lower courts and remand to the probate court pursuant to settlement and unopposed motion to vacate court of appeals' opinion granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court vacates the judgment and opinion of the court of appeals and judgment of the trial court, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement

agreement.

- 15-0886 SAMSON EXPLORATION, LLC (FORMERLY SAMSON LONE STAR, L.P.) v. T.S. REED PROPERTIES, INC., ET AL.; from Jefferson County; 9th Court of Appeals District (09-13-00366-CV, ___ SW3d ___, 10-22-15)

2 petitions

The Court affirms the court of appeals' judgment.

Justice Guzman delivered the opinion of the Court.

- 16-0353 BENEDICT G. WENSKE AND ELIZABETH WENSKE v. STEVE EALY AND DEBORAH EALY; from Lavaca County; 13th Court of Appeals District (13-15-00012-CV, ___ SW3d ___, 01-28-16)

The Court affirms the court of appeals' judgment.

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

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

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

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

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 16-0297 SCI TEXAS FUNERAL HOME SERVICES, INC. v. CODY NELSON; from Brown County; 11th Court of Appeals District (11-13-00334-CV, 484 SW3d 248, 01-29-16)

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

- 16-0323 JOHN A. LANCE, DEBRA L. LANCE, F.D. FRANKS AND HELEN FRANKS v. JUDITH AND TERRY ROBINSON, GARY AND BRENDA FEST, VIRGINIA GRAY, BUTCH TOWNSEND AND BEXAR-MEDINA-ATASCOSA COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1; from Bandera County; 4th Court of Appeals District (04-14-00758-CV, ___ SW3d ___, 01-13-16)

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

- 16-0336 URI, INC. v. KLEBERG COUNTY; from Kleberg County; 13th Court of Appeals District (13-14-00158-CV, ___ SW3d ___, 01-28-16)

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

- 16-0558 IN THE INTEREST OF K.S.L., A CHILD; from Bexar County; 4th Court of Appeals District (04-16-00020-CV, 499 SW3d 109, 07-06-16)

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

16-0617 IN RE THE GUARDIANSHIP OF EDWIN WOOLEY; from Tarrant County; 2nd Court of Appeals District (02-14-00315-CV, ___ SW3d ___, 06-02-16)

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

16-0647 THE STATE OF TEXAS EX REL. GEORGE DARRELL BEST v. PAUL REED HARPER; from Somervell County; 10th Court of Appeals District (10-15-00105-CV, 493 SW3d 105, 04-21-16)

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

16-0651 DUDLEY CONSTRUCTION, LTD., RICHARD MARK DUDLEY, AND HARTFORD FIRE INSURANCE COMPANY v. ACT PIPE & SUPPLY, INC.; from Brazos County; 6th Court of Appeals District (06-15-00045-CV, ___ SW3d ___, 07-14-16)

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

16-0804 GARY DON PERRYMAN, NANCY K. PERRYMAN AND LEASHA PERRYMAN BOWDEN v. SPARTAN TEXAS SIX CAPITAL PARTNERS, LTD., SPARTAN TEXAS SIX-CELINA, LTD. AND DION MENSER; AND EOG RESOURCES INC.; from Harris County; 14th Court of Appeals District (14-14-00873-CV, 494 SW3d 735, 03-01-16)
3 petitions

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

16-0836 THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, BELLA PATEL, M.D., F.C.C.P., RICHARD W. SMALLING, M.D. PHD., RACHSHUNDA MAJID, M.D. AND FRANCISCO FUENTES, M.D. v. TOMAS G. RIOS, M.D.; from Harris County; 1st Court of Appeals District (01-15-01071-CV, 507 SW3d 312, 09-01-16)

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

16-0854 HIAWATHA HENRY, ADDIE HARRIS, MONTRAY NORRIS, AND ROOSEVELT COLEMAN, JR., ON BEHALF OF THEMSELVES AND FOR ALL OTHER SIMILARLY SITUATED v. CASH BIZ, LP, CASH ZONE, LLC D/B/A CASH BIZ AND REDWOOD FINANCIALS, LLC; from Bexar County; 4th Court of Appeals District (04-15-00469-CV, ___ SW3d ___, 07-27-16)

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

16-0935 BILL YOUNGKIN v. BILLY G. HINES, JR.; from Brazos County; 10th Court of Appeals District (10-15-00194-CV, ___ SW3d ___, 07-13-16)

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

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS SET FOR ORAL ARGUMENT:

16-0851 IN RE NORTH CYPRESS MEDICAL CENTER OPERATING CO., LTD.; from Harris County; 14th Court of Appeals District (14-16-00671-CV, ___ SW3d ___, 10-20-16)

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

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

16-0134 ALWAYS AUTO GROUP, LTD. D/B/A ATASCOSA CHRYSLER DODGE JEEP RAM v. STEVEN WALTERS; from Live Oak County; 13th Court of Appeals District (13-15-00329-CV, 484 SW3d 219, 01-14-16)

denial of petition for review on December 16, 2016, withdrawn
petition reinstated

[**Note:** The petition for review remains pending before this Court.]

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

16-0034 EAST TEXAS MEDICAL CENTER D/B/A EAST TEXAS MEDICAL CENTER EMERGENCY MEDICAL SERVICES v. JODY DELAUNE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CRYSTAL DELAUNE, DECEASED; AND AS NEXT FRIEND OF D.D., D.D., AND D.A.D., MINORS; from Smith County; 12th Court of Appeals District (12-15-00014-CV, ___ SW3d ___, 11-30-15)

16-0179 CENTURY SURETY COMPANY v. JANE DOE; from Dallas County; 5th Court of Appeals District (05-15-01019-CV, ___ SW3d ___, 02-04-16)

respondent's motion to stay dismissed as moot
respondent's motion to dismiss for lack of subject matter jurisdiction dismissed as moot

16-0217 ELLEN CHESLOFF v. NICK YEH, INDIVIDUALLY, ASHDON, INC. D/B/A IMPRESSION BRIDAL AND EMME BRIDAL, INC.; from Fort Bend County; 1st Court of Appeals District (01-14-00417-CV, 483 SW3d 108, 12-22-15)

16-0282 ENTERGY TEXAS, INC. v. PUBLIC UTILITY COMMISSION OF TEXAS, OFFICE OF PUBLIC UTILITY COUNSEL AND TEXAS INDUSTRIAL ENERGY CONSUMERS; from Travis County; 3rd Court of Appeals District (03-14-00709-CV, ___ SW3d ___, 03-09-16)

16-0344 BRAD AERY, LLOYD HOUSE, ET AL. v. C. CLIFTON HOSKINS, ET AL.; from McMullen County; 4th Court of Appeals District (04-14-00807-CV, 493 SW3d 684, 03-30-16)

(Justice Guzman not sitting)

16-0563 YAN BENJAMIN WILHELM ASSOUN v. ANAIS AMBER GUSTAFSON (A/K/A ANAIS AMBER ASSOUN) AND JOHN CHARLES GUSTAFSON, JR.; from Collin County; 5th Court of Appeals District (05-14-01463-CV, 493 SW3d 156, 05-03-16)

- 16-0571 THE CAMPBELL GROUP, LLC AND CROWN PINE TIMBER 1, L.P. v. TARA HOKE; from Liberty County; 13th Court of Appeals District (13-14-00215-CV, ___ SW3d ___, 04-21-16)
- 16-0629 CITY OF AMARILLO, ET AL. v. NANCY WEDGEWORTH; from Potter County; 7th Court of Appeals District (07-15-00301-CV, ___ SW3d ___, 05-17-16)
- 16-0637 COUNTY OF GALVESTON, TEXAS v. TRIPLE B SERVICES, LLP; from Galveston County; 1st Court of Appeals District (01-15-00565-CV, 498 SW3d 176, 05-26-16)
- 16-0656 THE UNIVERSITY OF TEXAS AT AUSTIN v. BEVERLY KEARNEY; from Travis County; 3rd Court of Appeals District (03-14-00500-CV, ___ SW3d ___, 05-03-16)
- 16-0726 TONI COMBEST v. MUSTANG MINERALS, LLC; from La Salle County; 4th Court of Appeals District (04-15-00617-CV, 502 SW3d 173, 08-03-16)
- 16-0763 GALVESTON COUNTY JUDGE MARK HENRY, GALVESTON COUNTY COMMISSIONER RYAN DENNARD, GALVESTON COUNTY COMMISSIONER JOE GIUSTI, GALVESTON COUNTY COMMISSIONER STEPHEN HOLMES, ET AL. v. KIMBERLY SULLIVAN, JUDGE, PROBATE COURT OF GALVESTON COUNTY; from Galveston County; 14th Court of Appeals District (14-15-00161-CV, 499 SW3d 545, 04-05-16)
2 petitions
- 16-0814 8 MILE PARK, L.P. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 3rd Court of Appeals District (03-16-00236-CV, ___ SW3d ___, 08-31-16)
- 16-0891 BRIAN O'GRADY, M.D. AND THE O'GRADY FAMILY PARTNERSHIP, LTD. v. NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, P.A.; from Travis County; 13th Court of Appeals District (13-15-00312-CV, 506 SW3d 121, 09-15-16)
(Justice Guzman not sitting)
- 17-0096 BRAD CROWLEY AND TERRILYN CROWLEY, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED v. TEXAS LAW SHIELD, LLP, DARREN R. RICE, T. EDWIN WALKER, WALKER & RICE, PC, AND WALKER & BYINGTON, PLLC; 14th Court of Appeals District (14-15-00705-CV, 513 SW3d 582, 12-20-16)
- 17-0131 GEORGE MOLINAR v. MOHD REFAEI; 8th Court of Appeals District (08-14-00299-CV, ___ SW3d ___, 09-21-16)
- 17-0160 IN RE ESPERANZA HUGHES; 4th Court of Appeals District (04-15-00482-CV, 513 SW3d

28, 08-10-16)

- 17-0177 ANDREW S. MONTGOMERY, INDIVIDUALLY AND AS TRUSTEE OF THE JAMES F. MONTGOMERY IRREVOCABLE TRUST v. DIANE DEALEY MONTGOMERY; 7th Court of Appeals District (07-16-00057-CV, ___ SW3d ___, 12-06-16)
- 17-0222 DAVID GILLESPIE AND MICHAEL O'BRIEN v. A.L. HERNDEN AND FREDERICK R. ZLOTUCHA; 4th Court of Appeals District (04-15-00405-CV, ___ SW3d ___, 12-14-16)
- 17-0273 RANGER ENERGY LLC v. TANYA L. MCCABE TRUST, MCCABE FAMILY TRUST, AND THE ROCHFORD LIVING TRUST; 1st Court of Appeals District (01-15-00044-CV, 508 SW3d 828, 12-22-16)
- 17-0292 WILLIAM B. HARRISON, INDIVIDUALLY, ET AL. v. HARRISON INTEREST, LTD. AND DANIEL J. HARRISON III, INDIVIDUALLY, ET AL.; 14th Court of Appeals District (14-15-00348-CV, ___ SW3d ___, 02-28-17)
- 17-0296 IN THE INTEREST OF C.A.L.H. AKA C.H., A CHILD; 14th Court of Appeals District (14-16-00899-CV, ___ SW3d ___, 02-28-17)
- 17-0310 JEFFERY AND VERONICA BOOK v. AMERICAN AIR SYSTEMS, INC.; 9th Court of Appeals District (09-15-00538-CV, ___ SW3d ___, 03-09-17)
- 17-0314 ANTHONY C. AGUILAR AND MICHAEL A. AGUILAR v. MARGARET MORALES AND JESUS MORALES; 8th Court of Appeals District (08-15-00098-CV, ___ SW3d ___, 01-18-17)
- 17-0379 IN THE INTEREST OF K.M.W.H. AND B.J.T.H., JR., CHILDREN; 11th Court of Appeals District (11-16-00357-CV, ___ SW3d ___, 03-31-17)
motion for leave to withdraw as counsel granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 16-0544 HARLINGEN MEDICAL CENTER, LIMITED PARTNERSHIP v. ROSA ANDRADE, ET AL.; from Cameron County; 13th Court of Appeals District (13-14-00700-CV & 13-15-00119-CV, ___ SWd ___, 04-21-16)
unopposed motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

- 15-0685 RETAKA ROMEO NELSON v. SHANNON BROCHETTE NELSON; from Harris County; 1st Court of Appeals District (01-13-00816-CV, ___ SW3d ___, 03-12-15)

- 15-0874 CITY OF JERSEY VILLAGE v. TEXAS TRANSPORT COMMISSION AND TED HOUGHTON, IN HIS OFFICIAL CAPACITY AS CHAIR OF THE TEXAS TRANSPORTATION COMMISSION; from Harris County; 14th Court of Appeals District (14-14-00823-CV, 478 SW3d 869, 10-15-15)
- 16-0856 IN THE INTEREST OF J.C., ET AL., CHILDREN; from Dallas County; 5th Court of Appeals District (05-14-01299-CV, ___ SW3d ___, 06-28-16)
- 16-0880 CITY OF PLAINVIEW TEXAS, WILLIAM MULL, IN HIS OFFICIAL CAPACITY AS CHIEF OF POLICE OF THE CITY OF PLAINVIEW POLICE DEPARTMENT AND KEN COUGHLIN, IN HIS OFFICIAL CAPACITY AS CHIEF OF POLICE OF THE CITY OF PLAINVIEW POLICE DEPARTMENT v. KOREY FERGUSON; from Hale County; 7th Court of Appeals District (07-14-00405-CV, ___ SW3d ___, 06-23-16)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 17-0137 IN RE EBONY GOUDEAU; 14th Court of Appeals District (14-17-00045-CV, ___ SW3d ___, 01-31-17)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 16-0186 IN RE CENTURY SURETY COMPANY; from Dallas County; 5th Court of Appeals District (05-15-01019-CV, ___ SW3d ___, 02-04-16)
real party in interest's motion to stay dismissed as moot
real party in interest's motion for leave to file surrepley dismissed as moot
real party in interest's motion to dismiss for lack of subject matter jurisdiction dismissed as moot
- 17-0382 IN RE PAUL E. NUNU; 14th Court of Appeals District (14-17-00106-CV, ___ SW3d ___, 03-30-17)