



THE SUPREME COURT OF TEXAS

Orders Pronounced June 8, 2018

ORDERS ON CAUSES

16-0341 LARRY BOS AND MARY BOS v. CRAIG S. SMITH, INDIVIDUALLY AND AS NEXT FRIEND OF M.W.F.S., A MINOR, AND C.S.S., A MINOR, J.E.S., A MINOR, AND V.A.S., A MINOR; from Nueces County; 13th Court of Appeals District (13-14-00456-CV, 492 SW3d 361, 03-10-16)

2 petitions

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

Justice Guzman delivered the opinion of the Court.

16-0369 STATE FARM LLOYDS v. CANDELARIO FUENTES AND MARIA FUENTES; from Harris County; 14th Court of Appeals District (14-14-00824-CV, ___ SW3d ___, 04-07-16)

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 in part, vacates in part, and remands the case to that court.

Per Curiam Opinion

17-0019 IN RE MAHINDRA, USA INC.; from Harris County; 1st Court of Appeals District (01-16-00718-CV, ___ SW3d ___, 12-20-16)

The Court denies the petition for writ of mandamus.

Justice Devine delivered the opinion of the Court.

17-0105 W.A. "ANDY" MEYERS, INDIVIDUALLY AND IN HIS CAPACITY AS FORT BEND COUNTY COMMISSIONER v. JDC/FIRETHORNE, LTD., A TEXAS LIMITED PARTNERSHIP; from Fort Bend County; 14th Court of Appeals District (14-15-00860-CV, 514 SW3d 279, 12-22-16)

The Court reverses the court of appeals' judgment and dismisses with prejudice respondent's claim against petitioner in his official capacity.

Justice Green delivered the opinion of the Court.

17-0214 IN THE INTEREST OF C.Y.K.S., A CHILD; from Harris County; 14th Court of Appeals District (14-15-00554-CV, ___ SW3d ___, 09-20-16)

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 in part and renders judgment.

Per Curiam Opinion

- 17-0242 CITY OF HOUSTON, SYLVESTER TURNER, KELLY DOWE, CHRIS BROWN, BRENDA STARDIG, JERRY DAVIS, ELLEN COHEN, DWIGHT BOYKINS, DAVE MARTIN, STEVE LE, GREG TRAVIS, KARLA CISNEROS, ROBERT GALLEGOS, MIKE LASTER, LARRY GREEN, MIKE KNOX, DAVID ROBINSON, MICHAEL KUBOSH, AMANDA EDWARDS, AND JACK CHRISTIE v. HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM; from Harris County; 14th Court of Appeals District (14-15-00865-CV, 513 SW3d 114, 11-22-16)
2 petitions

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

Justice Johnson delivered the opinion of the Court.

- 17-0462 WAUSAU UNDERWRITERS INSURANCE COMPANY v. JAMES WEDEL AND MICHELLE WEDEL; from El Paso County; 8th Court of Appeals District (08-16-00120-CV, 518 SW3d 615, 04-26-17)

The Court affirms the court of appeals' judgment.

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

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

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 17-0093 CARL M. ARCHER TRUST NO. THREE AND MARY FRANCES G. ARCHER TRUST NO. THREE, MARY ARCHER DIXON AND CARLA ARCHER JOHNSON, TRUSTEES v. RONALD RALPH TREGELLAS, AND WIFE DONNITA TREGELLAS; from Hansford County; 7th Court of Appeals District (07-14-00421-CV, 507 SW3d 423, 12-20-16)
- consolidated for oral argument with -

- 17-0094 CARL M. ARCHER TRUST NO. THREE AND MARY FRANCES G. ARCHER TRUST NO. THREE, MARY ARCHER DIXON AND CARLA ARCHER JOHNSON, TRUSTEES v. RONALD RALPH TREGELLAS, AND WIFE DONNITA TREGELLAS; from Hansford County; 7th Court of Appeals District (07-16-00461-CV, 507 SW3d 423, 12-20-16)

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

- 17-0151 JBS CARRIERS, INC. AND JAMES LUNDRY v. TRINETTE L. WASHINGTON, SOPHIA RENEE LENZY, THOMAS CHARLES LENZY, INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATE OF MARY L. TURNER, DECEASED; from Bexar County; 4th Court of Appeals District (04-15-00463-CV, 513 SW3d 703, 01-11-17)

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

17-0266 BURLINGTON RESOURCES OIL & GAS COMPANY LP v. TEXAS CRUDE ENERGY, LLC AND AMBER HARVEST, LLC; from Live Oak County; 13th Court of Appeals District (13-16-00248-CV, 516 SW3d 638, 03-02-17)

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

17-0628 S&S EMERGENCY TRAINING SOLUTIONS, INC. D/B/A EMERGENCY MEDICAL TRAINING SERVICES v. SHEILA ELLIOTT; from Collin County; 5th Court of Appeals District (05-16-01373-CV, ___ SW3d ___, 05-16-17)

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

17-0850 KMS RETAIL ROWLETT, LP F/K/A KMS RETAIL HUNTSVILLE, LP v. CITY OF ROWLETT, TEXAS; from Dallas County; 5th Court of Appeals District (05-16-00402-CV, ___ SW3d ___, 07-19-17)

[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:

17-0634 IN RE VERNA FRANCIS COLEY THETFORD; from Young County; 2nd Court of Appeals District (02-17-00182-CV, ___ SW3d ___, 06-15-17)

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE WITHDRAWN:

18-0070 KELLY THOMAS v. EFI GLOBAL, INC. AND MICHELE BOGDON; from Denton County; 2nd Court of Appeals District (02-16-00379-CV, ___ SW3d ___, 11-16-17)

motion to withdraw granted
motion to transfer denied
motion to request correct opinion
motion to strike denied

18-0121 KELLY THOMAS v. STANDARD CASUALTY COMPANY, MIKE MADDEN, PRESTIGE CLAIM SERVICE, MARK ANDERSON, AND SCOTT SCHMIDT; from Denton County; 2nd Court of Appeals District (02-17-00335-CV, ___ SW3d ___, 12-14-17)

motion to withdraw petition for review granted
motion to transfer denied
motion regarding rule denied

18-0184 KELLY THOMAS v. CARL PUGLIESE; SETH JOHNS, CMO OF CARL'S HANDYMAN; AND CULPEPPER PLUMBING & AIR CONDITIONING, INC.; from Denton County; 2nd Court of Appeals District (02-18-00026-CV, ___ SW3d ___, 02-08-18)

motion to withdraw petition for review granted

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0026 BP PIPELINES (ALASKA) INC., CONOCOPHILLIPS TRANSPORTATION ALASKA, INC. AND EXXONMOBIL PIPELINE CO. v. UNOCAL PIPELINE COMPANY; from Harris County; 1st Court of Appeals District (01-15-00266-CV, 512 SW3d 492, 12-08-16)
- 17-0225 TRIYAR COMPANIES, LLC, ET AL. v. FIREMAN'S FUND INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-14-00160-CV, 515 SW3d 517, 02-09-17)
- 17-0325 COLUMBIA NORTH HILLS HOSPITAL SUBSIDIARY, L.P., COLUMBIA NORTH TEXAS SUBSIDIARY GP, LLC, AND HCA HEALTH SERVICES OF TEXAS, INC. v. JANE DOE; from Tarrant County; 2nd Court of Appeals District (02-16-00275-CV, 521 SW3d 76, 03-23-17)
- 17-0353 IN THE INTEREST OF L.D.J. III, A.Y.J., W.F.J. AND C.J., CHILDREN; from Hidalgo County; 13th Court of Appeals District (13-15-00099-CV, ___ SW3d ___, 01-26-17)
- 17-0370 THE CITY OF DALLAS v. TRINITY EAST ENERGY, LLC; from Dallas County; 5th Court of Appeals District (05-16-00349-CV, ___ SW3d ___, 02-07-17)
- 17-0447 GREENWOOD MOTOR LINES, INC. D/B/A R+L CARRIERS AND STEVEN C. GASTON v. BOBBIE BUSH; from Dallas County; 5th Court of Appeals District (05-14-01148-CV, ___ SW3d ___, 04-28-17)
- 17-0448 HILARIO TORRES v. CHAUNCEY MANSELL & MUELLER SUPPLY COMPANY, INC.; from Bell County; 7th Court of Appeals District (07-16-00016-CV, 518 SW3d 481, 03-03-17)
- 17-0470 JIM KAELIN v. ROSE CRAGO; from Nueces County; 13th Court of Appeals District (13-16-00226-CV, ___ SW3d ___, 01-26-17)
- 17-0828 ENERGY MAINTENANCE SERVICES GROUP I, LLC, N/K/A ENERGY MAINTENANCE SERVICES GROUP I, INC. v. TIMOTHY NESLER; from Harris County; 1st Court of Appeals District (01-16-00362-CV, ___ SW3d ___, 07-27-17)
- 17-0847 GEORGE K. FISHER v. AMY BOLTON; from Lamar County; 6th Court of Appeals District (06-16-00082-CV, 528 SW3d 770, 07-26-17)
- 18-0209 JANA LEE FLANAGAN AND LUCAS MATTHEW FLANAGAN v. RBD SAN ANTONIO LP, DAVIDSON HOTEL COMPANY LLC AND G4S SECURE SOLUTIONS; from Bexar County; 4th Court of Appeals District (04-16-00761-CV, ___ SW3d ___, 11-22-17)
- 18-0224 JEFF VANDERHURST v. STATOIL GULF SERVICES, LLC; from Harris County; 1st Court of Appeals District (01-16-00461-CV, ___ SW3d ___, 01-25-18)

- 18-0243 ELIZABETH A. CERNA v. ESTHER SMITH, ET AL.; from Dallas County; 5th Court of Appeals District (05-17-00178-CV, ___ SW3d ___, 02-02-18)
- 18-0248 KENNETH LEO BUHOLTZ v. MISTI DAWN FIELD A/K/A MISTI DAWN CHAPMAN AND RONNIE RAY; from Bell County; 3rd Court of Appeals District (03-17-00232-CV, ___ SW3d ___, 01-31-18)
- 18-0249 MOISES GUZMAN v. TEXAS BOARDS OF PARDONS AND PAROLES; from Harris County; 1st Court of Appeals District (01-17-00869-CV, ___ SW3d ___, 02-15-18)
motion to object denied
- 18-0274 SERGIO AGUILAR v. SERVICE LLOYDS INSURANCE CO.; from Dallas County; 5th Court of Appeals District (05-17-01355-CV, ___ SW3d ___, 02-22-18)
- 18-0377 MELISSA GALLEGOS v. RAUL QUINTERO D/B/A JR'S MOTORS; from Cameron County; 13th Court of Appeals District (13-16-00497-CV, ___ SW3d ___, 02-01-18)
- 18-0459 IN THE INTEREST OF A.E.S., A CHILD; from Bexar County; 4th Court of Appeals District (04-17-00667-CV, ___ SW3d ___, 04-09-18)

ORDERS ON MOTIONS FOR REHEARING

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

- 18-0117 STEPHEN FINLEY v. BEVERLY MAY; from Lubbock County; 7th Court of Appeals District (07-17-00233-CV, ___ SW3d ___, 11-28-17)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 17-0944 IN RE M.B.; from Smith County; 12th Court of Appeals District (12-17-00214-CV, ___ SW3d ___, 10-18-17)
stay order issued November 30, 2017, lifted
- 18-0027 IN RE ROSE CRAGO AND JOHN CRAGO, INDEPENDENT EXECUTOR OF DAVID CRAGO; from Nueces County; 13th Court of Appeals District (13-17-00586-CV, ___ SW3d ___, 11-16-17)
- 18-0093 IN RE B.L.; from Tarrant County; 2nd Court of Appeals District (02-18-00033-CV, ___ SW3d ___, 02-01-18)

as amended
motion to consolidate denied

18-0102 IN RE COMANECHE TURNER, AS NATURAL PARENT AND NEXT FRIEND OF M.T., A MINOR; from Dallas County; 5th Court of Appeals District (05-17-00871-CV, 544 SW3d 9, 10-19-17)

18-0192 IN RE B.L.; from Tarrant County; 2nd Court of Appeals District (02-18-00062-CV, ___ SW3d ___, 02-26-18)
motion to consolidate denied

18-0194 IN RE B.L.; from Tarrant County; 2nd Court of Appeals District (02-18-00071-CV, ___ SW3d ___, 03-01-18)
motion to consolidate denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

18-0479 IN RE PETER BEASLEY; from Dallas County; 5th Court of Appeals District (05-18-00553-CV, ___ SW3d ___, 05-22-18)
motion to abate proceeding granted
motion to supplement record granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until further order of this Court.]

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

17-1060 IN RE HOUSTON SPECIALTY INSURANCE CO.; from Harris County; 14th Court of Appeals District (14-17-00928-CV, ___ SW3d ___, 12-12-17)
relator's unopposed motion for emergency stay granted
stay order issued

[**Note:** The petition for writ of mandamus remains pending before this Court.]