



THE SUPREME COURT OF TEXAS

Orders Pronounced June 15, 2018

ORDERS ON CAUSES

- 16-0125 DEBRA C. GUNN, M.D., OBSTETRICAL AND GYNECOLOGICAL ASSOCIATES, P.A., AND OBSTETRICAL AND GYNECOLOGICAL ASSOCIATES P.L.L.C. v. ANDRE MCCOY, AS PERMANENT GUARDIAN OF SHANNON MILES MCCOY, AN INCAPACITATED PERSON; from Harris County; 14th Court of Appeals District (14-14-00112-CV, 489 SW3d 75, 03-24-16)
2 petitions

The Court affirms the court of appeals' judgment.

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

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

(Justice Guzman not sitting)

- 16-0715 IN THE INTEREST OF H.S., A MINOR CHILD; from Tarrant County; 2nd Court of Appeals District (02-15-00303-CV, ___ SW3d ___, 07-28-16)

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

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

Justice Guzman delivered a dissenting opinion.

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

- 17-0623 VICTOR STINES v. JEFFERSON COUNTY, TEXAS; from Jefferson County; 9th Court of Appeals District (09-16-00058-CV, 523 SW3d 691, 06-22-17)

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, vacates it in part, and remands the case to the trial court.

Per Curiam Opinion

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 15-0712 JPMORGAN CHASE BANK, N.A., ET AL. v. ORCA ASSETS G.P., L.L.C.; from Dallas County; 5th Court of Appeals District (05-13-01700-CV, 542 SW3d 591, 08-11-15)

16-0498 JEFFERSON COUNTY, TEXAS v. JEFFERSON COUNTY CONSTABLES ASSOCIATION; from Jefferson County; 13th Court of Appeals District (13-14-00188-CV, 512 SW3d 434, 05-05-16)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 17-0509 TEXAS OUTFITTERS LIMITED, LLC v. CAROLYN GRACE NICHOLSON, WILLIAM LUTHER CARTER, JR., AND DORA JO CARTER, INDIVIDUALLY AND AS GENERAL PARTNER OF CARTER RANCH, LTD.; from Frio County; 4th Court of Appeals District (04-16-00392-CV, 534 SW3d 65, 05-17-17)
[Note: The date and time for oral argument are yet to be determined.]
- 17-0538 SABRE TRAVEL INTERNATIONAL LTD. v. DEUTSCHE LUFTHANSA AG, AUSTRIAN AIRLINES AG, BRUSSELS AIRLINES NV/SA, AND SWISS INTERNATIONAL AIR LINES LTD.; from Tarrant County; 2nd Court of Appeals District (02-17-00153-CV, ___ SW3d ___, 06-01-17)
[Note: The date and time for oral argument are yet to be determined.]
(Justice Lehrmann not sitting)
- 17-0541 HENRY RAWSON, JR. AND SUSAN RAWSON v. OXEA CORPORATION; from Harris County; 1st Court of Appeals District (01-15-01005-CV, ___ SW3d ___ 12-22-16)
[Note: The date and time for oral argument are yet to be determined.]
- 17-0636 DANIEL NGHIEM v. RUPOM SAJIB AND GLOBAL AVIATION SERVICE, INC. D/B/A, GLOBAL AVIATION SERVICES AND D/B/A GLOBAL AVIATION SERVICES, INC.; from Harris County; 1st Court of Appeals District (01-16-00585-CV, ___ SW3d ___, 06-29-17)
[Note: The date and time for oral argument are yet to be determined.]
- 17-0762 MUSA ('MOSES') N. MUSALLAM v. AMAR B. ALI; from Tarrant County; 2nd Court of Appeals District (02-16-00282-CV, ___ SW3d ___, 08-03-17)
[Note: The date and time for oral argument are yet to be determined.]
- 17-0815 ADVANCED POWDER SOLUTIONS, INC. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 14th Court of Appeals District (14-16-00313-CV, 528 SW3d 779, 06-13-17)
abatement order issued May 1, 2018, lifted
petition reinstated
agreed motion pursuant to Rule 56.3, granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court

grants the petition for review, vacates the judgment of the court of appeals 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:

- 17-0486 IN THE INTEREST OF R.T., F.M.P. AND F.L.P., CHILDREN; from Harris County; 14th Court of Appeals District (14-16-00970-CV, ___ SW3d ___, 05-04-17)
counsel's motion to withdraw granted
- 17-0648 HOANG-YEN THI DANG v. JIMMY TRAN; from Harris County; 1st Court of Appeals District (01-14-00539-CV, ___ SW3d ___, 06-13-17)
- 17-0712 TOTAL E&P USA, INC. v. MO-VAC SERVICES COMPANY, INC.; from Hidalgo County; 13th Court of Appeals District (13-15-00348-CV, ___ SW3d ___, 07-27-17)
- 17-0717 GEORGIA KAYE SYMPSON AND CLIFFORD A. HALL, SR. v. WILLIAM T. GARRETT AND LANETTA M. GARRETT; from Hood County; 2nd Court of Appeals District (02-16-00437-CV, 523 SW3d 862, 06-08-17)
- 17-0755 LON SMITH & ASSOCIATES, INC. AND A-1 SYSTEMS, INC., D/B/A LON SMITH ROOFING AND CONSTRUCTION v. JOE KEY AND STACCI KEY; from Tarrant County; 2nd Court of Appeals District (02-15-00328-CV, 527 SW3d 604, 08-03-17)
- 17-0906 JULIA L. VARGO v. ROBERT T. O'DONNELL; from Collin County; 5th Court of Appeals District (05-16-01058-CV, ___ SW3d ___, 09-22-17)
- 17-0908 ALMA L. GOMEZ AND ALBERTO F. GOMEZ, INDIVIDUALLY AND AS NEXT FRIEND OF JORGE ELIAS GOMEZ, A DECEASED MINOR AND ON BEHALF OF THE ESTATE OF JORGE ELIAS GOMEZ, A DECEASED MINOR AND YOLANDA MEDELLIN, INDIVIDUALLY AND AS NEXT FRIEND OF JESUS MEDELLIN v. AMERICAN HONDA MOTOR CO., INC.; from Maverick County; 4th Court of Appeals District (04-16-00342-CV, ___ SW3d ___, 07-26-17)
- 17-0927 RONALD ROGERS, INDIVIDUALLY AND AS EXECUTOR TO THE ESTATE OF LOUISE ROGERS v. TED L. WALKER; from Jasper County; 9th Court of Appeals District (09-15-00489-CV, ___ SW3d ___, 08-03-17)
- 18-0057 LEE WEBESTER v. GSE LINING TECHNOLOGY LLC; from Harris County; 14th Court of Appeals District (14-16-00841-CV, ___ SW3d ___, 12-21-17)

- 18-0144 SWIG PARTNERS LP, SWIG PARTNERS GP, LLC, WOO YOUNG CHUNG, KUN YOUNG KIM, KAY KAIM, KYU YOUNG KIM, STEVEN LEE, HUN KYU LEE, EDWIN PAK, HYUK KEUN KWUN, SHI CHUI KUM, WOON CHUL CHUNG, NAM SUN PAEK, YOO SANG CHO, HWAN HURH, HAK SON AHN, HAROLD K. SHIN, HYO WON BANG, EDWARD KIM, SUN KYUM CHA A/K/A STEPHEN CHA, KWANG H. KIM, JANG Y. LEE, JIM HEE CHA, SUNG CHOOI LEE, JAMES LEE, JIN K. CHING, KWANG JAE LEE, MARY CHU DIERLAM, AND CHONG WON KIM v. BRANCH BANKING AND TRUST COMPANY; from Dallas County; 5th Court of Appeals District (05-15-00878-CV, ___ SW3d ___, 12-13-17)
- 18-0164 EFREM D. SEWELL v. ZURICH AMERICAN INSURANCE COMPANY; from Jefferson County; 9th Court of Appeals District (09-16-00079-CV, ___ SW3d ___, 12-21-17)
- 18-0175 BEATRICE ZARATE v. ARIC RODRIGUEZ DBA MID-TOWN REALTY; from Harris County; 14th Court of Appeals District (14-16-00038-CV, 542 SW3d 26, 10-17-17)
- 18-0187 THOMAS LANNY VLASAK, AS TRUSTEE FOR THE SILBER FAMILY TRUST v. TAXCO, INC.; from Harris County; 1st Court of Appeals District (01-16-00191-CV, ___ SW3d ___, 07-11-17)
- 18-0201 IN THE INTEREST OF B.T.G., A MINOR CHILD; from Dallas County; 5th Court of Appeals District (05-16-00370-CV, ___ SW3d ___, 08-08-17)
- 18-0234 SENSIBLE CARE HOLDINGS, LLC, ALAN GUGGENHEIM, AND SUSANNE GUGGENHEIM v. BURL AND MARIAN SENS; from Nueces County; 13th Court of Appeals District (13-16-00422-CV, ___ SW3d ___, 01-25-18)
- 18-0235 IN THE INTEREST OF M.A.N.Z., A CHILD; from Bexar County; 4th Court of Appeals District (04-17-00381-CV, ___ SW3d ___, 12-06-17)
- 18-0305 IN THE INTEREST OF Y.R., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-17-00301-CV, ___ SW3d ___, 02-15-18)
- 18-0313 DON MCCAFFETY v. ANGELA BLANCHARD; from Harris County; 1st Court of Appeals District (01-15-01077-CV, ___ SW3d ___, 01-25-18)
- 18-0328 SYLVIA GARDNER v. ERIC GARDNER; from Bexar County; 4th Court of Appeals District (04-17-00414-CV, ___ SW3d ___, 01-24-18)
- 18-0340 IN THE INTEREST OF J.S.-A.S. A/K/A J.S. AND J.B.S., JR., CHILDREN; from Harris

County; 1st Court of Appeals District (01-17-00491-CV, ___ SW3d ___, 02-15-18)
2 petitions
counsel's motion to withdraw granted

18-0341 IN THE INTEREST OF J.C., A CHILD; from Harris County; 14th Court of Appeals District
(14-17-00707-CV, ___ SW3d ___, 02-15-18)

18-0404 IN THE INTEREST OF K.G.-J.W. A/K/A K.W., A CHILD; from Harris County; 1st Court of
Appeals District (01-17-00739-CV, ___ SW3d ___, 03-06-18)
counsel's motion to withdraw granted

18-0412 FEYSAL AYATI-GHAFFARI v. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION;
from Collin County; 5th Court of Appeals District (05-17-00482-CV, ___ SW3d ___, 04-03-18)

18-0463 IN THE INTEREST OF K.A.R., A CHILD; from Bexar County; 4th Court of Appeals District
(04-17-00723-CV, ___ SW3d ___, 04-11-18)

18-0478 IN THE INTEREST OF Z.C.I. AND I.V.I., CHILDREN; from Dawson County; 11th Court of
Appeals District (11-17-00274-CV, ___ SW3d ___, 03-28-18)

18-0511 IN THE INTEREST OF J.M.A.-H. AND H.E.A., CHILDREN; from Bexar County; 4th Court of
Appeals District (04-17-00756-CV, ___ SW3d ___, 04-18-18)

18-0518 IN THE INTEREST OF I.P., JR., A CHILD; from Bexar County; 4th Court of Appeals District
(04-17-00724-CV, ___ SW3d ___, 04-25-18)

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

18-0052 T&T ROCK DISTRIBUTION, LLC v. RUTILIO I. VELASCO; from Johnson County; 10th
Court of Appeals District (10-16-00408-CV, ___ SW3d ___, 12-20-17)
emergency motion to stay litigation and discovery granted
stay order issued

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

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

18-0326 AQUATECH SALTWATER DISPOSAL, LLC D/B/A AQUA TECH WATER & DISPOSAL,
LLC, AND ERIC SCHMITZ v. WATERWORKS CORRAL CREEK, LLC AND
SALTWATER DISPOSAL SYSTEMS, LLC; from Travis County; 3rd Court of Appeals
District (03-16-00309-CV, ___ SW3d ___, 02-21-18)
unopposed motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

- 17-0072 LAKOTA ENERGY LIMITED PARTNERSHIP v. MERIT MANAGEMENT PARTNERS I, L.P.; MERIT ENERGY PARTNERS III, L.P.; AND MERIT ENERGY COMPANY, LLC; from Wise County; 2nd Court of Appeals District (02-13-00057-CV, ___ SW3d ___, 11-17-16)
denial of petition for review on January 26, 2018, withdrawn
petition reinstated

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

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

- 16-0206 WHITE LION HOLDINGS, L.L.C. v. THE STATE OF TEXAS; from Travis County; 1st Court of Appeals District (01-14-00104-CV, ___ SW3d ___, 09-24-15)
- 17-0877 IN THE INTEREST OF S.V. AND S.V., CHILDREN; from Dallas County; 5th Court of Appeals District (05-16-00519-CV, ___ SW3d ___, 08-30-17)
- 17-0934 NATHAN CARUSO AND JENNIFER DONNER v. NATHANIEL YOUNG; from Travis County; 13th Court of Appeals District (13-16-00376-CV, ___ SW3d ___, 08-24-17)
- 18-0244 JESUS E. TIRREZ v. COMMISSION FOR LAWYER DISCIPLINE AND LINDA A. ACEVEDO, IN HER OFFICIAL CAPACITY AS THE CHIEF DISCIPLINARY COUNSEL OF THE STATE BAR OF TEXAS; from Travis County; 3rd Court of Appeals District (03-16-00318-CV, ___ SW3d ___, 01-12-18)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 17-0949 IN RE LEXTER KENNON KOSSIE
- 17-0982 IN RE OSCAR SALDIVAR, INNOVATIVE BLOCK OF SOUTH TEXAS, LTD., AND INNOVATIVE SUPPLY, L.L.C.; from Hidalgo County; 13th Court of Appeals District (13-17-00648-CV, ___ SW3d ___, 11-28-17)
stay order issued December 8, 2017, lifted
- 17-1014 IN RE ANDY SANCHEZ; from Bexar County; 4th Court of Appeals District (04-17-00615-CR, ___ SW3d ___, 10-04-17)
- 18-0010 IN RE LANCE KIAN GRANMAYEH; from Harris County; 1st Court of Appeals District (01-17-00728-CV, ___ SW3d ___, 12-28-17)
stay order issued March 19, 2018, lifted

- 18-0173 IN RE MEGALOMEDIA, INC.; MANSFIELD FILMS, LLC; AND JONATHAN NOWZARADAN; from Travis County; 3rd Court of Appeals District (03-17-00641-CV, ___ SW3d ___, 12-15-17)
- 18-0275 IN RE J.P.N.; from Bexar County; 4th Court of Appeals District (04-17-00633-CV, ___ SW3d ___, 03-14-18)
relator's motion for leave to exceed word limits granted
- 18-0319 IN RE MADELEINE CONNOR; from Travis County; 3rd Court of Appeals District (03-18-00031-CV, ___ SW3d ___, 05-02-18)
as redrafted
- 18-0334 IN RE TEXAS PRIVATE SCHOOLS FOUNDATION, INC. D/B/A ALLEN ACADEMY; from Brazos County; 10th Court of Appeals District (10-16-00343-CV, ___ SW3d ___, 01-10-18)
- 18-0385 IN RE WANDA LEE BOWLING; from Collin County; 5th Court of Appeals District (05-16-01196-CV, ___ SW3d ___, 11-07-17)