



# THE SUPREME COURT OF TEXAS

Orders Pronounced October 12, 2018

## ORDERS ON CAUSES

18-0660 IN RE OCCIDENTAL CHEMICAL CORPORATION, OXY INGLESIDE ENERGY CENTER, LLC, OXY INGLESIDE LPG TERMINAL LLC, AND OXY INGLESIDE OIL TERMINAL LLC

The Court conditionally grants the petition for writs of mandamus and injunction.

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

Justice Brown delivered a concurring opinion, in which Justice Boyd and Justice Blacklock joined in part.

Justice Boyd delivered a dissenting opinion, in which Justice Blacklock joined.  
(Justice Guzman not sitting)

### THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

17-0713 LUIS GARCIA, ET AL. v. CITY OF WILLIS, LEONARD REED, IN HIS OFFICIAL CAPACITY AS [MAYOR] OF THE CITY OF WILLIS, JAMES NOWAK IN HIS OFFICIAL CAPACITY AS CHIEF OF POLICE OF THE CITY OF WILLIS, HECTOR FORESTIER, IN HIS OFFICIAL CAPACITY AS CITY MANAGER OF THE CITY OF WILLIS; from Montgomery County; 9th Court of Appeals District (09-16-00164-CV, 523 SW3d 729, 07-06-17)

unopposed motion of amicus curiae to participate in oral argument granted

Time allotted to argue: 15/20/5 minutes

## ORDERS ON PETITIONS FOR REVIEW

### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

18-0514 TAKESHA DUNLAP v. BEAULY, LLC; from Tarrant County; 2nd Court of Appeals District (02-17-00052-CV, \_\_\_ SW3d \_\_\_, 03-15-18)

18-0571 RICHARD VAUGHN SEEGER AND BEVERLY SEEGER v. DEL LAGO OWNERS ASSOCIATION; from Montgomery County; 9th Court of Appeals District (09-16-00450-CV,

\_\_\_ SW3d \_\_\_, 05-03-18)

- 18-0624 TROY SUMRALL v. TRAVIS SPAULDING; from Jefferson County; 9th Court of Appeals District (09-16-00153-CV, \_\_\_ SW3d \_\_\_, 05-24-18)
- 18-0705 CITY OF ARLINGTON v. TIBOR KOVACS; from Tarrant County; 2nd Court of Appeals District (02-17-00456-CV, \_\_\_ SW3d \_\_\_, 06-21-18)
- 18-0708 PETER SCHMITZ v. DENTON COUNTY COWBOY CHURCH AND THE TOWN OF PONDER, TEXAS; from Denton County; 2nd Court of Appeals District (02-16-00114-CV, 550 SW3d 342, 05-10-18)
- 18-0711 JUSTIN D. BURGESS v. WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST; from Dallas County; 5th Court of Appeals District (05-17-00654-CV, \_\_\_ SW3d \_\_\_, 05-08-18)
- 18-0714 CHIP BUERGER CUSTOM HOMES, INC. AND NEWTON W. BUERGER v. JAMES MARONEY AND MAUREEN MARONEY; from Travis County; 3rd Court of Appeals District (03-17-00355-CV, \_\_\_ SW3d \_\_\_, 06-20-18)
- 18-0718 IN THE INTEREST OF L.L.C., CHILD; from Harris County; 1st Court of Appeals District (01-17-00961-CV, \_\_\_ SW3d \_\_\_, 06-07-18)
- 18-0729 ALIZABETH NICKOLS v. OASIS REMARKETING, LLC, D/B/A DISCOVERY AUTO ENTERPRISE; from Harris County; 14th Court of Appeals District (14-17-00556-CV, \_\_\_ SW3d \_\_\_, 05-31-18)
- 18-0736 ANTHONY MOORE AND JOANN MOORE v. DAVID SUBIA; from Bexar County; 4th Court of Appeals District (04-16-00786-CV, \_\_\_ SW3d \_\_\_, 05-16-18)
- 18-0776 KOJO NKANSAH v. TEXAS WORKFORCE COMMISSION AND CITY OF DALLAS; from Dallas County; 5th Court of Appeals District (05-17-00281-CV, \_\_\_ SW3d \_\_\_, 05-31-18)
- 18-0829 IN RE THE COMMITMENT OF EFRAIN MARTINEZ RODRIGUEZ; from Dallas County; 5th Court of Appeals District (05-17-00514-CV, \_\_\_ SW3d \_\_\_, 07-12-18)
- 18-0834 IN THE INTEREST OF C.F.M. AND B.C.M., CHILDREN; from Dallas County; 5th Court of Appeals District (05-16-00285-CV, \_\_\_ SW3d \_\_\_, 04-09-18)

- 18-0886 IN THE INTEREST OF N.C. H.-M. JR. AND C.A. H.-M.; from Bexar County; 4th Court of Appeals District (04-18-00098-CV, \_\_\_ SW3d \_\_\_, 08-08-18)
- 18-0914 J. M. AND C. S. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-18-00327-CV, \_\_\_ SW3d \_\_\_, 08-28-18)  
as corrected
- 18-0921 IN THE INTEREST OF S.S.C. AND X.C., CHILDREN; from Crosby County; 7th Court of Appeals District (07-18-00146-CV, \_\_\_ SW3d \_\_\_, 08-13-18)  
motion to withdraw as appellate counsel granted
- 18-0923 IN THE INTEREST OF M.M., A.M., AND I.P., CHILDREN; from Tarrant County; 2nd Court of Appeals District (02-18-00192-CV, \_\_\_ SW3d \_\_\_, 08-30-18)
- 18-0930 IN THE INTEREST OF B.K. AND G.L., CHILDREN; from Harrison County; 6th Court of Appeals District (06-18-00037-CV, \_\_\_ SW3d \_\_\_, 08-16-18)
- 18-0934 IN THE INTEREST OF F.L., A CHILD; from Brazos County; 10th Court of Appeals District (10-18-00163-CV, \_\_\_ SW3d \_\_\_, 08-15-18)
- 18-0935 IN THE INTEREST OF F.L., A CHILD; from Brazos County; 10th Court of Appeals District (10-18-00164-CV, \_\_\_ SW3d \_\_\_, 08-15-18)
- 18-0947 IN THE INTEREST OF J.W.F. AND J.L.F., CHILDREN; from Palo Pinto County; 11th Court of Appeals District (11-18-00143-CV, \_\_\_ SW3d \_\_\_, 08-30-18)  
motion for leave to withdraw as counsel granted

#### **ORDERS ON MOTIONS FOR REHEARING**

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

- 18-0313 DON MCCAFFETY v. ANGELA BLANCHARD; from Harris County; 1st Court of Appeals District (01-15-01077-CV, \_\_\_ SW3d \_\_\_, 01-25-18)
- 18-0316 SAMUEL ADJEI SARFO v. COMMISSION FOR LAWYER DISCIPLINE; from Travis County; 3rd Court of Appeals District (03-16-00554-CV, \_\_\_ SW3d \_\_\_, 02-22-18)

- 18-0502 LYDIA TUMMEL AND HAROLD TUMMEL, INDIVIDUALLY AND AS TRUSTEE OF THE KURT K. TUMMEL TRUST v. ROADRUNNER TRANSPORTATION SYSTEMS, INC.; from Hidalgo County; 13th Court of Appeals District (13-16-00335-CV, \_\_\_ SW3d \_\_\_, 06-04-18)
- 18-0697 IN THE INTEREST OF N.V. AND E.E., JR., CHILDREN; from Lubbock County; 7th Court of Appeals District (07-18-00060-CV, 554 SW3d 217, 06-29-18)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 18-0835 IN RE WOODHULL VENTURES 2015, L.P.; from Williamson County; 3rd Court of Appeals District (03-18-00503-CV, \_\_\_ SW3d \_\_\_, 08-24-18)
- 18-0892 IN RE JOSHUA ALAN LAWRENCE, LASHAWN BRANDI MCBRIDE STEVEN ROBERT MCBRIDE, ANGELA TERESA ROGERS, JUSTIN LYNN ROGERS, AND TAYLOR GARRETT ROGERS; 9th Court of Appeals District (09-18-00322-CV, \_\_\_ SW3d \_\_\_, 09-05-18)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

- 17-0818 IN RE VCC, LLC, VRATSINAS CONSTRUCTION CO., NATO GARCIA D/B/A NATO GARCIA COMPANY, AND PHI SERVICE AGENCY, INC.; from Hidalgo County; 13th Court of Appeals District (13-17-00521-CV, \_\_\_ SW3d \_\_\_, 09-28-17)  
abatement order issued April 6, 2018, lifted  
mandamus reinstated  
motion to dismiss granted
- 18-0629 IN RE BNSF RAILWAY COMPANY; from Montgomery County; 9th Court of Appeals District (09-18-00151-CV, \_\_\_ SW3d \_\_\_, 06-14-18)  
unopposed motion to dismiss granted

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 18-0180 EX PARTE A.M.; from Lubbock County; 7th Court of Appeals District (07-17-00451-CV, \_\_\_ SW3d \_\_\_, 01-16-18)  
motion to expedite denied  
motion to amend denied  
motion to construe writ denied  
motion to supplement denied