



THE SUPREME COURT OF TEXAS

Orders Pronounced May 24, 2019

ORDERS ON CAUSES

- 17-0046 SCRIPPS NP OPERATING, LLC, A WISCONSIN LIMITED LIABILITY COMPANY, SUCCESSOR IN INTEREST TO SCRIPPS TEXAS NEWSPAPERS, LP D/B/A CORPUS CHRISTI CALLER-TIMES v. TERRY CARTER; from Nueces County; 13th Court of Appeals District (13-15-00506-CV, 567 SW3d 1, 12-21-16)

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

Justice Devine delivered the opinion of the Court.

- 17-0385 RUBEN ALEMAN, M.D. v. TEXAS MEDICAL BOARD; from Travis County; 3rd Court of Appeals District (03-16-00339-CV, 565 SW3d 26, 03-02-17)

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

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green, Justice Guzman, and Justice Devine joined, and in which Justice Busby joined except as to footnote 9.

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

Justice Boyd delivered a dissenting opinion.

- 17-0634 IN RE VERNA FRANCIS COLEY THETFORD; from Young County; 2nd Court of Appeals District (02-17-00182-CV, 559 SW3d 187, 06-15-17)

The Court denies the petition for writ of mandamus.

Chief Justice Hecht delivered the opinion of the Court as to Parts I, II, III-A, and IV, in which Justice Green, Justice Guzman, Justice Lehrmann, and Justice Boyd joined, and a concurring opinion as to Part III-B, in which Justice Green and Justice Guzman joined.

Justice Brown delivered a dissenting opinion, in which Justice Devine, Justice Blacklock, and Justice Busby joined.

- 17-0724 REY GARZA v. ROXANA REGALADO HARRISON AND JOSEPH SANTELLANA, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF JONATHAN ANTHONY SANTELLANA, DECEASED; from Harris County; 14th Court of Appeals District (14-16-00615-CV, 531 SW3d 852, 07-25-17)

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

Justice Guzman delivered the opinion of the Court.

Justice Boyd delivered a concurring opinion, in which Justice Lehrmann joined.

- 18-0186 PATHFINDER OIL & GAS, INC. AND CATHLIND ENERGY, LLC v. GREAT WESTERN DRILLING, LTD.; from Midland County; 11th Court of Appeals District (11-14-00206-CV, 568 SW3d 148, 09-29-17)

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

Justice Guzman delivered the opinion of the Court.

- 18-0431 TARRANT COUNTY, TEXAS v. RODERICK LYDELL BONNER; from Tarrant County; 2nd Court of Appeals District (02-16-00402-CV, 568 SW3d 169, 04-05-18)
respondent's motion to supplement record on appeal denied

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

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

Justice Boyd delivered an opinion concurring in the judgment only.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DISMISSED:

- 17-0328 TRACY WINDRUM, INDIVIDUALLY, AND ON BEHALF OF HER MINOR CHILDREN, B.W., J.W., AND H.W. v. VICTOR KAREH, M.D.; from Harris County; 1st Court of Appeals District (01-14-00179-CV, 518 SW3d 496, 03-16-17)

joint motion to remand under Tex. R. App. P. 56.3 and 60.6 granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court vacates the judgments of this Court, of the court of appeals and trial court, and remands the case to the trial court to effectuate the parties' settlement agreement.

The Court's opinion issued January 25, 2019 remains in place. The judgment issued January 25, 2019 is withdrawn and the judgment issued this date is substituted.

Justice Busby did not participate in the decision.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 19-0146 RISE RESIDENTIAL CONSTRUCTION, LP; GCRE/TX MAIN MF, LLC; AND LCAR PARK VIEW, LLC v. SOUTH TEXAS INNOVATIONS, LLC D/B/A STI, LLC; from Denton County; 2nd Court of Appeals District (02-18-00021-CV, ___ SW3d ___, 12-31-18)
- 19-0250 IN THE INTEREST OF Z.J.B., A CHILD; from Harris County; 14th Court of Appeals District (14-18-00759-CV, ___ SW3d ___, 01-29-19)
- 19-0278 IN THE INTEREST OF D.B., B.N.B., AND T.L.S., CHILDREN; from Bexar County; 4th Court of Appeals District (04-18-00651-CV, ___ SW3d ___, 02-20-19)
- 19-0287 BAYLOR ALL SAINTS MEDICAL CENTER D/B/A BAYLOR SCOTT & WHITE ALL SAINTS MEDICAL CENTER-FORT WORTH v. WANDA DEXTER, INDIVIDUALLY,

AND AS REPRESENTATIVE OF THE ESTATE OF MARLA JO VORHIES; from Tarrant County; 2nd Court of Appeals District (02-18-00238-CV, ___ SW3d ___, 01-24-19)

19-0291 REFRACTORY CONSTRUCTION SERVICES CO., LLC v. NATGASOLINE LLC AND ORASCOM E&C USA, INC.; from Galveston County; 14th Court of Appeals District (14-17-00503-CV, 566 SW3d 871, 12-18-18)

(Justice Busby not sitting)

19-0307 SALLY JOANNE REAVES v. PLAINSCAPITAL BANK; from Dallas County; 5th Court of Appeals District (05-17-01184-CV, ___ SW3d ___, 12-17-18)

(Justice Boyd not sitting)

19-0311 IN THE MATTER OF I.M.M., A CHILD; from Hale County; 7th Court of Appeals District (07-18-00303-CV, ___ SW3d ___, 02-25-19)

19-0315 TRA MIDLAND PROPERTIES, LLC, ET AL. v. RENATE NIXDORF GMBH & CO. KG AND WATERCREST PARTNERS, L.P.; from Dallas County; 5th Court of Appeals District (05-17-00577-CV, ___ SW3d ___, 01-03-19)

19-0319 DEBORAH H. LUND v. TEXAS HEALTH AND HUMAN SERVICES COMMISSION; from Bexar County; 4th Court of Appeals District (04-17-00625-CV, ___ SW3d ___, 03-06-19)

19-0385 IN THE INTEREST OF H.R.M., A CHILD; from Randall County; 7th Court of Appeals District (07-18-00430-CV, ___ SW3d ___, 03-22-19)

ORDERS ON MOTIONS FOR REHEARING

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

18-0082 TC&C REAL ESTATE HOLDINGS, INC. v. ETC KATY PIPELINE, LTD., AS SUCCESSOR IN INTEREST TO ETC TEXAS PIPELINE, LTD.; from Limestone County; 10th Court of Appeals District (10-16-00134-CV, ___ SW3d ___, 12-20-17)

(Justice Blacklock not sitting)

18-0155 CHARLES BROOKS v. CALATLANTIC HOMES OF TEXAS, INC., F/K/A STANDARD PACIFIC OF TEXAS, INC., AND STANDARD PACIFIC CORP.; from Dallas County; 5th Court of Appeals District (05-16-01203-CV, ___ SW3d ___, 10-09-17)

18-0922 DONALD YOUNG, DORIS YOUNG AND DONNA HOLCOMB v. CHRIS DI FERRANTE; from Galveston County; 14th Court of Appeals District (14-16-00454-CV, 553 SW3d 125, 06-06-18)

(Justice Busby not sitting)

- 18-1066 ANNA ABATECOLA, ROBERT ABATECOLA, HI-TECH CONCRETE PUMPING SERVICES PCD, LLC AND ABATECOLA LEASING v. 2 SAVAGES CONCRETE PUMPING LLC, AND JOSEPH LOWRY, INDIVIDUALLY; from Galveston County; 14th Court of Appeals District (14-17-00678-CV, ___ SW3d ___, 06-26-18)
(Justice Busby not sitting)
- 18-1082 YVONNE TRAHAN v. THE PREMCOR REFINING GROUP, INC. D/B/A VALERO PORT ARTHUR REFINERY; from Jefferson County; 9th Court of Appeals District (09-17-00005-CV, ___ SW3d ___, 08-16-18)
- 19-0085 ARTURO GUAJARDO, INDIVIDUALLY AND DERIVATIVELY AS A SHAREHOLDER, MEMBER OR PARTY IN BUYER DEVELOPMENT SERVICES, INC. A.K.A. IMPROVE MY CREDIT USA v. TROY HITT, JOE ORSAK, RANDALL CHESNUTT, AND BUYER DEVELOPMENT SERVICES, INC. A.K.A. IMPROVE MY CREDIT USA; from Harris County; 14th Court of Appeals District (14-16-01020-CV, 562 SW3d 768, 10-25-18)
(Justice Busby not sitting)
- 19-0138 JAMES ANTHONY DAVIS v. ANGLETON INDEPENDENT SCHOOL DISTRICT ET AL; from Brazoria County; 14th Court of Appeals District (14-17-00692-CV, ___ SW3d ___, 09-11-18)
(Justice Busby not sitting)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 19-0029 IN RE DIPAK T. PATEL AND PRAVIN T. PATEL; from Chambers County; 14th Court of Appeals District (14-18-00853-CV, ___ SW3d ___, 11-01-18)
motion for temporary relief denied
- 19-0328 IN RE DAVID GLEN HARRIS; from Tarrant County; 2nd Court of Appeals District (02-18-00354-CV, ___ SW3d ___, 01-17-19)