



THE SUPREME COURT OF TEXAS

Orders Pronounced April 9, 2021

ORDERS ON CAUSES

19-0243 BRYAN C. WAGNER, WAGNER OIL COMPANY, TRADE EXPLORATION CORPORATION, AND WAGNER & COCHRAN, INC. v. APACHE CORPORATION; from Tarrant County; 2nd Court of Appeals District (02-18-00132-CV, ___ SW3d ___, 11-29-18)

~ consolidated with ~

19-0244 BRYAN C. WAGNER, WAGNER OIL COMPANY, TRADE EXPLORATION CORPORATION, AND WAGNER & COCHRAN, INC. v. APACHE CORPORATION; from Tarrant County; 2nd Court of Appeals District (02-18-00135-CV, ___ SW3d ___, 11-29-18)

The Court affirms the court of appeals' judgment.

Justice Busby delivered the opinion of the Court.

(Justice Huddle not participating)

19-0475 DATA FOUNDRY, INC. v. CITY OF AUSTIN, TEXAS; from Travis County; 14th Court of Appeals District (14-18-00071-CV, 575 SW3d 92, 04-23-19)

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 Huddle delivered the opinion of the Court.

19-0996 FARMERS GROUP, INC., FARMERS UNDERWRITERS ASSOCIATION, FIRE UNDERWRITERS ASSOCIATION, FARMERS INSURANCE EXCHANGE, AND FIRE INSURANCE EXCHANGE v. SANDRA GETER, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY SITUATED, GERALD HOOKS, JR., LESLY K. NOLEN, AND JOSEPH C. BLANKS, P.C.; from Jefferson County; 13th Court of Appeals District (13-18-00187-CV, ___ SW3d ___, 10-10-19)

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

Justice Blacklock delivered the opinion of the Court.

(Justice Guzman and Justice Boyd not participating)

19-1054 SUNDOWN ENERGY LP; SMC 2000 LP, PGP HOLDINGS 1, LLC; SMITH ALLEN OIL & GAS, LLP; TRANSMOUNTAIN EXPLORATION LLC; FORTUNE NATURAL RESOURCES CORPORATION; TEXAS HEAT OF THE PERMIAN BASIN, INC.; WHITING OIL AND GAS CORPORATION; EAGLE ROCK ACQUISITION PARTNERSHIP II, LP; ODYSSEY ROYALTIES LLC; HORIZON ROYALTIES LLC; PINECONE RESOURCES LLC; BRENDA DORMAN FAUGHT; AND LENA RENEE BRIGMAN v. HJSA NO. 3, LIMITED PARTNERSHIP; from Ward County; 8th Court of Appeals District (08-18-00113-CV, 587 SW3d 864, 08-16-19)

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, renders judgment in part, and remands the case to the trial court.

Per Curiam Opinion

20-0363 IN RE SHELLEY LUTHER; from Dallas County

Pursuant to Texas Rule of Appellate Procedure 52.8(c), without hearing oral argument, the Court conditionally grants the writ of habeas corpus.

Per Curiam Opinion

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

20-0619 UETA OF CALIFORNIA, INC., UETA, INC., DUTY FREE AMERICAS, INC., AND SYG VENTURES GENERAL PARTNERSHIP v. GLORIA BRADY, INDIVIDUALLY, AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF HAROLD J. BRADY (DECEASED); from Hidalgo County; 13th Court of Appeals District (13-18-00363-CV, ___ SW3d ___, 05-21-20)

joint motion to vacate judgment and remand, granted 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:

20-0948 LARRY CHAMBERS AND ABIE WOLF v. JUAN CARLOS GARAY; from El Paso County; 8th Court of Appeals District (08-18-00213-CV, ___ SW3d ___, 08-07-20)

21-0040 SHIRLEY STEPHENS v. SHARI STEPHENS; from Harrison County; 6th Court of Appeals District (06-19-00088-CV, ___ SW3d ___, 07-09-20)

as redrafted

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 21-0066 DEANDER & FELHABER, LP, DELTA DISTRIBUTION & WAREHOUSE, INC., F.C. FELHABER & CO., INC., FCF HOLDINGS, LLC, FRANZ FELHABER, INDIVIDUALLY, AND FRANZ & MONICA FELHABER FAMILY LIMITED PARTNERSHIP v. PATRICIA A. MONTGOMERY, CPA; from El Paso County; 8th Court of Appeals District (08-18-00209-CV, 615 SW3d 352, 12-10-20)
- 21-0103 DIPANKAR CHANDRA v. LEONARDO DRS, INC. AND DRS NETWORK & IMAGING SERVICES, LLC; from Dallas County; 6th Court of Appeals District (06-20-00056-CV, ___ SW3d ___, 11-24-20)
- 21-0104 MICHAEL BELCHER AND VICKY BELCHER v. WILLIAM “BILL” KING AND THOMAS “TOM” KIRWAN; from Bell County; 3rd Court of Appeals District (03-19-00222-CV, ___ SW3d ___, 07-30-20)
- 21-0118 J. RAY RILEY v. NICK C. CARIDAS; from Harris County; 1st Court of Appeals District (01-19-00114-CV, ___ SW3d ___, 12-29-20)
- 21-0154 IN THE INTEREST OF A.F.R. A/K/A BABY BOY R.; from Harris County; 1st Court of Appeals District (01-20-00355-CV, ___ SW3d ___, 10-20-20)
- 21-0172 IN THE INTEREST OF T.E.C., I.A.C., AND M.R.C., CHILDREN; from Bexar County; 4th Court of Appeals District (04-20-00351-CV, ___ SW3d ___, 01-06-21)
- 21-0176 JOHN ELLIS v. DALLAS AREA RAPID TRANSIT; from Tarrant County; 2nd Court of Appeals District (02-19-00224-CV, ___ SW3d ___, 01-14-21)
- 21-0181 KENNETH W. ISAAC v. CONSTANCE BURNSIDE; from Harris County; 14th Court of Appeals District (14-18-01096-CV, 616 SW3d 609, 12-29-20)
- 21-0200 ABUNDANT LIFE THERAPEUTIC SERVICES TEXAS, LLC v. THOMAS T. HEADEN, III; from Dallas County; 5th Court of Appeals District (05-20-00145-CV, ___ SW3d ___, 12-11-20)
- 21-0227 K.T. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-20-00418-CV, ___ SW3d ___, 01-28-21)
counsel's motion to withdraw granted

21-0244 IN THE INTEREST OF N.N.R., A CHILD; from Bexar County; 4th Court of Appeals District (04-20-00410-CV, ___ SW3d ___, 01-27-21)

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0256 IN THE INTEREST OF J.G AND J.G., CHILDREN; from Taylor County; 11th Court of Appeals District (11-20-00197-CV, ___ SW3d ___, 02-04-21)
counsel's motion to withdraw granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

21-0005 INTERNATIONAL BUSINESS MACHINES CORPORATION v. LUFKIN INDUSTRIES, INC.; from Angelina County; 12th Court of Appeals District (12-20-00249-CV, ___ SW3d ___, 11-18-20)
motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

20-0431 DANIS TUCKER AND BEVERLY TUCKER v. THE CITY OF CORPUS CHRISTI, TEXAS; from Nueces County; 13th Court of Appeals District (13-18-00328-CV, ___ SW3d ___, 02-27-20)

20-0637 IN THE INTEREST OF S.C. AND K.C., CHILDREN; from Dallas County; 5th Court of Appeals District (05-18-00629-CV, ___ SW3d ___, 06-08-20)

20-0902 DOWTECH SPECIALTY CONTRACTORS, INC. v. CITY OF WEINERT, TEXAS; from Haskell County; 11th Court of Appeals District (11-18-00246-CV, ___ SW3d ___, 09-25-20)

20-0949 WENDY MEIGS v. TREY BERGMAN AND BERGMAN ADR GROUP; from Harris County; 14th Court of Appeals District (14-19-00167-CV, ___ SW3d ___, 10-13-20)

20-1009 ALFRED L. GABER v. U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 TITLE TRUST, ITS SUCCESSORS AND ASSIGNS, AND FAY SERVICING, LLC; from Tarrant County; 2nd Court of Appeals District (02-19-00243-CV, ___ SW3d ___, 09-03-20)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

20-0925 IN RE COREY J. TURNER; from San Saba County; 3rd Court of Appeals District (03-20-00468-CV, ___ SW3d ___, 11-05-20)

21-0121 IN RE LUCIANO TORRES; from El Paso County

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

21-0184 IN RE JOSHUA PAUL KNIGHT; from Tarrant County

21-0187 IN RE STEVEN D. CATHCART; from Kaufman County; 5th Court of Appeals District (05-18-01175-CV, ___ SW3d ___, 05-07-20)

21-0192 IN RE LONNIE KADE WELSH; from Montgomery County; 9th Court of Appeals District (09-20-00251-CV, ___ SW3d ___, 12-03-20)

21-0198 IN RE TONY LAMAR VANN; from Dallas County; 5th Court of Appeals District (05-20-01012-CV, ___ SW3d ___, 02-08-21)

21-0248 IN RE NORBERTO VALLES, UNDREA BAILEY, INDIVIDUALLY AND AS NEXT FRIEND OF J.B. (MINOR) AND LILLIAN BAILEY; from Harris County; 14th Court of Appeals District (14-20-00676-CV, 617 SW3d 909, 01-21-21)
relators' motion for stay dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

21-0282 IN RE MICAH MCKINNEY; from Gillespie County; 4th Court of Appeals District (04-20-00529-CV, ___ SW3d ___, 01-27-21)
abatement order issued

[**Note:** Effective April 5, 2021, the case is abated pursuant to TEX. R. APP. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. TEX. R. APP. P. 8.3. All motions and other documents pending or filed are abated subject to being reurged in the event the case is reinstated. TEX. R. APP. P. 8.2, 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]