



# THE SUPREME COURT OF TEXAS

Orders Pronounced May 14, 2021

## ORDERS ON CAUSES

19-0334 BROADWAY NATIONAL BANK, TRUSTEE OF THE MARY FRANCES EVERS TRUST, ET AL. v. YATES ENERGY CORPORATION, EOG RESOURCES, INC., JALAPENO CORPORATION, ACG3 MINERAL INTERESTS, LTD., GLASSELL NON-OPERATED INTERESTS, LTD., AND CURRY GLASSELL; from Bexar County; 4th Court of Appeals District (04-17-00310-CV, 609 SW3d 140, 12-19-18)

2 petitions

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

Justice Devine delivered the opinion of the Court, in which Chief Justice Hecht, Justice Boyd, Justice Bland, and Justice Huddle joined.

Justice Busby delivered a dissenting opinion, in which Justice Guzman, Justice Lehrmann, and Justice Blacklock joined.

19-1051 EX PARTE R.P.G.P.; from Kerr County; 4th Court of Appeals District (04-18-00539-CV, 606 SW3d 755, 07-31-19)

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

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

Justice Bland delivered a dissenting opinion, in which Justice Blacklock and Justice Huddle joined.

20-0263 KENNETH D. EICHNER, P.C. v. BEN DOMINGUEZ, II, PARC CONDOMINIUM ASSOCIATION, AND ASSOCIATION MANAGEMENT INCORPORATED; from Harris County; 14th Court of Appeals District (14-18-00399-CV, \_\_\_ SW3d \_\_\_, 03-03-20)

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 and remands the case to that court.

Per Curiam Opinion

## ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 21-0047 WOODROW MILLER v. MAPLEWOOD SQUARE COUNCIL OF CO-OWNERS; from Harris County; 1st Court of Appeals District (01-18-00914-CV, \_\_\_ SW3d \_\_\_, 06-23-20)
- 21-0132 MARCOS MONTALVO A/K/A JOSE MARCOS MONTALVO v. MANUEL GUERRA AND ROSITA GUERRA; from Hidalgo County; 13th Court of Appeals District (13-18-00565-CV, \_\_\_ SW3d \_\_\_, 12-17-20)
- 21-0201 IN THE INTEREST OF X.J.R., A.W.R., Z.N.B., L.K.B., AND G.E.B., CHILDREN; from Bexar County; 4th Court of Appeals District (04-20-00368-CV, \_\_\_ SW3d \_\_\_, 01-13-21)  
3 petitions
- 21-0215 IRVING SUPERMART, LLC v. A-1 MARKETING, INC.; from Dallas County; 5th Court of Appeals District (05-19-00031-CV, \_\_\_ SW3d \_\_\_, 12-29-20)
- 21-0219 WILLIE LEE LAMBERT v. DONNA CORBETT NEWDING AND LORI CORBETT GLIDDEN; from Galveston County; 1st Court of Appeals District (01-19-00899-CV, \_\_\_ SW3d \_\_\_, 11-17-20)
- 21-0222 CLAYTON KALISEK AND CKORP, LLC v. HAYS CITY CORPORATION D/B/A TEX-CON OIL CO.; from Travis County; 8th Court of Appeals District (08-20-00031-CV, \_\_\_ SW3d \_\_\_, 02-12-21)
- 21-0223 JOCELYN LEHMAN v. JAMES LEHMAN AND JO ANN LEHMAN; from Williamson County; 3rd Court of Appeals District (03-19-00730-CV, \_\_\_ SW3d \_\_\_, 01-27-21)
- 21-0286 TERESA BRITTON, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JOHN BRITTON v. DR. TIMOTHY MOORING AND BSA HOSPITAL, LLC; from Potter County; 7th Court of Appeals District (07-20-00253-CV, \_\_\_ SW3d \_\_\_, 02-12-21)
- 21-0298 IN THE BEST INTEREST AND PROTECTION OF K.G.; from Hunt County; 5th Court of Appeals District (05-20-01053-CV, \_\_\_ SW3d \_\_\_, 02-23-21)
- 21-0306 OCIELE GRIFFIN, JR. v. VIA METROPOLITAN TRANSIT; from Bexar County; 4th Court of Appeals District (04-21-00032-CV, \_\_\_ SW3d \_\_\_, 03-10-21)

21-0309 WILLIAM KOVAR AND LINDA KOVAR v. GARY SEAY, TONI SEAY AND ANDREW SEAY; from Johnson County; 10th Court of Appeals District (10-19-00273-CV, \_\_\_ SW3d \_\_\_, 12-22-20)

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

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

21-0101 PAUL E. NUNU v. NANCY NUNU RISK AND CHARLES L. NUNU; from Harris County; 14th Court of Appeals District (14-19-00564-CV, 612 SW3d 645, 10-22-20)

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)

#### **THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:**

21-0087 IN RE SHAMIM MEMON & DISCOVERY MM SERVICES, INC.; from Fort Bend County; 13th Court of Appeals District (13-20-00477-CV, \_\_\_ SW3d \_\_\_, 11-13-20)

### **MISCELLANEOUS**

#### **THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:**

21-0235 IN RE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Fort Bend County; 14th Court of Appeals District (14-20-00703-CV, \_\_\_ SW3d \_\_\_, 03-09-21)  
stay order issued March 16, 2021, lifted

Justice Lehrmann delivered an opinion dissenting to the denial of the petition for writ of mandamus.

21-0236 IN RE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Fort Bend County; 14th Court of Appeals District (14-20-00706-CV, \_\_\_ SW3d \_\_\_, 03-09-21)  
stay order issued March 16, 2021, lifted

Justice Lehrmann delivered an opinion dissenting to the denial of the petition for writ of mandamus.

21-0292 IN RE RHONDA LEE COUGOT; from Walker County; 10th Court of Appeals District (10-21-00032-CV, \_\_\_ SW3d \_\_\_, 03-10-21)

21-0311 IN RE NANCY ALANIS AND ALL OCCUPANTS; from Bexar County; 4th Court of Appeals District (04-19-00461-CV, 616 SW3d 1, 06-17-20)

21-0317 IN RE HOUSTON AVIATION PARTNERS, LLC D/B/A MILLION AIR HOUSTON; from Harris County; 14th Court of Appeals District (14-21-00140-CV, \_\_\_ SW3d \_\_\_, 03-30-21)

relator's motion to abate denied

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

21-0377 IN RE ASHTON WOMACK; from Wichita County; 2nd Court of Appeals District (02-21-00109-CV, \_\_\_ SW3d \_\_\_, 04-20-21)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

20-0344 IN RE ATKINS BROS. EQUIPMENT CO., INC. AND RICKEY JOE HOOPER; from Dallas County; 5th Court of Appeals District (05-20-00178-CV, \_\_\_ SW3d \_\_\_, 04-07-20)

relators' unopposed motion to dismiss granted  
stay order issued July 24, 2020, lifted

20-0860 IN RE SPRAGUE, RUSTAM & DIAMOND, PC, MICHAEL SPRAGUE, INDIVIDUALLY, AND J. CHRISTOPHER DIAMOND, INDIVIDUALLY; from Harris County; 1st Court of Appeals District (01-20-00250-CV, \_\_\_ SW3d \_\_\_, 09-03-20)

joint motion to dismiss granted  
abatement order issued January 29, 2021, lifted  
mandamus reinstated

(Justice Lehrmann not participating)

21-0352 IN RE REGINA NACHAEL HOWELL FOSTER; from Tarrant County; 7th Court of Appeals District (07-20-00031-CV, \_\_\_ SW3d \_\_\_, 01-28-21)

motion to dismiss granted  
emergency motion to stay dismissed