



THE SUPREME COURT OF TEXAS

Orders Pronounced November 19, 2021

ORDERS ON CAUSES

20-0849 IN RE EXXON MOBIL CORPORATION; from Harris County; 14th Court of Appeals District (14-20-00705-CV, ___ SW3d ___, 10-23-20)
stay order issued March 12, 2021, lifted

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

Per Curiam Opinion

(Justice Lehrmann and Justice Blacklock not participating)

20-0964 PURA-FLO CORPORATION v. DONALD CLANTON; from Harris County; 14th Court of Appeals District (14-19-00479-CV, 609 SW3d 320, 08-27-20)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petitions for review and without hearing oral argument, the Court reverses the court of appeals' judgment in part and renders judgment.

Per Curiam Opinion

21-0106 BENJAMIN "B.J." REYNOLDS, MARK MEWSHAW, WES HOBBS AND TERRA ENERGY PARTNERS, LLC v. SANCHEZ OIL AND GAS CORPORATION, ET AL.; from Harris County; 1st Court of Appeals District (01-18-00940-CV, 617 SW3d 30, 12-15-20)

2 petitions

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court vacates the court of appeals' judgment and remands the case to that court.

Per Curiam Opinion

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

19-1104 NICKY E. DYER; FLORA HARRELL; EDGAR HOAGLAND; SHIRLEY HOAGLAND; JAMES LANGSTON; JAMES A. LANGSTON, III; LOIS NELSON; BRIAN RODEL; RICHARD WARD; EDWIN A. (ART) WILSON; MONTGOMERY COUNTY; AND CITY OF CONROE v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; BRYAN W. SHAW, IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; BUDDY GARCIA AND CARLOS RUBINSTEIN, IN THEIR OFFICIAL CAPACITIES AS COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; AND TEXCOM GULF DISPOSAL, LLC; from Travis County; 3rd Court of Appeals District (03-17-00499-CV, ___ SW3d ___, 10-11-19)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 12, 2022.]

Time allotted to argue: 20/20 minutes

20-0922 YOUVAL ZIVE v. JEFFREY R SANDBERG AND PALMER & MANUEL, P.L.L.C. F/K/A PALMER & MANUEL, L.L.P.; from Collin County; 5th Court of Appeals District (05-19-00162-CV, 610 SW3d 44, 05-22-20)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 13, 2022.]

Time allotted to argue: 20/20 minutes

20-0977 TEXAS DEPARTMENT OF PUBLIC SAFETY v. K.T.; from Denton County; 2nd Court of Appeals District (02-19-00376-CV, 612 SW3d 111, 10-22-20)

~ consolidated for oral argument with ~

21-0075 EX PARTE CHARLES FERRIS; from Collin County; 5th Court of Appeals District (05-19-00835-CV, 613 SW3d 276, 10-02-20)

[**Note:** These cases have been set for oral argument at 9:00 a.m., January 13, 2022.]

Time allotted to argue: 20/20 minutes

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS SET FOR ORAL ARGUMENT:

21-0165 IN RE WHATABURGER RESTAURANTS LLC; from El Paso County; 8th Court of Appeals District (08-19-00180-CV, 632 SW3d 101, 01-06-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 13, 2022.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

20-0411 GLOBAL METAL SERVICES, LTD. v. HAMILTON METALS, INC.; from Harris County; 14th Court of Appeals District (14-17-00670-CV, 597 SW3d 870, 08-13-19)

(Justice Busby not participating)

20-0574 GOLIAD COUNTY, TEXAS v. EUGENE CALVIN BONNET; from Goliad County; 13th Court of Appeals District (13-19-00176-CV, ___ SW3d ___, 04-09-20)

20-0783 CTMI, LLC v. RPC, INC. D/B/A DELAWARE-RPC, INC., CUDD PRESSURE CONTROL, INC., CUDD PUMPING SERVICES, INC., AND THRU TUBING SERVICES, INC.; from Tarrant County; 2nd Court of Appeals District (02-19-00195-CV, 606 SW3d 469, 06-25-20)

21-0094 KENNETH R. LYLE AND LINDA L. MORRISON, INDIVIDUALLY AND AS TRUSTEE OF THE RUTH MARY LOCKE BARD TRUST v. MIDWAY SOLAR, LLC, GARY D. DRGAC, GLEN V. DUSTON, SOONER NATION ROYALTIES, LLC, JAN C. ICE, JOANNE L. MARREN AS TRUSTEE OF THE JOANNE L. MARREN DECLARATION TRUST, CAROL D. SWEENEY, RALPH H. PERRY, III, STEPHEN W. MILLER AND SUSAN MADELEY STEVENSON; from Pecos County; 8th Court of Appeals District (08-19-00216-CV, 618 SW3d 857, 12-30-20)

21-0129 RALPH LEWIS, MICHAEL HRISTODOULAKIS, KALLIOPE HRISTODOULAKIS, NEWPORT FUEL SOLUTIONS, INC., MICHAEL H. SALES, LLC; AND KALLIOPE SALES AND OPERATION, LLC v. POWER RESEARCH INC. AND WANDA DAVIDSON; from Harris County; 14th Court of Appeals District (14-19-00012-CV, ___ SW3d ___, 09-01-20)

(Justice Lehrmann not participating)

21-0323 THE TEXAS DEPARTMENT OF TRANSPORTATION; JAMES M. BASS, IN HIS OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR OF THE TEXAS DEPARTMENT OF TRANSPORTATION; AND KYLE MADSEN, IN HIS OFFICIAL CAPACITY AS DIRECTOR OF RIGHT OF WAY FOR THE TEXAS DEPARTMENT OF TRANSPORTATION v. JOHN GANNON, INC.; from Travis County; 3rd Court of Appeals District (03-18-00696-CV, ___ SW3d ___, 10-09-20)

21-0386 MANUEL VALDEZ v. ST. ANDREWS INVESTMENT COMPANY, LLC; from Midland County; 14th Court of Appeals District (14-19-00781-CV, ___ SW3d ___, 02-02-21)

21-0415 MARK SEILER v. STACEY SEILER; from Travis County; 3rd Court of Appeals District (03-19-00020-CV, ___ SW3d ___, 01-08-21)
motion to take judicial notice dismissed as moot

- 21-0459 ROY E. ADDICKS JR. #861070 v. BRYAN COLLIER, ET AL.; from Walker County; 13th Court of Appeals District (13-20-00027-CV, ___ SW3d ___, 05-06-21)
- 21-0515 TEXAS HEALTH HARRIS METHODIST HOSPITAL v. ROXANNE BRADFORD; from Tarrant County; 2nd Court of Appeals District (02-20-00357-CV, ___ SW3d ___, 05-06-21)
- 21-0529 APACHE CORPORATION v. BETTY ELLINGTON HILL, DAVID SCOTT HILL, THOMAS CRAIG HILL, AND PEGGY ELLINGTON SORENSEN; from Brazos County; 10th Court of Appeals District (10-19-00066-CV, ___ SW3d ___, 05-28-21)
- 21-0558 FOUR J'S COMMUNITY LIVING CENTER, INC. AND ANTHONIA UDUMA v. PATTI J. WAGNER, AS GUARDIAN OF JENNY ANN WAGNER, AN INCAPACITATED ADULT; from Harris County; 1st Court of Appeals District (01-19-00346-CV, 630 SW3d 502, 05-20-21)
- 21-0569 FELIX P. BABAUTA v. DEBRA V. JENNINGS AND RALPHAELL V. WILKINS; from Harris County; 14th Court of Appeals District (14-16-00540-CV, ___ SW3d ___, 03-02-21)
- 21-0655 MARK AND KELLY HALL v. RANDY AND MELINDA ROGERS; from Harris County; 1st Court of Appeals District (01-19-00408-CV, ___ SW3d ___, 06-29-21)
- 21-0672 HUGHELLA F. KELLEY v. EMPLOYEES RETIREMENT SYSTEM OF TEXAS; from Travis County; 3rd Court of Appeals District (03-20-00150-CV, ___ SW3d ___, 06-29-21)
- 21-0680 D. PAUL PREVALLET v. RENA JANE PREVALLET; from Tarrant County; 2nd Court of Appeals District (02-19-00383-CV, ___ SW3d ___, 04-08-21)

- 21-0694 LATRICHA SMITH AND BRYAN JAMES SMITH v. BAILEY HAMMONDS; from Brazoria County; 1st Court of Appeals District (01-19-00866-CV, ___ SW3d ___, 07-01-21)
- 21-0735 MICHAEL QUINN SULLIVAN v. TEXAS DEMOCRATIC PARTY AND ANA-MARIE RAMOS; from Travis County; 3rd Court of Appeals District (03-19-00936-CV, ___ SW3d ___, 04-06-21)
- 21-0766 JOSE LUIS MORENO v. NORMA OCADIZ, AS ADMINISTRATOR FOR CESAR BALTAZAR, INDIVIDUALLY AND D/B/A NAYTEX BUILDERS AND SOUTH TEXAS PROPERTIES; from Hidalgo County; 13th Court of Appeals District (13-19-00116-CV, ___ SW3d ___, 07-22-21)
- 21-0786 IN THE INTEREST OF I.E. AND M.E., CHILDREN; from Potter County; 7th Court of Appeals District (07-21-00040-CV, ___ SW3d ___, 07-29-21)
3 petitions
counsel's motion to withdraw granted, as supplemented
- 21-0788 IN THE INTEREST OF L.R AND D.R., CHILDREN; from Potter County; 7th Court of Appeals District (07-21-00041-CV, ___ SW3d ___, 07-29-21)
2 petitions
counsel's motion to withdraw granted
- 21-0789 IN THE INTEREST OF H.T-.D., A CHILD; from Potter County; 7th Court of Appeals District (07-21-00042-CV, ___ SW3d ___, 07-29-21)
2 petitions
counsel's motion to withdraw granted
- 21-0790 DANA K. MANNEN INDEPENDENT EXECUTRIX OF THE ESTATE OF JACKIE HOLLAND MANNEN v. JOANIE MANNEN TROUT; from Van Zandt County; 12th Court of Appeals District (12-20-00125-CV, ___ SW3d ___, 07-30-21)

- 21-0842 IN THE MATTER OF THE ESTATE OF KENNETH CURTIS ANDREWS, DECEASED; from Wilson County; 4th Court of Appeals District (04-20-00058-CV, ___ SW3d ___, 06-09-21)
- 21-0924 IN THE INTEREST OF C.D., J.D. AND T.D., CHILDREN; from Henderson County; 12th Court of Appeals District (12-21-00045-CV, ___ SW3d ___, 09-15-21)
- 21-0938 IN THE INTEREST OF J.S., G.S., AND I.F., CHILDREN; from Potter County; 7th Court of Appeals District (07-21-00110-CV, ___ SW3d ___, 09-17-21)
- 21-0946 IN THE INTEREST OF I.D. & A.D., MINOR CHILDREN; from Hunt County; 5th Court of Appeals District (05-21-00244-CV, ___ SW3d ___, 09-17-21)
- 21-0947 IN THE INTEREST OF B.L., A CHILD; from Hutchinson County; 7th Court of Appeals District (07-21-00101-CV, ___ SW3d ___, 09-17-21)

ORDERS ON MOTIONS FOR REHEARING

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

- 20-0670 JENNIE KAY LYLE BIERSCHIED, EXECUTRIX OF THE ESTATE OF KENNETH R. LYLE, LYLE ENGINEERING COMPANY., HOUSTON BLUEBONNET LLC, E&H, LP, AMERICAN UNIVERSAL INVESTMENT CO., JENNIE KAY LYLE BIERSCHIED AND ESTHER SUCKLE, TRUSTEE OF THE SUCKLE 1999 LIVING TRUST v. JPMORGAN CHASE BANK AND LLOYD BENTSEN III, INDEPENDENT CO-EXECUTORS OF THE ESTATE OF JANE JAPHET GUINN, ET AL.; from Brazoria County; 1st Court of Appeals District (01-18-00652-CV, 606 SW3d 493, 07-16-20)
- (Justice Lehrmann and Justice Young not participating)

- 21-0131 GERRY L. SAUM, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF SUSAN M. WOOD, DECEASED v. CITY OF COLLEGE STATION, TEXAS; from Brazos County; 10th Court of Appeals District (10-17-00408-CV, ___ SW3d ___, 12-22-20)
- 21-0151 FLUOR DANIEL SERVICES CORPORATION v. ROGELIO SALAS; from Harris County; 14th Court of Appeals District (14-18-01103-CV, 616 SW3d 137, 12-29-20)
- (Justice Young not participating)
- 21-0231 DENNIS FULLER AND LUCIE LAFRENIERE v. RONY-CLAUDE LE BRUN AND EQUINOX DESIGN, INC.; from Harris County; 14th Court of Appeals District (14-18-01023-CV, 616 SW3d 31, 12-08-20)
- (Justice Young not participating)
- 21-0403 TERENCE DANIELS v. CHARLES SCHWAB INC.; from Fort Bend County; 14th Court of Appeals District (14-21-00071-CV, ___ SW3d ___, 03-18-21)
- 21-0479 LOYD LANDON SORROW, SR. v. HARRIS COUNTY SHERIFF; from Harris County; 14th Court of Appeals District (14-18-00901-CV, 622 SW3d 496, 03-02-21)
- 21-0615 ERICA WHITLOCK, JERRAMY JAY BOYLES, AND WALTER GALE “TREY” BOYLES v. CSI RISK MANAGEMENT, LLC AND STEVE SPALDING; from Dallas County; 5th Court of Appeals District (05-19-01297-CV, ___ SW3d ___, 04-30-21)
- (Justice Young not participating)
- 21-0626 CITY OF HOUSTON v. NIKOLETTE LEDESMA AND ELSA ESTRADA; from Harris County; 1st Court of Appeals District (01-19-00034-CV, 623 SW3d 840, 11-24-20)

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

21-0514 IN RE THOMAS PETROLEUM HOLDINGS, LLC, C.L. THOMAS, INC.,
AND C.L. THOMAS HOLDINGS INVESTMENTS, LLC; from Victoria
County; 13th Court of Appeals District (13-20-00427-CV, ___ SW3d ___,
05-26-21)

(Justice Young not participating)

MISCELLANEOUS

THE FOLLOWING CASES ARE REINSTATED:

20-1014 IN RE FLEET PRIDE, INC.; from Dallas County; 5th Court of Appeals
District (05-20-00810-CV, ___ SW3d ___, 12-11-20)

joint motion to lift stay granted
stay order issued June 25, 2021, lifted
abatement order issued July 30, 2021, lifted
mandamus reinstated

21-0341 IN RE FLEET PRIDE, INC.; from Dallas County; 5th Court of Appeals
District (05-20-01098-CV, ___ SW3d ___, 03-30-21)

joint motion to lift stay granted
stay order issued June 25, 2021, lifted
modified stay order issued July 23, 2021, lifted
abatement order issued July 30, 2021, lifted
mandamus reinstated

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

20-0875 IN RE THE STATE OF TEXAS, EX REL. HENRY GARZA; from Bell
County; 3rd Court of Appeals District (03-19-00538-CV, ___ SW3d ___, 06-
05-20)

21-0702 IN RE ROXANNE MONIQUE KENNEDY; from Galveston County; 1st
Court of Appeals District (01-20-00061-CV, ___ SW3d ___, 12-22-20)

21-0872 IN RE DAVID BARNES; from Dallas County; 5th Court of Appeals District (05-21-00220-CV, ___ SW3d ___, 08-27-21)

21-0882 IN RE HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st Court of Appeals District (01-21-00386-CV, ___ SW3d ___, 09-23-21)

21-0891 IN RE GINGER LIGHT AND JAMES JUSTIN LIGHT; from Lubbock County; 7th Court of Appeals District (07-21-00162-CV, ___ SW3d ___, 08-31-21)

21-0896 IN RE PATRICK EARL TARKINGTON; from Comal County; 3rd Court of Appeals District (03-21-00194-CV, ___ SW3d ___, 06-04-21)

21-0897 IN RE REYNALDO MORALES; from Harris County; 1st Court of Appeals District (01-20-00794-CV, ___ SW3d ___, 07-13-21)

21-0900 IN RE BRADLEY J. BARTON; from Madison County; 10th Court of Appeals District (10-21-00098-CV, ___ SW3d ___, 11-10-21)
motion for suspension of rules granted

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

21-0849 IN RE RODOLFO G. ROSA; from Denton County; 2nd Court of Appeals District (02-21-00302-CV, ___ SW3d ___, 09-24-21)