



THE SUPREME COURT OF TEXAS

Orders Pronounced December 3, 2021

ORDERS ON CAUSES

19-0831 COURTNEY N. PHILLIPS, EXECUTIVE COMMISSIONER; SYLVIA HERNANDEZ KAUFFMAN, INSPECTOR GENERAL; AND TEXAS HEALTH AND HUMAN SERVICES COMMISSION v. JOHN MCNEILL, JR., R.P.H.; AND NICHOLS SOUTHSIDE PHARMACY; from Travis County; 14th Court of Appeals District (14-18-00278-CV, 585 SW3d 109, 08-20-19)

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

Justice Busby delivered the opinion of the Court.

(Justice Young not participating)

21-0312 DILLON GAGE INCORPORATED OF DALLAS v. CERTAIN UNDERWRITERS AT LLOYDS SUBSCRIBING TO POLICY NO EE1701590 (U.S. Fifth Circuit 20-10262)

The Court answers the questions certified by the United States Court of Appeals for the Fifth Circuit.

Justice Bland delivered the opinion of the Court.

THE FOLLOWING CAUSE IS DISMISSED:

21-0757 FRYMIRE HOME SERVICES, INCORPORATED; WHITFIELD CAPITAL, L.L.C. v. OHIO SECURITY INSURANCE COMPANY (U.S. Fifth Circuit 21-10012)

joint motion to dismiss with prejudice pursuant to settlement granted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 21-0506 RICH ROBINS v. AUSTEN PERRY CLINKENBEARD AND JONATHON G. CLINKENBEARD A/K/A JON CLINKENBEARD; from Harris County; 1st Court of Appeals District (01-19-00059-CV, ___ SW3d ___, 01-16-21)
as amended
motion for relief and for abatement denied
- 21-0591 DANIEL STUART DUNCAN AND TRAVIS ALLAN BRYAN I v. EDUCAP, INC.; from Harris County; 1st Court of Appeals District (01-19-00023-CV, ___ SW3d ___, 08-27-20)
- 21-0623 NATIONWIDE COIN AND BULLION RESERVE, INC., TURNER M. JONES, LAWRENCE KUYKENDALL, LARRY ANDREWS, DONALD FOGO AND MELIDA JONES v. JUNE THOMAS; from Harris County; 14th Court of Appeals District (14-19-00632-CV, 625 SW3d 498, 11-17-20)
motion to stay dismissed as moot
- 21-0677 TRENESHA DANYAL BIGGERS SIMS v. EPHRAM SIMS; from El Paso County; 8th Court of Appeals District (08-19-00193-CV, 623 SW3d 47, 04-08-21)
- 21-0725 JUAN ENRIQUEZ v. DAVID GUTIERREZ, PRESIDING CHAIR, TEXAS BOARD OF PARDONS AND PAROLES, AND TBPP MEMBERS JAMES LAFAVERS, FEDERICO RANGEL, CYNTHIA TAUSS, ED ROBERTSON, FRED SOLIS, AND SHERMAN SKYME; from Travis County; 3rd Court of Appeals District (03-19-00922-CV, ___ SW3d ___, 04-30-21)
- 21-0741 ALMA SALMAN v. KIPP, INC.; from Harris County; 1st Court of Appeals District (01-19-00886-CV, ___ SW3d ___, 07-13-21)

- 21-0759 IN THE MATTER OF THE ESTATE OF WILLIAM D. STEWART, JR., DECEASED; from Bexar County; 4th Court of Appeals District (04-20-00103-CV, ___ SW3d ___, 05-19-21)
- 21-0803 CARLOS GUIMARAES AND JEMIMA GUIMARAES v. CHRISTOPHER SCOTT BRANN; from Harris County; 1st Court of Appeals District (01-19-00439-CV, ___ SW3d ___, 07-01-21)
- 21-0809 CITY OF HOUSTON v. RAUL D. REYES AND ALBERT RODRIGUEZ; from Harris County; 14th Court of Appeals District (14-19-00291-CV, 625 SW3d 563, 04-29-21)
- 21-0814 JOSE MARTIN CARBAJAL v. IRMA ALBITER-CARBAJAL; from Caldwell County; 3rd Court of Appeals District (03-19-00852-CV, ___ SW3d ___, 06-10-21)
- 21-0837 WESLEY EUGENE PERKINS v. KRISTY LYNN PERKINS; from Travis County; 3rd Court of Appeals District (03-21-00135-CV, ___ SW3d ___, 07-07-21)
motions to supplement dismissed as moot
- 21-0880 PRADYUMNA CHARY MUMMADY, M.D. v. ZULEMA CABRERA, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF DAVID CABRERA, DECEASED; from Webb County; 4th Court of Appeals District (04-21-00012-CV, ___ SW3d ___, 08-25-21)
- 21-0902 CITY OF FORT WORTH v. WILLIAM BIRCHETT; from Dallas County; 5th Court of Appeals District (05-20-00265-CV, ___ SW3d ___, 07-29-21)
- 21-0903 TROYLENCIA WOLF ANDERSON v. WALLER COUNTY, TEXAS, ET AL.; from Waller County; 1st Court of Appeals District (01-20-00097-CV, ___ SW3d ___, 07-20-21)

21-0920 IN THE INTEREST OF K.H. AND J.W., CHILDREN; from Limestone County; 10th Court of Appeals District (10-21-00073-CV, ___ SW3d ___, 09-08-21)

21-0931 IN THE INTEREST OF J.P., E.P., V.P., Z.P., N.P., AND J.L., CHILDREN; from Harris County; 14th Court of Appeals District (14-21-00272-CV, ___ SW3d ___, 09-14-21)

as redrafted
motion for withdrawal of counsel granted

21-0963 IN THE INTEREST OF D.R.P., T.M.B., JR., J.D.B., AND M.A.R.B., CHILDREN; from Bexar County; 4th Court of Appeals District (04-21-00112-CV, ___ SW3d ___, 10-06-21)

21-0979 IN THE INTEREST OF K.P.N., D.F.N., AND S.H.N.; from Bexar County; 4th Court of Appeals District (04-21-00184-CV, ___ SW3d ___, 10-27-21)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

21-0575 TOYOTA MOTOR SALES, U.S.A., INC. AND TOYOTA MOTOR CORPORATION v. BENJAMIN THOMAS REAVIS AND KRISTI CAROL REAVIS, INDIVIDUALLY AND AS NEXT FRIENDS OF E.R. AND O.R., MINOR CHILDREN; from Dallas County; 5th Court of Appeals District (05-19-00075-CV, 627 SW3d 713, 06-03-21)

joint motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until February 1, 2022, by which time the parties must file either a status report or a motion to dismiss.]

(Justice Bland not participating)

ORDERS ON MOTIONS FOR REHEARING

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

20-0962 SAMMY BICKHAM, JR., KRISTEN BICKHAM, AND KIRK LAUNIUS v. DALLAS COUNTY, TEXAS, TONI PIPPINS-POOLE, IN HER OFFICIAL CAPACITY AS DALLAS COUNTY CENTRAL COUNTING STATION MANAGER, DANIEL BRADLEY, IN HIS OFFICIAL CAPACITY AS DALLAS COUNTY CENTRAL COUNTING STATION SUPERVISOR, ET AL.; from Dallas County; 5th Court of Appeals District (05-20-00560-CV, 612 SW3d 663, 10-23-20)

(Justice Young not participating)

20-1001 ALAN LYNN TAYLOR AND DONNA KAY TAYLOR, INDIVIDUALLY AND AS NEXT FRIEND OF S.K.T. v. BUILDER SERVICES GROUP, INC., D/B/A JOHNSON INSULATION; from San Saba County; 3rd Court of Appeals District (03-18-00710-CV, ___ SW3d ___, 09-17-20)

(Justice Young not participating)

21-0152 CUDD PUMPING SERVICES, INC. D/B/A CUDD ENERGY SERVICES v. ROCKING C TRANSPORT LLC; from Tarrant County; 2nd Court of Appeals District (02-19-00176-CV, ___ SW3d ___, 11-05-20)

(Justice Young not participating)

21-0276 PRINCESS EAGLIN, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF STARR BRUNSON, DECEASED v. JONATHAN PURCELL, M.D.; from Denton County; 2nd Court of Appeals District (02-20-00199-CV, ___ SW3d ___, 01-14-21)

(Justice Young not participating)

21-0375 WALLER COUNTY TEXAS, ET AL. v. KEN PAXTON, TEXAS ATTORNEY GENERAL; from Travis County; 7th Court of Appeals District (07-20-00297-CV, 620 SW3d 843, 03-04-21)

(Justice Young not participating)

21-0393 ISAAC G. RODRIGUEZ, SR. D/B/A I&R TRUCKING AND RODRIGUEZ TRUCKING v. DENISE MAREZ, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JUAN PEREZ; from San Patricio County; 13th Court of Appeals District (13-20-00323-CV, ___ SW3d ___, 02-04-21)

(Justice Young not participating)

21-0408 WALLY YAMMINE v. DAVID PAUL HEALY, HDH FINANCIAL, LLC, DPH CAPITAL, LLC, AND HY CAPITAL, LLC; from Tarrant County; 7th Court of Appeals District (07-20-00022-CV, ___ SW3d ___, 02-05-21)

21-0436 GERALD ALLEN PERRY v. THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-19-00862-CV, ___ SW3d ___, 02-11-21)

21-0666 AUSTIN CARRIZALES LAW, PLLC v. THE CARLSON LAW FIRM, PC; from Lubbock County; 7th Court of Appeals District (07-20-00143-CV, ___ SW3d ___, 06-25-21)

(Justice Young not participating)

21-0719 WILBERT NORWOOD STARKS v. DAWSON INDEPENDENT SCHOOL DISTRICT, NAVARRO COUNTY, AND NAVARRO COLLEGE; from Navarro County; 10th Court of Appeals District (10-21-00079-CV, ___ SW3d ___, 05-12-21)

(Justice Young not participating)

21-0734 REGINA NACHAEL HOWELL FOSTER v. AREYA HOLDER; from Tarrant County; 2nd Court of Appeals District (02-20-00327-CV, ___ SW3d ___, 06-10-21)

(Justice Young not participating)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

20-1002 IN RE TOBY TOUDOUZE; from Dallas County; 5th Court of Appeals District (05-20-00540-CV, ___ SW3d ___, 11-18-20)

(Justice Young not participating)

21-0863 IN RE MASON-GIBSON, INC. D/B/A HOLIDAY INN EXPRESS PALESTINE, TEXAS; from Rusk County; 6th Court of Appeals District (06-21-00082-CV, ___ SW3d ___, 10-04-21)

(Justice Young not participating)

21-0967 IN RE GUANGCUN HUANG; from Bexar County; 4th Court of Appeals District (04-20-00129-CV, ___ SW3d ___, 10-06-21)
as amended

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

21-0887 IN RE JOHNNIE R. SANDLES; from Harris County; 14th Court of Appeals District (14-21-00548-CV, ___ SW3d ___, 10-12-21)
relator's motion for emergency stay denied

21-0911 IN RE BRIDGET PARSON A/K/A BRIDGET BROWN PARSON; from Dallas County; 5th Court of Appeals District (05-21-00160-CV)
motions to stay proceedings denied
motion for restraining order denied

21-0919 IN RE STEPHEN PATRICK BLACK; from Guadalupe County; 4th Court of Appeals District (04-20-00467-CV, ___ SW3d ___, 08-04-21)

21-0935 IN RE LINDA JACKSON; from Brown County; 11th Court of Appeals District (11-21-00226-CV)
motions for sanctions denied

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

20-0197 IN RE SOUTHWESTERN ENERGY COMPANY, ET AL.; from Harris County; 1st Court of Appeals District (01-19-00711-CV, ___ SW3d ___, 02-11-20)

relators' unopposed motion to dismiss granted
abatement order issued October 25, 2021, lifted
petition for writ of mandamus reinstated

(Justice Busby, Justice Huddle, and Justice Young not participating)

21-0965 IN RE TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA, MICHAEL DUNN, AND SMEAD, ANDERSON & DUNN; from Fannin County; 6th Court of Appeals District (06-21-00093-CV, ___ SW3d ___, 11-05-21)

relators' motion to dismiss, as amended, granted
relators' motion to seal granted
relators' request for emergency relief dismissed

THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY APPEALS IS DISMISSED FOR WANT OF PROSECUTION:

21-0457 IN THE MATTER OF PAUL HOUSTON LAVALLE; 6th Court of Appeals District

See TEX. R. APP. P. 38.8(a)(1)