



# THE SUPREME COURT OF TEXAS

Orders Pronounced April 1, 2022

## ORDERS ON CAUSES

20-0725 PATRICK VON DOHLEN, BRIAN GRECO, KEVIN JASON KHATTAR, MICHAEL KNUFFKE, AND DANIEL PETRI v. CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-20-00071-CV, 612 SW3d 503, 08-19-20)

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

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

Justice Blacklock delivered an opinion concurring in the judgment, in which Justice Devine joined.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

20-0270 NICOLE VAN DORN PRESTON, AS SURVIVING SPOUSE AND PERSONAL REPRESENTATIVE FOR THE ESTATE OF LT. J. WESLEY VAN DORN, USN, DECEASED; AMY SNYDER, AS SURVIVING SPOUSE AND PERSONAL REPRESENTATIVE FOR THE ESTATE OF LT. SEAN CHRISTOPHER SNYDER, USN, DECEASED; CHEYENNE COLLINS, AS SURVIVING SPOUSE AND PERSONAL REPRESENTATIVE FOR THE ESTATE OF PETTY OFFICER 3RD CLASS BRIAN ANDREW COLLINS, USN, DECEASED; AND PETTY OFFICER 2ND CLASS DYLAN MORGAN BOONE, USN v. M1 SUPPORT SERVICES, L.P.; from Denton County; 2nd Court of Appeals District (02-18-00348-CV, 628 SW3d 300, 03-05-20)  
(Justice Young not participating)

**ORDERS ON CASES GRANTED**

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

20-0904 DEVON ENERGY PRODUCTION COMPANY, L.P., F/K/A GEOSOUTHERN DEWITT PROPERTIES, LLC, BPX PROPERTIES (NA) LP, GEOSOUTHERN ENERGY CORPORATION, AND BPX PRODUCTION COMPANY v. MICHAEL A. SHEPPARD, ET AL.; from De Witt County; 13th Court of Appeals District (13-19-00036-CV, \_\_\_ SW3d \_\_\_, 10-22-20)  
[Note: The date and time for oral argument are yet to be determined.]  
(Justice Young not participating)

21-0470 COLLIN CREEK ASSISTED LIVING CENTER, INC. D/B/A/ DAYSPRING ASSISTED LIVING COMMUNITY v. CHRISTINE FABER, INDIVIDUALLY AND AS HEIR AT LAW OF CARMELINA "MILLIE" SMITH, DECEASED; from Collin County; 5th Court of Appeals District (05-18-00827-CV, 629 SW3d 630, 05-03-21)  
[Note: The date and time for oral argument are yet to be determined.]

21-0728 DANIEL K. CHRIST AND NICOLE D. SALINAS v. TEXAS  
DEPARTMENT OF TRANSPORTATION; from Harris County; 13th Court  
of Appeals District (13-20-00339-CV, \_\_\_ SW3d \_\_\_, 05-27-21)

[**Note:** The date and time for oral argument are yet to be determined.]

21-1120 GREYSTONE MULTI-FAMILY BUILDERS, INC., GREYSTONE (POST  
OAK), LLC, AND WALTER B. EEDS v. TPG (POST OAK)  
ACQUISITION, LLC; TPG (POST OAK) MEZZANINE, LLC; PICERNE  
GROUP, INC.; THE TPG, INC.; ALLIED REALTY ADVISORS, LLC;  
ALLIED REALTY PARTNERS, LLC; ALLIED ORION GROUP, LLC  
D/B/A ALLIED REALTY; AND ACS RESTORATION GC, LLC D/B/A  
ALLIED CONSTRUCTION SERVICES; TPG2011-4 (POST OAK), LLC;  
from Harris County; 1st Court of Appeals District (01-18-00396-CV, \_\_\_  
SW3d \_\_\_, 08-31-21)

agreed motion for order effectuating settlement 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 judgments of the  
court of appeals and trial court, and remands the case to the trial court for  
rendition of judgment in accordance with the parties' settlement agreement.

(Justice Bland not participating)

#### **ORDERS ON PETITIONS FOR REVIEW**

##### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0274 SOUTHERN BAPTIST CONVENTION v. GARELD DUANE ROLLINS,  
JR.; from Harris County; 1st Court of Appeals District (01-19-00149-CV, 628  
SW3d 583, 02-25-21)

Justice Devine and Justice Blacklock note their dissent from the Court's denial  
of the petition for review.

(Justice Huddle and Justice Young not participating)

21-0283 H. PAUL PRESSLER III, NANCY PRESSLER, PAIGE PATTERSON, JARED WOODFILL, WOODFILL LAW FIRM F/K/A WOODFILL & PRESSLER, L.L.P., SOUTHWESTERN BAPTIST THEOLOGICAL SEMINARY, AND FIRST BAPTIST CHURCH OF HOUSTON v. GARELD DUANE ROLLINS, JR.; from Harris County; 1st Court of Appeals District (01-19-00460-CV, 623 SW3d 918, 02-25-21)

Justice Devine and Justice Blacklock note their dissent from the Court's denial of the petition for review.

(Justice Huddle and Justice Young not participating)

21-0684 JUANSRICH, LTD. AND RICHARD FRANCIS, M.D. v. HOUSTON METRO ORTHO AND SPINE SURGERY, LLC; ELITE AMBULATORY SURGERY CENTERS, LLC; LORI RAMIREZ; JAMES ALBRIGHT, M.D.; CARL PALUMBO, M.D.; NAVIN SUBRAMANIAN, M.D.; ALAN RECHTER, M.D.; MARK PROVENZANO, M.D.; JUAN CARLOS BUSTOS, M.D.; ASIF CHAUDRY, M.D.; AND NEWTON DUNCAN, M.D.; from Harris County; 14th Court of Appeals District (14-19-00732-CV, \_\_\_ SW3d \_\_\_, 07-06-21)

21-0722 JAY H. COHEN, INDIVIDUALLY AND AS TRUSTEE OF THE JHC TRUSTS I AND II v. NEWBISS PROPERTY, L.P. AND SANDCASTLE HOMES, INC.; from Harris County; 1st Court of Appeals District (01-19-00397-CV, \_\_\_ SW3d \_\_\_, 11-24-20)

21-0723 ETC FIELD SERVICES, LLC F/K/A REGENCY FIELD SERVICES, LLC v. TEMA OIL AND GAS COMPANY; from Tarrant County; 7th Court of Appeals District (07-20-00029-CV, \_\_\_ SW3d \_\_\_, 07-13-21)

21-0748 CENTURION LOGISTICS LLC DIRECTLY AND DERIVATIVELY ON BEHALF OF CENTURION PECOS TERMINAL LLC v. JULES S. BRENNER; CLARK HILL PLC ALSO DOING BUSINESS AS CLARK HILL STRASBURGER; AND STRASBURGER & PRICE, LLP; from Dallas County; 5th Court of Appeals District (05-20-00308-CV, \_\_\_ SW3d \_\_\_, 12-14-20)

- 21-0801 DELTA COUNTY APPRAISAL DISTRICT v. PPF GIN & WAREHOUSE, LLC; from Delta County; 6th Court of Appeals District (06-20-00063-CV, 632 SW3d 637, 07-29-21)
- 21-0835 NETX ACQUISITIONS, LLC, AND THOMAS C. MERRITT, TRUSTEE v. BARROW SHAVER RESOURCES COMPANY LLC, KATHRYN M. DAWSON, AND MICHAEL RAY HILL; from Cass County; 6th Court of Appeals District (06-20-00081-CV, \_\_\_ SW3d \_\_\_, 08-13-21)
- 21-0847 HOUSTON COMMUNITY COLLEGE v. THE HALL LAW GROUP, PLLC AND DOLCEFINO CONSULTING AND SCOTT LAHA; from Harris County; 1st Court of Appeals District (01-20-00673-CV; 01-20-00689-CV; 01-20-00690-CV; 01-20-00691-CV; 01-20-00692-CV; 01-20-00693-CV; 01-20-00694-CV; 01-20-00695-CV, \_\_\_ SW3d \_\_\_, 06-10-21)
- 21-0869 MATTHEW KAUFMAN v. SAMUEL PATRICK BRENNAN; from Harris County; 14th Court of Appeals District (14-19-00513-CV, \_\_\_ SW3d \_\_\_, 08-24-21)
- 21-0888 CITY OF RICHLAND HILLS, TEXAS v. BARBARA CHILDRESS; from Tarrant County; 2nd Court of Appeals District (02-20-00334-CV, \_\_\_ SW3d \_\_\_, 09-16-21)
- 21-0954 GIGABIT TECHNOLOGIES, LLC v. C3 COMMUNICATIONS, LLC; from Harris County; 14th Court of Appeals District (14-19-00730-CV, \_\_\_ SW3d \_\_\_, 07-15-21)
- 21-0969 TEXAS SOCCER FOUNDATION v. STING SOCCER FOUNDATION; from Dallas County; 5th Court of Appeals District (05-19-01228-CV, \_\_\_ SW3d \_\_\_, 09-29-21)

- 21-0971 ETHAN MILLER v. WADI PETROLEUM, INC., DICE EXPLORATION COMPANY, INC., SOUTH BAY CORPORATION, LAMB OIL & GAS, INC., AND BETACO, LLC; from Travis County; 13th Court of Appeals District (13-21-00014-CV, \_\_\_ SW3d \_\_\_, 09-30-21)
- 21-0975 SUNDIAL OWNER'S ASSOCIATION, INC. v. NUECES COUNTY APPRAISAL DISTRICT; from Nueces County; 13th Court of Appeals District (13-20-00149-CV, \_\_\_ SW3d \_\_\_, 09-09-21)
- 21-0981 IN THE MATTER OF THE MARRIAGE OF LISA PENAFIEL AND JOSE ALEJANDRO PENAFIEL; from Harris County; 14th Court of Appeals District (14-19-00240-CV, 633 SW3d 36, 07-27-21)  
(Justice Huddle not participating)
- 21-1020 JOHN SALAS v. MEDFINMANAGER, LLC; from Bexar County; 4th Court of Appeals District (04-20-00051-CV, \_\_\_ SW3d \_\_\_, 08-25-21)
- 21-1069 TEXIENNE ONCOLOGY CENTERS, PLLC AND ASIT CHOKSI v. STEVEN CHON; from Montgomery County; 9th Court of Appeals District (09-19-00356-CV, \_\_\_ SW3d \_\_\_, 10-28-21)
- 21-1094 CITY OF DALLAS v. OXLEY LEASING NORTH LOOP, LLC; from Dallas County; 5th Court of Appeals District (05-21-00241-CV, \_\_\_ SW3d \_\_\_, 11-12-21)
- 21-1095 LIAT ZILKHA-SHOHAMY AND TAL SHOHAMY v. LENORE VINCENT CORAZZA; from Travis County; 3rd Court of Appeals District (03-20-00380-CV, \_\_\_ SW3d \_\_\_, 07-16-21)
- 22-0021 SOMAIAH KHOLAIF v. ZIYAD SAFI, EXECUTOR OF THE ESTATE OF WAJIH ARIF SAFI, DECEASED; from Harris County; 14th Court of Appeals District (14-20-00218-CV, 636 SW3d 313, 10-28-21)

22-0068 CHRISTOPHER MICHAEL DUPUY v. HEATHER RENE WILLIAMS;  
from Harris County; 14th Court of Appeals District (14-19-00463-CV, \_\_\_  
SW3d \_\_\_, 12-02-21)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

21-0970 JACK TANNER THIBODEAUX AND KARLIE ANN THIBODEAUX v.  
STARX INVESTMENT HOLDINGS, INC. D/B/A GEORGETOWN  
COLLISION CENTER; from Williamson County; 3rd Court of Appeals  
District (03-20-00613-CV, \_\_\_ SW3d \_\_\_, 10-22-21)  
joint motion to dismiss petition for review granted

**ORDERS ON MOTIONS FOR REHEARING**

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

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)

21-0315 RAYMONDVILLE INDEPENDENT SCHOOL DISTRICT v. RUBEN  
RUIZ; from Willacy County; 13th Court of Appeals District (13-19-00597-  
CV, \_\_\_ SW3d \_\_\_, 03-04-21)

21-0428 ROB JENNINGS, III AND EL VELENO, LTD. v. SUSAN JENNINGS,  
TRES MUJERES, LTD., AND PAMELA J. PERSON; from Zapata County;  
4th Court of Appeals District (04-19-00485-CV, 625 SW3d 854, 02-03-21)

21-0795 IN THE INTEREST OF C.C., A CHILD; from Bexar County; 4th Court of  
Appeals District (04-21-00031-CV, \_\_\_ SW3d \_\_\_, 07-28-21)

21-0917 FEDERAL CORPORATION, INC. v. DESIREE TRUHLAR, CARLOS ALVAREZ, ROSENDO AGUILAR, JENNIFER BUTLER, MARIA T. RUIZ, AUDEN TERCERO, LUCIA CERECERES, ROBERTO RODRIGUEZ, PRISCILLA RODRIGUEZ AND LIBERTY MUTUAL FIRE INSURANCE CORPORATION; from El Paso County; 8th Court of Appeals District (08-16-00095-CV, 632 SW3d 697, 08-10-21)

21-0984 HOLLY DAWN RUTHVEN A/K/A HOLLY DAWN RUTHVEN-MAIN v. D. ELAINE WIKE; from Galveston County; 1st Court of Appeals District (01-19-00817-CV, \_\_\_ SW3d \_\_\_, 08-12-21)

21-1064 BRADLEY B. MILLER v. VIRGINIA TALLEY DUNN; from Dallas County; 9th Court of Appeals District (09-19-00345-CV, \_\_\_ SW3d \_\_\_, 10-07-21)

21-1102 JASON DEYO v. CHAD DWAYNE BRADSHAW AND KENNETH RANDALL HUFSTETLER; from Brazoria County; 14th Court of Appeals District (14-19-00792-CV, \_\_\_ SW3d \_\_\_, 08-05-21)

#### **MISCELLANEOUS**

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

21-0995 IN RE TAYLOR MORRISON OF TEXAS, INC. AND TAYLOR WOODROW COMMUNITIES-LEAGUE CITY, LTD.; from Galveston County; 14th Court of Appeals District (14-21-00041-CV, \_\_\_ SW3d \_\_\_, 10-26-21)

22-0146 IN RE DAVID REISS AND SPY GAMES, LLC; from Dallas County; 5th Court of Appeals District (05-21-00600-CV, \_\_\_ SW3d \_\_\_, 02-18-22)

22-0222 IN RE PRINCE UCHECHI NWAKANMA AND STELLA C. ANDREWS; from Fort Bend County; 1st Court of Appeals District (01-20-00592-CV, \_\_\_ SW3d \_\_\_, 01-27-22)



22-0237 IN RE PHILLIP DAVID HASKETT; 1st Court of Appeals District (01-22-00166-CV, \_\_\_ SW3d \_\_\_, 03-24-22)

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

21-0749 LAWRENCE E. DANIEL v. COMMISSION FOR LAWYER DISCIPLINE (BODA Cause No. 65307)