

Supreme Court of Texas

No. 21-0901

Valero Refinery-Texas, LP

Petitioner,

v.

Reannah Vela

Respondent

On Petition for Review from the
Court of Appeals for the Thirteenth District of Texas

PER CURIAM

JUSTICE LEHRMANN did not participate in the decision.

The court of appeals' opinion failed to advise the parties of the basic reasons for its decision to refuse this permissive appeal as Texas Rule of Appellate Procedure 47.4 requires. *See Indus. Specialists v. Blanchard Refin. Co.*, ___ S.W.3d ___, 2022 WL 2082236, at *6-7 (Tex. 2022) (plurality op.); *id.* at *10-13 (BUSBY, J., dissenting). Although earlier in its opinion the court set forth the requirements a party must satisfy “[t]o be entitled to a permissive appeal,” 2021 WL 3411899, at *1 (Tex. App.—Corpus Christi—Edinburg Aug. 5, 2021) (citing TEX. CIV.

PRAC. & REM. CODE § 51.014(d)), which might be read as implying that the court found those requirements were not satisfied, Rule 47.4 required the court to “advise” the parties of the “basic reasons” for its decision, not to “imply” those reasons. TEX. R. APP. P. 47.4. Notwithstanding the court of appeals’ refusal to accept the appeal, this Court has jurisdiction to review the trial court’s interlocutory order on the merits. *See Indus. Specialists*, 2022 WL 2082236, at *7 n.15; *Sabre Travel Int’l, Ltd. v. Deutsche Lufthansa AG*, 567 S.W.3d 725, 733-34 (Tex. 2019). Exercising this Court’s discretion under Texas Government Code section 22.001(a) and Texas Rule of Appellate Procedure 56.1, however, we deny the petition for review.

OPINION DELIVERED: July 1, 2022