



THE SUPREME COURT OF TEXAS

Orders Pronounced October 7, 2022

ORDERS ON CAUSES

21-0032 GALVESTON COUNTY JUDGE MARK HENRY, GALVESTON COUNTY COMMISSIONER DARRELL APFFEL, GALVESTON COUNTY COMMISSIONER JOE GIUSTI, GALVESTON COUNTY COMMISSIONER STEPHEN HOLMES, AND GALVESTON COUNTY COMMISSIONER KEN CLARK, IN THEIR OFFICIAL CAPACITIES AS THE GALVESTON COUNTY COMMISSIONERS COURT v. KIMBERLY SULLIVAN, JUDGE, PROBATE COURT OF GALVESTON COUNTY; from Galveston County; 14th Court of Appeals District (14-19-00073-CV, ___ SW3d ___, 09-24-20)

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 renders judgement.

Per Curiam Opinion

(Justice Busby not participating)

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

20-0923 JESUS VIRLAR, M.D. AND GMG HEALTH SYSTEMS ASSOCIATES, P.A., A/K/A AND D/B/A GONZABA MEDICAL GROUP v. JO ANN PUENTE; from Bexar County; 4th Court of Appeals District (04-18-00118-CV, 613 SW3d 652, 10-14-20)

unopposed motion of amicus curiae to participate in oral argument granted

Time allotted to argue: 17/20/3 minutes

(Justice Huddle and Justice Young not participating)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS CONDITIONALLY
GRANTED:

22-0556 IN RE OWEN J. MERRELL AND JEANNA EAST; from Harris County; 1st Court of Appeals District (01-22-00494-CV, ___ SW3d ___, 07-08-22)
emergency motion to stay trial dismissed as moot

Without hearing oral argument, we conditionally grant the petition for writ of mandamus and direct the district court to vacate its June 21, 2022 decision overruling the parties' agreed objection to a remote jury trial. The district court's decision to deny the agreed objection was arbitrary and unreasonable, and thus an abuse of discretion, in light of its failure to state good cause, either on the record or in a response requested by this Court. Our writ will issue only if the district court does not comply.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0832 GOOD HOPE MISSIONARY BAPTIST CHURCH OF HOUSTON v. AMITA DESAI; from Harris County; 1st Court of Appeals District (01-19-00420-CV, ___ SW3d ___, 04-15-21)
(Justice Lehrmann , Justice Huddle, and Justice Young not participating)

22-0099 IN THE INTEREST OF J.B., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-21-00239-CV, ___ SW3d ___, 12-30-22)

22-0503 IN THE INTEREST OF A.B.M., A CHILD; from Harris County; 14th Court of Appeals District (14-21-00687-CV, ___ SW3d ___, 05-03-22)
counsel's motion to withdraw granted

- 22-0517 WOLFGANG P. HIRCZY DE MINO, PH.D. v. FELIPE N. GOMEZ; from Bexar County; 4th Court of Appeals District (04-22-00017-CV, ___ SW3d ___, 02-16-22)
motions to dismiss dismissed as moot
motion to bar denied
motion to strike denied
- 22-0644 RUHUL AMIN PARVEZ AHMED v. KHALEDA PARVIN; from Fort Bend County; 14th Court of Appeals District (14-21-00143-CV, ___ SW3d ___, 05-19-22)
- 22-0735 JON JORDAN v. CITY OF GARLAND, TEXAS AND GARLAND CIVIL SERVICE COMMISSION; from Dallas County; 5th Court of Appeals District (05-21-00377-CV, ___ SW3d ___, 05-12-22)
- 22-0744 CHAO-QUN LU v. YONG YU AND CHAO QUN RESTAURANT GROUP, LLC; from Travis County; 3rd Court of Appeals District (03-22-00036-CV, ___ SW3d ___, 06-08-22)
- 22-0788 IN THE INTEREST OF P.F., A CHILD; from Potter County; 7th Court of Appeals District (07-22-00026-CV, ___ SW3d ___, 06-24-22)
- 22-0815 IN THE INTEREST OF K.D.T. A/K/A K.T., A CHILD v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Harris County; 14th Court of Appeals District (14-22-00224-CV, ___ SW3d ___, 08-04-22)
counsel's motion to withdraw granted
- 22-0832 IN THE INTEREST OF A.L.R., A CHILD; from Taylor County; 11th Court of Appeals District (11-20-00294-CV, ___ SW3d ___, 08-11-22)

22-0847 IN THE INTEREST OF M.B.T. AND R.T., CHILDREN; from Andrews County; 8th Court of Appeals District (08-22-00087-CV, ___ SW3d ___, 08-19-22)
counsel's motion to withdraw granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

22-0568 DALE T. SPENCER v. ROCENDO VALDEZ; from Smith County; 12th Court of Appeals District (12-21-00228-CV, ___ SW3d ___, 06-16-22)
See TEX. R. APP. P. 5

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

22-0293 MANUEL J. MONTEMAYOR v. TEXAS DEPARTMENT OF INSURANCE; from Cameron County; 13th Court of Appeals District (13-19-00249-CV, ___ SW3d ___, 05-13-21)
agreed motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until January 31, 2023, by which time the parties must file either a status report or a motion to dismiss.]

ORDERS ON MOTIONS FOR REHEARING

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

22-0560 IN RE GERALD B. WILSON; from Montgomery County; 9th Court of Appeals District (09-22-00076-CV, ___ SW3d ___, 04-07-22)

22-0812 IN RE LAURA PRESSLEY INDIVIDUALLY AND IN HER OFFICIAL CAPACITY, TRUE TEXAS ELECTIONS POLITICAL ACTION COMMITTEE, ROBIN HAYES IN HER OFFICIAL CAPACITY, RUTH YORK IN HER OFFICIAL CAPACITY, AND DEBRA DAMMAN IN HER OFFICIAL CAPACITY

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0661 IN RE WILLIAM M. WINDSOR; from McLennan County

emergency motion to stay dismissed as moot

22-0706 IN RE WILLIAM M. WINDSOR; from McLennan County

22-0728 IN RE PAUL C. MURPHY IV, KELLY A. YOUNG, ELIZABETH ANN CROFFORD SMITH, AVERY CLAIRE CROFFORD, AND WILLIAM T. CROFFORD; from Montgomery County; 9th Court of Appeals District (09-22-00209-CV, ___ SW3d ___, 07-28-22)

22-0741 IN RE LISA MARIE SEARCY; from Galveston County; 1st Court of Appeals District (01-21-00520-CV, ___ SW3d ___, 10-12-21)

22-0852 IN RE ROCKSTAR REMODELING AND DIAMOND DECKS, LLC; AND DONALD M. FERGUSON A/K/A DONNIE M. FERGUSON; from Comal County; 3rd Court of Appeals District (03-22-00547-CV, ___ SW3d ___, 09-22-22)

relators' emergency motion for temporary relief denied

THE MOTION IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS
DISMISSED AS MOOT:

22-0876 IN RE BUCHHEIT TRUCKING SERVICE, INC; from Webb County; 4th Court of Appeals District (04-22-00571-CV, ___ SW3d ___, 09-28-22)

motion to dismiss relator's motion for stay granted

motion for stay and emergency relief dismissed as moot

[**Note:** The petition for writ of mandamus remains pending before this Court.]