



# THE SUPREME COURT OF TEXAS

Orders Pronounced January 27, 2023

## ORDERS ON CAUSES

21-0296 TAYLOR MORRISON OF TEXAS, INC. AND TAYLOR WOODROW COMMUNITIES-LEAGUE CITY, LTD. v. ERIN SKUFCA AS NEXT OF FRIEND OF KSX AND KSXX, MINOR CHILDREN; from Galveston County; 1st Court of Appeals District (01-19-00943-CV, \_\_\_ SW3d \_\_\_, 10-01-20)

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 remands the case to the trial court.

Per Curiam Opinion

22-0331 TAYLOR MORRISON OF TEXAS, INC. AND TAYLOR WOODROW COMMUNITIES-LEAGUE CITY, LTD. v. MICHELLE HA, INDIVIDUALLY AND AS NEXT FRIEND OF C.M.X., MINOR CHILD 1, A.H.X., MINOR CHILD 2, AND H.R.X., MINOR CHILD 3; from Galveston County; 14th Court of Appeals District (14-20-00749-CV, \_\_\_ SW3d \_\_\_, 12-21-21)

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 remands the case to the trial court.

Per Curiam Opinion

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

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, 652 SW3d 447, 09-24-20)

(Justice Busby not participating)

**ORDERS ON CASES GRANTED**

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

20-0795 FTS INTERNATIONAL SERVICES, LLC AND BILL HERBERT ACKER v. JOSHUA PATTERSON; from Upshur County; 12th Court of Appeals District (12-19-00040-CV, \_\_\_ SW3d \_\_\_, 08-26-20)

motion for rehearing granted

abatement order issued September 30, 2022, lifted

petition reinstated

joint motion to remand granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, as reinstated, and remands the case to the trial court for disposition consistent with the parties' settlement agreement.

(Justice Lehrmann not participating)

21-0936 EXXON MOBIL CORPORATION v. NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, AND STARR INDEMNITY & LIABILITY INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-19-00852-CV, \_\_\_ SW3d \_\_\_, 09-21-21)

[Note: This case has been set for oral argument at 9:00 a.m., February 23, 2023.]

Time allotted to argue: 20/20 minutes

(Justice Lehrmann not participating)

21-1014 DAVID A. SKEELS v. JONATHAN T. SUDER, MICHAEL T. COOKE, AND FRIEDMAN, SUDER & COOKE, P.C.; from Tarrant County; 2nd Court of Appeals District (02-18-00112-CV, \_\_\_ SW3d \_\_\_, 10-14-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 23, 2023.]

Time allotted to argue: 20/20 minutes

(Justice Lehrmann not participating)

21-1079 GREG ABBOTT, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF TEXAS, AND STATE OF TEXAS v. CITY OF SAN ANTONIO AND COUNTY OF BEXAR; from Bexar County; 4th Court of Appeals District (04-21-00342-CV, 648 SW3d 498, 11-10-21)

*~ consolidated for oral argument with ~*

21-1080 GOVERNOR GREG ABBOTT, ATTORNEY GENERAL KEN PAXTON AND THE STATE OF TEXAS v. CLAY JENKINS, IN HIS OFFICIAL CAPACITY; from Dallas County; 5th Court of Appeals District (05-21-00733-CV, \_\_\_ SW3d \_\_\_, 11-22-21)

*~ consolidated for oral argument with ~*

22-0124 GREG ABBOTT IN HIS OFFICIAL CAPACITY AS GOVERNOR OF TEXAS; AND KEN PAXTON IN HIS OFFICIAL CAPACITY AS TEXAS ATTORNEY GENERAL v. HARRIS COUNTY, TEXAS, ET AL.; from Travis County; 3rd Court of Appeals District (03-21-00429-CV, 641 SW3d 514, 01-06-22)

[**Note:** These cases have been set for oral argument at 9:00 a.m., February 22, 2023.]

Time allotted to argue: 30/30 minutes

22-0179 TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER - EL PASO v. DR. LINDSEY NIEHAY; from El Paso County; 8th Court of Appeals District (08-19-00201-CV, 641 SW3d 761, 01-31-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 21, 2023.]

Time allotted to argue: 20/20 minutes

22-0214 HOUSTON ANUSA, LLC D/B/A AUTONATION USA HOUSTON v. WALTER SHATTENKIRK; from Harris County; 14th Court of Appeals District (14-20-00446-CV, \_\_\_ SW3d \_\_\_, 01-06-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 21, 2023.]

Time allotted to argue: 20/20 minutes

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

22-0227 IN RE FIRST RESERVE MANAGEMENT, L.P.; FIRST RESERVE CORPORATION, L.L.C.; FR XII ALPHA AIV, L.P.; FR XII-A ALPHA AIV, L.P.; FR SAWGRASS, L.P.; AND SAWGRASS HOLDINGS, L.P.; from Orange County; 9th Court of Appeals District (09-21-00374-CV, \_\_\_ SW3d \_\_\_, 01-13-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 22, 2023.]

Time allotted to argue: 20/20 minutes

(Justice Bland not participating)

**ORDERS ON PETITIONS FOR REVIEW**

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

20-0676 IN THE INTEREST OF S.K. AND L.K., CHILDREN; from Victoria County; 13th Court of Appeals District (13-19-00213-CV, \_\_\_ SW3d \_\_\_, 08-13-20)  
as reinstated

(Justice Lehrmann not participating)

21-0533 CASTEX ENERGY PARTNERS, LLC, F/K/A CASTEX ENERGY PARTNERS, L.P., CASTEX OFFSHORE, INC., AND CAPL, LLC v. APACHE CORPORATION; from Harris County; 14th Court of Appeals District (14-19-00605-CV, 626 SW3d 371, 05-11-21)  
2 petitions

(Justice Lehrmann not participating)

21-0618 THE CITY OF AUSTIN D/B/A AUSTIN ENERGY v. MARIA DEL ROSARIO MEMBRENO LOPEZ AS NEXT FRIEND OF J.L.; from Travis County; 3rd Court of Appeals District (03-19-00786-CV, 632 SW3d 200, 06-24-21)

21-0662 BOBBY MARTIN v. WPP PROPERTIES, LLC, JENNIFER M. WILLIAMS, WILLIAM R. PULLEY AND ZACHARY D. PULLEY; from Henderson County; 12th Court of Appeals District (12-20-00243-CV, \_\_\_ SW3d \_\_\_, 06-30-21)

21-0830 THE CITY OF EL PASO v. GUADALUPE RAMIREZ, NORMA RAMIREZ, RAMIREZ PECAN FARMS, LLC, WILLIAM H. BOUTWELL, JACKIE BOUTWELL, RAUL ZAMORANO, JR., AMY K. ZAMORANO, PATRICIA WYNN, INDIVIDUALLY AND AS TRUSTEE OF THE WYNN FAMILY LIVING TRUST, LARRY R. WEBB, MARIA L. WEBB, JAMES R. RALEY, YARIELA G. RALEY, RUSSELL T. STURGEON, KERRY L. STURGEON, KENNETH A. JOHNSON AND JULIE R. JOHNSON; from El Paso County; 8th Court of Appeals District (08-18-00216-CV, 633 SW3d 246, 08-27-21)

21-0957 CITY OF SEGUIN, TEXAS v. FORREST M. MIMS, MINNIE MIMS, RAY REININGER, DEBORAH REININGER, GLENN THOMPSON, ANNETTE THOMPSON, BLAKE C. BROCK, AND ANNETTE DANNELLY-SILVA; from Guadalupe County; 4th Court of Appeals District (04-20-00355-CV, \_\_\_ SW3d \_\_\_, 07-21-21)

- 21-1011 GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS; AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS v. XEROX CORPORATION; from Travis County; 14th Court of Appeals District (14-19-00358-CV, 633 SW3d 298, 08-31-21)
- 21-1074 DALLAS MEDICAL CENTER, LLC , ET AL. v. MOLINA HEALTHCARE OF TEXAS, INC.; from Dallas County; 5th Court of Appeals District (05-19-01583-CV, \_\_\_ SW3d \_\_\_, 11-02-21)
- 22-0060 JERRY A. BULLIN, INDIVIDUALLY, CJB PARTNERS, LTD., AND ITS GENERAL PARTNER, CJB PARTNERS MANAGEMENT, LLC, AND BRE GROUP, LTD. v. TEXAS PRIVATE SCHOOL FOUNDATION, INC. A/K/A TEXAS PRIVATE SCHOOLS FOUNDATION, INC. D/B/A ALLEN ACADEMY; from Brazos County; 7th Court of Appeals District (07-20-00225-CV, \_\_\_ SW3d \_\_\_, 12-22-21)
- 22-0210 ROSE TRADING, LLC v. WEI WEI AND BRIAN HUNTER; from Dallas County; 5th Court of Appeals District (05-21-00232-CV, \_\_\_ SW3d \_\_\_, 12-03-21)
- 22-0326 P.K. SHAH, MD A/K/A PANKAJ K. SHAH ON BEHALF OF APEX LONG TERM ACUTE CARE, L.P. AND APEX KATY PHYSICIANS-TMG, LLC, PARAG PARIKH ON BEHALF OF LIFE SPACE, LLP, A LIMITED PARTNER OF APEX-TMC, L.P., MEDICAL CENTER SPECIALTY HOSPITAL, L.P., ACUITY HOSPITAL OF HOUSTON, L.P., AND MED CENTER WD, L.P., AND APEX KATY PHYSICIANS, LLC v. ROBERT D. REMY; STEPHEN KOCH, MD; AND ABEER SAQER AND I-CARE INTERNATIONAL, LLC.; from Harris County; 14th Court of Appeals District (14-21-00612-CV, \_\_\_ SW3d \_\_\_, 03-15-22)
- 22-0358 DEBORAH ANN MOON v. CARL JOHN SCHEEF, III; from Collin County; 5th Court of Appeals District (05-20-00105-CV, \_\_\_ SW3d \_\_\_, 03-23-22)

- 22-0458 IN THE MATTER OF THE ESTATE OF DONNIE M. RUSHING, DECEASED; from Upshur County; 12th Court of Appeals District (12-21-00083-CV, 644 SW3d 383, 04-14-22)
- 22-0546 CITY OF CORPUS CHRISTI, TEXAS v. CITY OF INGLESIDE, TEXAS; from San Patricio County; 13th Court of Appeals District (13-20-00513-CV, \_\_\_ SW3d \_\_\_, 06-16-22)
- 22-0552 NAOMI MARKHAM; CARRIE MARKHAM; AND TREVOR MARKHAM, INDIVIDUALLY AND AS THE ADMINISTRATOR OF THE ESTATE OF JOSLYN MARKHAM, DECEASED v. ISI CONTRACTING, INC. AND GUERRA CONSTRUCTION; from Bexar County; 4th Court of Appeals District (04-21-00325-CV, 647 SW3d 489, 04-27-22)
- 22-0599 ARMANDO MONTELONGO, JR., REAL ESTATE TRAINING INTERNATIONAL, LLC, PERFORMANCE ADVANTAGE GROUP, INC., AND LICENSE BRANDING, LLC v. CECIL G. ABREA, ET AL.; from Bexar County; 4th Court of Appeals District (04-19-00301-CV, \_\_\_ SW3d \_\_\_, 06-15-22)
- 22-0616 CITY OF DALLAS v. LYNN PELTIER; from Dallas County; 5th Court of Appeals District (05-21-00760-CV, \_\_\_ SW3d \_\_\_, 06-16-22)
- 22-0666 IN THE MATTER OF BUMSTEAD FAMILY IRREVOCABLE TRUST; from Harris County; 13th Court of Appeals District (13-20-00350-CV, \_\_\_ SW3d \_\_\_, 03-10-22)
- 22-0692 TRAVELERS INDEMNITY COMPANY v. ALTO ISD; from Cherokee County; 12th Court of Appeals District (12-21-00143-CV, \_\_\_ SW3d \_\_\_, 05-25-22)  
stay order issued September 9, 2022, lifted

22-0743 IN THE INTEREST OF C.D.G., A.D.G. AND L.M.G., CHILDREN; from Collin County; 5th Court of Appeals District (05-21-00132-CV, \_\_\_ SW3d \_\_\_, 07-15-22)

22-0754 TERRY FISHER, 829 YALE ST., LLC, AND ASSURANCE HOME WARRANTY GROUP, LLC v. STEADFAST FUNDING LLC, ET AL.; from Harris County; 1st Court of Appeals District (01-19-00555-CV, \_\_\_ SW3d \_\_\_, 07-07-22)

2 petitions

motion to dismiss dismissed as moot

(Justice Huddle and Justice Young not participating)

22-0755 BRAD PARKER v. STEADFAST FUNDING, LLC., ET AL.; from Harris County; 1st Court of Appeals District (01-20-00188-CV, \_\_\_ SW3d \_\_\_, 07-07-22)

motion to dismiss dismissed as moot

(Justice Huddle and Justice Young not participating)

22-0756 TERRY FISHER, 829 YALE, LLC AND ASSURANCE HOME WARRANTY GROUP, LLC v. STEADFAST FUNDING, LLC., ET AL.; from Harris County; 1st Court of Appeals District (01-20-00190-CV, \_\_\_ SW3d \_\_\_, 07-07-22)

2 petitions

motion to dismiss dismissed as moot

(Justice Huddle and Justice Young not participating)



22-0758 KVAC HOLDING COMPANY, LLC, KAVAC HOLDING, LLC, CITY  
SCAPE RENTALS, LLC, TERRY FISHER, 829 YALE, LLC ALLEN J.  
FISHER AND ASSURANCE HOME WARRANTY GROUP, LLC, JAMES  
D. PIERCE v. STEADFAST FUNDING, LLC., ET AL.; from Harris County;  
1st Court of Appeals District (01-20-00189-CV, \_\_\_ SW3d \_\_\_, 07-07-22)  
3 petitions  
motion to dismiss dismissed as moot  
(Justice Huddle and Justice Young not participating)

22-0777 JANET MARIE ERWIN v. NORTHWEST TEXAS HEALTHCARE  
SYSTEM A/K/A NORTHWEST TEXAS HOSPITAL AND UNIVERSAL  
HEALTH SERVICES, INC.; from Potter County; 7th Court of Appeals  
District (07-22-00020-CV, \_\_\_ SW3d \_\_\_, 07-25-22)

22-0794 CHRIS SCHAPIRA AND PATRICIA BENITEZ v. JAVIER SALAZAR;  
from Bexar County; 4th Court of Appeals District (04-22-00114-CV, \_\_\_  
SW3d \_\_\_, 07-27-22)

22-0836 CAROLYN FROST KEENAN v. RIVER OAKS PROPERTY OWNERS,  
INC.; from Harris County; 1st Court of Appeals District (01-20-00493-CV,  
\_\_\_ SW3d \_\_\_, 03-17-22)

22-0864 IN THE INTEREST OF A.B. AND D.B., CHILDREN; from Gregg County;  
6th Court of Appeals District (06-22-00020-CV, \_\_\_ SW3d \_\_\_, 08-19-22)  
petition for review, on behalf of A.B., denied

[**Note:** The petition for review, filed on behalf of D.B., remains pending  
before this Court.]

22-0884 T & T ENGINEERING SERVICES, INC. v. JORDAN DANKS; from Harris  
County; 1st Court of Appeals District (01-21-00139-CV, \_\_\_ SW3d \_\_\_, 08-  
23-22)

- 22-0893 DENNIS WAYNE GLENN v. PATTY ANN GLENN; from Upton County; 8th Court of Appeals District (08-21-00059-CV, \_\_\_ SW3d \_\_\_, 08-24-22)
- 22-0915 HILLIARD OFFICE SOLUTIONS OF TEXAS, LTD. AND THE HILLIARD COMPANIES, LLC v. 2100 RICCHI, LLC; from Dallas County; 5th Court of Appeals District (05-21-00158-CV, \_\_\_ SW3d \_\_\_, 08-03-22)  
2 petitions
- 22-0969 BARBARA LINDSEY v. MAX F. ADLER, M.D., P.A. F/K/A PARK CITIES DERMATOLOGY CENTER A/K/A COPPELL DERMATOLOGY; MAX F. ADLER; LINDA L. WHITE; AND JOHN DOES; from Dallas County; 5th Court of Appeals District (05-20-01081-CV, \_\_\_ SW3d \_\_\_, 08-26-22)
- 22-1071 IN THE INTEREST OF N.B. & P.B., CHILDREN; from Van Zandt County; 12th Court of Appeals District (12-22-00236-CV, \_\_\_ SW3d \_\_\_, 11-09-22)
- 22-1099 IN THE INTEREST OF C.B., C.B., AND K.B., CHILDREN; from Archer County; 2nd Court of Appeals District (02-22-00212-CV, \_\_\_ SW3d \_\_\_, 10-27-22)
- 22-1104 EX PARTE D.K.; from Tarrant County; 2nd Court of Appeals District (02-22-00020-CV, \_\_\_ SW3d \_\_\_, 10-27-22)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 21-1105 CITY OF EL PASO v. MAX GROSSMAN; from El Paso County; 8th Court of Appeals District (08-19-00272-CV, \_\_\_ SW3d \_\_\_, 11-10-21)  
unopposed motion to dismiss granted

**ORDERS ON MOTIONS FOR REHEARING**

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

- 21-0688 MCCLELLAND AND HINE, INC. v. RZQ, L.L.C., HAMEED QURAISHI, M.D., RAFATH QURAISHI, M.D., AADAM QURAISHI, M.D., AND ADVANCED MEDICAL IMAGING, L.L.C.; from Hidalgo County; 13th Court of Appeals District (13-19-00471-CV, \_\_\_ SW3d \_\_\_, 04-15-21)
- 21-0852 CITY OF SAN ANTONIO AND ERIK WALSH, IN HIS OFFICIAL CAPACITY v. SAN ANTONIO PARK POLICE OFFICERS ASSOCIATION, HENRY BASSUK AND ROGELIO TAMEZ; from Bexar County; 4th Court of Appeals District (04-20-00213-CV, \_\_\_ SW3d \_\_\_, 07-14-21)
- 21-1032 JDH PACIFIC, INC. v. PRECISION-HAYES INTERNATIONAL, INC.; from Fort Bend County; 14th Court of Appeals District (14-21-00027-CV, \_\_\_ SW3d \_\_\_, 06-29-21)  
(Justice Lehrmann not participating)
- 22-0561 STEPHEN PATRICK BLACK v. DR. NICHOLAS EDD; from Lamb County; 7th Court of Appeals District (07-21-00168-CV, \_\_\_ SW3d \_\_\_, 05-31-22)
- 22-0598 IN THE INTEREST OF S.V., A MINOR CHILD; from Dallas County; 5th Court of Appeals District (05-19-00548-CV, \_\_\_ SW3d \_\_\_, 03-08-22)
- 22-0906 RODOLFO ESPINOSA LUA AND ANEL LUA v. CAPITAL PLUS FINANCIAL, LLC; from Dallas County; 5th Court of Appeals District (05-19-01227-CV, 646 SW3d 622, 05-26-22)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 22-0380 IN RE JEREMY HALTOM; from Dallas County; 5th Court of Appeals District (05-21-00676-CV, \_\_\_ SW3d \_\_\_, 03-29-22)  
as redrafted
- 22-0654 IN RE DAVID POWELL AND DOUBLE 09 RANCH, L.L.C.; from Gregg County; 6th Court of Appeals District (06-21-00110-CV, 644 SW3d 753, 03-17-22)  
  
(Justice Lehrmann not participating)
- 22-0986 IN RE UPS, INC. AND ANTOINE SCOTT CRENSHAW; from Williamson County; 3rd Court of Appeals District (03-22-00526-CV, \_\_\_ SW3d \_\_\_, 10-21-22)  
motion for stay dismissed as moot
- 22-1165 IN RE LAURA WALKER, PA-C; from Harris County; 1st Court of Appeals District (01-22-00813-CV, \_\_\_ SW3d \_\_\_, 11-10-22)