



THE SUPREME COURT OF TEXAS

Orders Pronounced June 2, 2023

ORDERS ON CAUSES

22-0202 CITY OF AUSTIN, TEXAS v. IRENE QUINLAN; from Travis County; 3rd Court of Appeals District (03-21-00067-CV, 665 SW3d 700, 01-28-22)

The Court reverses the court of appeals' judgment in part and dismisses the case for lack of jurisdiction.

Justice Lehrmann delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

21-1035 AMMONITE OIL & GAS CORPORATION v. RAILROAD COMMISSION OF TEXAS AND EOG RESOURCES, INC.; from McMullen County; 4th Court of Appeals District (04-20-00465-CV, ___ SW3d ___, 10-27-21)

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

21-1097 AMERICAN HONDA MOTOR CO., INC. v. SARAH MILBURN, JOHN MILBURN, AND CAROLYN MILBURN; from Dallas County; 5th Court of Appeals District (05-19-00850-CV, ___ SW3d ___, 11-24-21)

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

22-0053 HNMC, INC. v. FRANCIS S. CHAN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF LENY REY CHAN, JONATHAN CHAN, AND JUSTIN CHAN; from Harris County; 14th Court of Appeals District (14-18-00849-CV, 637 SW3d 919, 12-30-21)

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

22-0103 POLK COUNTY PUBLISHING COMPANY AND VALERIE REDDELL v. TOMMY LAMAR COLEMAN; from Polk County; 9th Court of Appeals District (09-20-00298-CV, ___ SW3d ___, 12-30-21)

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

22-0169 MIKE MORATH, THE HONORABLE COMMISSIONER OF EDUCATION FOR THE STATE OF TEXAS; BELLPAS, INC.; AND COPPERAS COVE INDEPENDENT SCHOOL DISTRICT v. LAMPASAS INDEPENDENT SCHOOL DISTRICT; from Travis County; 3rd Court of Appeals District (03-21-00010-CV, 644 SW3d 866, 01-21-22)

2 petitions

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

22-0558 SCOTT & WHITE MEMORIAL HOSPITAL D/B/A BAYLOR SCOTT & WHITE MCLANE CHILDREN'S MEDICAL CENTER A/K/A BAYLOR SCOTT & WHITE HEALTH v. DAWN M. THOMPSON, R.N.; from Bell County; 8th Court of Appeals District (08-20-00158-CV, 659 SW3d 83, 06-10-22)

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

22-0978 IN THE INTEREST OF R.R.A., H.G.A., H.B.A., CHILDREN; from Harris County; 14th Court of Appeals District (14-22-00217-CV, 654 SW3d 535, 09-20-22)

2 petitions

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

THE FOLLOWING CERTIFIED QUESTION FROM THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT IS ACCEPTED:

23-0388 LEE MARVIN SANDERS; MATTHEW SODROK v. THE BOEING COMPANY; KIDDIE TECHNOLOGIES, INCORPORATED; JAMCO AMERICA, INCORPORATED (U.S. Fifth Circuit 22-20317)

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0503 FITZGERALD TRUCK PARTS AND SALES, LLC v. ADVANCED FREIGHT DYNAMICS, LLC; from Harris County; 14th Court of Appeals District (14-19-00397-CV, ___ SW3d ___, 04-29-21)

21-0798 KATHLEEN GALLOWAY-POWE, INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATES OF MANLEY D. GALLOWAY, DECEASED AND ELFRIEDE GALLOWAY, DECEASED v. TEXAS DEPARTMENT OF TRANSPORTATION; from Coryell County; 10th Court of Appeals District (10-19-00130-CV, ___ SW3d ___, 08-04-21)

21-0865 DEWEY M. MOORE, JR. v. WINSTEAD PC; from Dallas County; 5th Court of Appeals District (05-20-00050-CV, 633 SW3d 200, 08-20-21)
motion to expedite review and permission to take deposition dismissed as moot

21-1005 BARCLAY PROPERTIES, LTD. v. PHILIP W. HOLIFIELD AND HAZEL HOLIFIELD; from Dallas County; 5th Court of Appeals District (05-21-00239-CV, ___ SW3d ___, 10-05-21)

21-1093 JOSE ANTONIO VENERO LUGO, SCOTT D. WEAVER, AND VENERO LAW, PLLC v. GERARDO FELIPE CORDOVA SANCHEZ; from Travis County; 3rd Court of Appeals District (03-21-00058-CV, ___ SW3d ___, 11-12-21)

- 22-0204 SHIRLAINE WEST PROPERTIES LIMITED AND NATHAN K. GRIFFIN, ON BEHALF OF THE ESTATE OF LORRAINE E. WEST AND ON BEHALF OF THE ESTATE OF SHIRLEY A. WEST v. JAMESTOWN RESOURCES, L.L.C. AND TOTAL E&P USA, INC.; from Tarrant County; 2nd Court of Appeals District (02-18-00424-CV, ___ SW3d ___, 11-18-21) as amended
- 22-0323 MOSAIC BAYBROOK ONE, LP; MOSAIC BAYBROOK TWO, LP; MOSAIC RESIDENTIAL, INC.; MOSAIC BAYBROOK ONE GP LLC; MOSAIC BAYBROOK TWO GP LLC; ROBERT M. WEBER; VELISSA PARMER; ABID BHIMANI; MOSAIC GP FUND III LLC; EASTHAM CAPITAL FUND III (QP) LP; EASTHAM CAPITAL FUND IV, LP; AUSPAY-BAYBROOK, LLC; AUSPAY-MOSAIC GP, LLC; WILLAMSBURG ENTERPRISES, LLLP; PHILIP SALEM; WIDAD SALEM; BAYBROOK LL, LLC; THE MATTHEW ROSENTHAL IRREVOCABLE TRUST 2007; AND TREE OPPORTUNITIES SERIES, LLC v. TAMMY CESSOR AND PAUL SIMIEN; from Harris County; 14th Court of Appeals District (14-19-00695-CV, ___ SW3d ___, 06-29-21)
- 22-0407 HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61 v. MAGELLAN PIPELINE COMPANY, L.P. AND V-TEX LOGISTICS, LLC; from Harris County; 1st Court of Appeals District (01-20-00805-CV, 649 SW3d 630, 04-19-22)
- 22-0478 DHI HOLDINGS, LP v. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-HE3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-HE3; DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-HE3; AND SPECIALIZED LOAN SERVICING, LLC; from Harris County; 14th Court of Appeals District (14-19-00991-CV, 650 SW3d 522, 11-02-21)
- 22-0493 UNIVERSITY OF HOUSTON SYSTEM v. GROUND TEXAS CONSTRUCTION, INC.; from Harris County; 14th Court of Appeals District (14-20-00401-CV, 649 SW3d 630, 05-10-22)

- 22-0628 ESI/EMPLOYEE SOLUTIONS, LP, AND EMPLOYEE SOLUTIONS ARLINGTON, LLC v. NCH CORPORATION AND RPG INNOVATIONS, LLC; from Collin County; 5th Court of Appeals District (05-21-00466-CV, ___ SW3d ___, 05-11-22)
- 22-0633 WIRT BLAFFER, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF FREEPORT WATERFRONT PROPERTIES, L.P. v. SECOND STREET PROPERTIES LLC, BRIARWOOD CAPITAL CORPORATION AND H. WALKER ROYALL; from Harris County; 1st Court of Appeals District (01-19-00194-CV, 649 SW3d 522, 03-29-22)
2 petitions
- 22-0760 ESTHER AKINDAYOMI, ET AL. v. RIO GRANDE REGIONAL HOSPITAL, INC., HCA HEALTH SERVICES OF TEXAS, INC., AND RESOURCE CORPORATION OF AMERICA & RECOVERY OF TEXAS, LLC; from Hidalgo County; 13th Court of Appeals District (13-20-00330-CV, ___ SW3d ___, 07-21-22)
- 22-0776 CAMERON APPRAISAL DISTRICT v. JUBILEE ACADEMIC CENTER, INC.; from Cameron County; 13th Court of Appeals District (13-20-00511-CV, ___ SW3d ___, 06-16-22)
- 22-0799 RICHARD HOWARD MCDUFF, ET AL. v. ANDY BRUMLEY AND SHERI BRUMLEY; from Wilbarger County; 7th Court of Appeals District (07-17-00248-CV, ___ SW3d ___, 08-08-22)
- 22-0839 IN THE INTEREST OF B.M.B. AND K.A.B., CHILDREN; from Dallas County; 5th Court of Appeals District (05-20-00852-CV, ___ SW3d ___, 08-10-22)
- 22-0883 JONATHAN MUMPHREY AND STEPHON JOHNSON v. TRUXPOSUR, LLC; from Brazos County; 10th Court of Appeals District (10-22-00012-CV, ___ SW3d ___, 08-24-22)

- 22-0918 DHI HOLDINGS, LP v. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAMP TRUST 2006-SD1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-SD1; OCWEN LOAN SERVICING, LLC; AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; from Harris County; 5th Court of Appeals District (05-21-00287-CV, ___ SW3d ___, 08-01-22)
- 22-0925 FILEGONIA SITE CONTRACTORS, LLC v. D. WILSON CONSTRUCTION COMPANY; from Hidalgo County; 13th Court of Appeals District (13-21-00203-CV, ___ SW3d ___, 08-30-22)
- 22-0972 DIAMOND ENVIRONMENTAL MANAGEMENT, L.P.; BEXAR COUNTY EMERGENCY SERVICE DISTRICT NO. 5; AND BEXAR COUNTY EMERGENCY SERVICE DISTRICT NO. 10 v. CITY OF SAN ANTONIO, TEXAS; from Bexar County; 4th Court of Appeals District (04-21-00058-CV, ___ SW3d ___, 09-21-22)
- 22-1110 ALMENDRA FERNANDEZ, BS, IONM; T-MED, L.P. D/B/A MONITORING CONCEPTS; AND T-MED, L.P. v. SYLVIA GONZALES; from Travis County; 3rd Court of Appeals District (03-21-00586-CV, ___ SW3d ___, 08-26-22)
- 23-0255 WAYNE M. ENGLISH v. PARCEL EXPRESS, INC.; from Dallas County; 5th Court of Appeals District (05-20-00961-CV, ___ SW3d ___, 11-07-22)
- 23-0265 T JORDAN TOWING, INC. v. AKT INVESTMENTS, INC.; from Tarrant County; 2nd Court of Appeals District (02-22-00058-CV, ___ SW3d ___, 01-26-23)
- 23-0297 GBENGA FUNMILAYO v. VELANDERA ENERGY PARTNERS LLC AND MANISH RAJ; from Collin County; 5th Court of Appeals District (05-21-01015-CV, ___ SW3d ___, 03-13-23)

23-0309 PATRICIA LOWE, MARGARET WAPLE AND KATHRYN HART v. CAROL ROGERS; from Montgomery County; 9th Court of Appeals District (09-21-00238-CV, ___ SW3d ___, 02-09-23)

ORDERS ON MOTIONS FOR REHEARING

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

21-0817 PUBLIC UTILITY COMMISSION OF TEXAS AND SOUTHWESTERN ELECTRIC POWER COMPANY v. TEXAS INDUSTRIAL ENERGY CONSUMERS, CITIES ADVOCATING REASONABLE DEREGULATION, AND OFFICE OF PUBLIC UTILITY COUNSEL; from Travis County; 3rd Court of Appeals District (03-17-00490-CV, ___ SW3d ___, 08-11-21)

2 rehearings

(Justice Huddle and Justice Young not participating)

22-0507 BERIT MCMILLAN AND GERALD MCMILLAN v. TALLY TWO INVESTMENT GROUP, LLC; CCRE, LLC; NLB INVESTMENTS, INC.; JRSW1 LTD.; RICE CAPITAL, LLC SERIES 7; EQUITY TRUST COMPANY CUSTODIAN FBO DAVID BLAKELY IRA; AND MOONEY-GLASGOW, LP; from Travis County; 3rd Court of Appeals District (03-20-00452-CV, ___ SW3d ___, 02-03-22)

(Justice Lehrmann not participating)

22-0896 THE CASAUBON FIRM AND MARIA F. LOPEZ v. TEXAS MUTUAL INSURANCE COMPANY; from Travis County; 8th Court of Appeals District (08-20-00034-CV, 657 SW3d 1, 12-21-21)

22-0909 JOHN JOSEPH PESCE v. ROBYN DARCY PESCE; from Travis County; 3rd Court of Appeals District (03-22-00284-CV, ___ SW3d ___, 08-31-22)

22-1111 ERNEST BUSTOS v. ENCINO PARK HOMEOWNERS ASSOCIATION AND SPECTRUM ASSOCIATION MANAGEMENT LP; from Bexar County; 4th Court of Appeals District (04-21-00009-CV, ___ SW3d ___, 09-28-22)

22-1155 BRIGETTA D'OLIVIO A/K/A BRIGETTA ALIX ANDERSON, ALIX BRIGETTA v. HILARY THOMPSON HUTSON; from Collin County; 5th Court of Appeals District (05-20-00969-CV, ___ SW3d ___, 07-18-22)

22-1171 CRESSON INTEREST, LLC v. DONALD "ROOSTER" AND LORI BEANE; from Hood County; 2nd Court of Appeals District (02-21-00366-CV, ___ SW3d ___, 08-31-22)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

23-0235 IN RE MARK JOSEPH WATSON; from Hays County; 3rd Court of Appeals District (03-22-00307-CV, ___ SW3d ___, 04-20-23)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0274 IN RE EMPLOYEE FUNDING OF AMERICA, LLC; from Wharton County; 13th Court of Appeals District (13-21-00420-CV, ___ SW3d ___, 04-05-22)
stay order issued April 22, 2022, lifted

(Justice Lehrmann not participating)

22-0453 IN RE UBER TECHNOLOGIES, INC.; from Harris County; 14th Court of Appeals District (14-21-00509-CV, ___ SW3d ___, 06-07-22)
stay order issued June 17, 2022, lifted

(Justice Bland not participating)

22-1140 IN RE EQUINOR TEXAS ONSHORE PROPERTIES F/K/A STATOIL TEXAS ONSHORE PROPERTIES LLC; EQUINOR MARKETING & TRADING (US) INC.; EQUINOR NATURAL GAS LLC; from Harris County; 14th Court of Appeals District (14-22-00682-CV, ___ SW3d ___, 11-29-22)

(Justice Huddle and Justice Young not participating)

23-0314 IN RE JOYCE COLUMBUS; from Grimes County; 1st Court of Appeals District (01-21-00272-CV, ___ SW3d ___, 11-22-22)

23-0386 IN RE SAMUEL KADYEBO; from Tarrant County; 2nd Court of Appeals District (02-23-00143-CV, ___ SW3d ___, 05-03-23)
motion to stay denied