



THE SUPREME COURT OF TEXAS

Orders Pronounced June 23, 2023

ORDERS ON CAUSES

21-0496 HOUSTON AREA SAFETY COUNCIL, INC. AND PSYCHEMEDICS CORPORATION v. GUILLERMO M. MENDEZ; from Harris County; 1st Court of Appeals District (01-19-00288-CV, 634 SW3d 154, 04-29-21)
2 petitions

The Court reverses the court of appeals' judgment and renders judgment.

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

Justice Young filed a concurring opinion, in which Justice Blacklock joined.

Justice Boyd filed a dissenting opinion, in which Justice Lehrmann and Justice Devine joined.

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, 665 SW3d 637, 10-14-21)

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

Justice Devine delivered the opinion of the Court, in which Justice Boyd, Justice Blacklock, Justice Busby, Justice Bland, Justice Huddle, and Justice Young joined.

Chief Justice Hecht filed a dissenting opinion.

(Justice Lehrmann not participating)

22-0056 CPS ENERGY v. ELECTRIC RELIABILITY COUNCIL OF TEXAS; from Bexar County; 4th Court of Appeals District (04-21-00242-CV, 648 SW3d 520, 12-13-21)

emergency motion for temporary relief dismissed as moot

The Court affirms the court of appeals' judgment.

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22-0196 ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC. v. PANDA POWER GENERATION INFRASTRUCTURE FUND, LLC, D/B/A PANDA POWER FUNDS; PANDA SHERMAN POWER HOLDINGS, LLC; PANDA SHERMAN POWER INTERMEDIATE HOLDINGS I, LLC; PANDA SHERMAN POWER INTERMEDIATE HOLDINGS II, LLC; PANDA SHERMAN POWER, LLC; PANDA TEMPLE POWER HOLDINGS, LLC; PANDA TEMPLE POWER INTERMEDIATE HOLDINGS I, LLC; PANDA TEMPLE POWER INTERMEDIATE HOLDINGS II, LLC; PANDA TEMPLE POWER, LLC; PANDA TEMPLE POWER II HOLDINGS, LLC; PANDA TEMPLE POWER II INTERMEDIATE HOLDINGS I, LLC; PANDA TEMPLE POWER II INTERMEDIATE HOLDINGS II, LLC; AND PANDA TEMPLE POWER II, LLC; from Grayson County; 5th Court of Appeals District (05-18-00611-CV, 641 SW3d 893, 02-23-22)

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

Chief Justice Hecht delivered the opinion of the Court, in which Justice Blacklock, Justice Bland, Justice Huddle, and Justice Young joined, and in which Justice Lehrmann, Justice Boyd, Justice Devine, and Justice Busby joined except as to Part IV.

Justice Boyd and Justice Devine filed a dissenting opinion, in which Justice Lehrmann and Justice Busby joined.

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, 665 SW3d 44, 01-13-22)

The Court denies the petition for writ of mandamus.

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

Justice Boyd concurred in the disposition.

(Justice Bland not participating)

THE FOLLOWING CAUSE IS DISMISSED:

21-0834 IN RE ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.; from Bexar County; 4th Court of Appeals District (04-21-00244-CV, 661 SW3d 812, 07-07-21)

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

21-0161 MOSAIC BAYBROOK ONE, L.P., MOSAIC BAYBROOK TWO, L.P., AND MOSAIC RESIDENTIAL, INC. v. TAMMY CESSOR; from Harris County; 1st Court of Appeals District (01-18-01057-CV, 648 SW3d 299, 09-22-20)

21-0755 HOUSTON POLICE OFFICERS' UNION, ET AL. v. HOUSTON PROFESSIONAL FIRE FIGHTERS' ASSOCIATION, IAFF LOCAL 341, ET AL.; from Harris County; 14th Court of Appeals District (14-19-00427-CV, 651 SW3d 41, 07-29-21)

(Justice Huddle and Justice Young not participating)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

22-0410 MICHIEL R. NOE, M.D., INDIVIDUALLY AND D/B/A SUN CITY WOMEN'S HEALTH CARE v. GRISEL A. VELASCO; from El Paso County; 8th Court of Appeals District (08-19-00287-CV, 645 SW3d 850, 04-08-22)

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

22-0451 IN THE INTEREST OF R.J.G., R.J.G., D.G.M., CHILDREN; from Webb County; 4th Court of Appeals District (04-21-00498-CV, ___ SW3d ___, 04-20-22)

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

22-0835 KRISTY MARSILLO, D.O. v. ROBIN DUNNICK, INDIVIDUALLY, AND AS NEXT FRIEND TO RAYNEE DUNNICK, AND DANA DUNNICK; from Travis County; 3rd Court of Appeals District (03-21-00296-CV, 654 SW3d 224, 08-31-22)

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

22-1145 DIANNE HENSLEY v. STATE COMMISSION ON JUDICIAL CONDUCT; ET AL.; from Travis County; 3rd Court of Appeals District (03-21-00305-CV, ___ SW3d ___, 11-03-22)

[**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:

21-0717 TJFA, L.P.; ENVIRONMENTAL PROTECTION IN THE INTEREST OF CALDWELL COUNTY; JAMES ABSHIER; AND BRYON FRIEDRICH v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND 130 ENVIRONMENTAL PARK, LLC; from Travis County; 3rd Court of Appeals District (03-19-00815-CV, 632 SW3d 660, 07-23-21)

21-0930 FIRST AMERICAN TITLE INSURANCE COMPANY v. ANNE D. KERN, ET AL.; from Collin County; 5th Court of Appeals District (05-20-00985-CV, ___ SW3d ___, 07-14-21)

22-0398 EDWARD VAN HUIS, IV v. MARINE VENTURES, LTD.; from Jefferson County; 9th Court of Appeals District (09-21-00072-CV, ___ SW3d ___, 03-31-22)

Justice Young filed an opinion dissenting from the denial of the petition for review, in which Justice Lehrmann and Justice Busby joined.

- 22-0636 ROBERT M. (RANDY) ROACH, JR. v. FREDERICK H. SCHRADER; from Harris County; 1st Court of Appeals District (01-20-00183-CV, ___ SW3d ___, 06-21-22)
2 petitions
- 22-0698 WYLESHA FIELDS v. ANTOINETTE FIELDS; from Fort Bend County; 1st Court of Appeals District (01-21-00138-CV, ___ SW3d ___, 07-21-22)
- 22-0930 SIGNAD LTD. F/K/A SIGNAD, INC. v. THE STATE OF TEXAS; from Austin County; 1st Court of Appeals District (01-20-00715-CV, ___ SW3d ___, 07-28-22)
- 22-0937 JANE DOE v. ALLISON PUBLICATIONS, LLC; from Denton County; 2nd Court of Appeals District (02-21-00330-CV, 654 SW3d 210, 08-18-22)
- 22-0949 RICHARD LEE WILLIAMS, P.A. v. DONNA ROLAND AND DARLENE PENINGER, BOTH INDIVIDUALLY AND AS REPRESENTATIVES ON BEHALF OF THE ESTATE OF MARIE BOLINGER, DECEASE; 5th Court of Appeals District (05-21-00073-CV, ___ SW3d ___, 06-21-22)
- 22-0968 M.P. A/K/A M.D., J.J.L.-B., AND C.J.L. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-22-00163-CV, ___ SW3d ___, 09-16-22)
- 22-0983 PASCUAL Q. OLIBAS v. MATTHEW FLOREZ AND LEXUS BROWN; from Reeves County; 8th Court of Appeals District (08-19-00302-CV, 657 SW3d 31, 07-26-22)
- 22-1036 STAND FOR SOMETHING GROUP LIVE, LLC D/B/A THE RAIL CLUB LIVE, ET AL. v. GREG ABBOTT, AS GOVERNOR OF TEXAS; TEXAS ALCOHOLIC BEVERAGE COMMISSION; AND BENTLEY NETTLES; from Travis County; 13th Court of Appeals District (13-21-00017-CV, ___ SW3d ___, 10-20-22)

- 22-1055 IN THE INTEREST OF C.J.P., O.R.P., B.H.P., CHILDREN; from Dallas County; 5th Court of Appeals District (05-22-00233-CV, ___ SW3d ___, 10-14-22)
- 22-1060 SHERI ALLEN DORGAN A/K/A SHERI DORGAN ALLEN v. CHARLES F. HERD, JR.; HERD LAW FIRM, PLLC; W. MARK LANIER; AND THE LANIER LAW FIRM, P.C.; from Harris County; 14th Court of Appeals District (14-19-00926-CV, ___ SW3d ___, 07-07-22)
- 22-1079 IN THE INTEREST OF F.S., M.S., AND A.S.; from Montgomery County; 9th Court of Appeals District (09-22-00114-CV, 667 SW3d 411, 09-22-22)
- 22-1092 CHRISTOPHER DE LEON, D/B/A DE LEON AIRCRAFT MAINTENANCE PROFESSIONAL v. CITY OF WESLACO, TEXAS; from Hidalgo County; 13th Court of Appeals District (13-20-00561-CV, ___ SW3d ___, 08-25-22)
- 22-1101 THE HANOVER CASUALTY COMPANY v. SEVEN ACRES JEWISH CARE SERVICES, INC.; from Harris County; 14th Court of Appeals District (14-20-00736-CV, 654 SW3d 495, 08-25-22)
- 22-1117 WILSON COUNTY v. SILVIA MORALES; from Wilson County; 4th Court of Appeals District (04-21-00338-CV, ___ SW3d ___, 10-26-22)
- 22-1122 INMOBILIARIA AXIAL, S.A. DE C.V. v. EMO TRANS, INC.; from El Paso County; 8th Court of Appeals District (08-20-00200-CV, 657 SW3d 772, 10-12-22)
- 22-1183 CITY OF HOUSTON v. CHRISTYN BRECKENRIDGE; from Harris County; 14th Court of Appeals District (14-21-00086-CV, ___ SW3d ___, 09-08-22)

23-0014 KINDER MORGAN PRODUCTION CO., LLC, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO KINDER MORGAN PRODUCTION CO., LP. v. IRAAN-SHEFFIELD INDEPENDENT SCHOOL DISTRICT; from Pecos County; 8th Court of Appeals District (08-19-00090-CV, 657 SW3d 525, 08-30-22)

(Justice Bland not participating)

23-0030 H&H LAND, L.P. v. WESTERN INTERNATIONAL GAS & CYLINDERS, INC.; from Harris County; 1st Court of Appeals District (01-21-00514-CV, ___ SW3d ___, 07-19-22)

(Justice Lehrmann not participating)

23-0031 NEXION HEALTH AT GARLAND, INC. D/B/A PLEASANT VALLEY HEALTHCARE AND REHABILITATION CENTER AND NEXION HEALTH OF TEXAS, INC. v. SHEILA MICHAL, INDIVIDUALLY AND AS A REPRESENTATIVE OF THE ESTATE OF ROBERT MICHAL; from Dallas County; 5th Court of Appeals District (05-21-00693-CV, ___ SW3d ___, 11-04-22)

23-0043 CITY OF HUNTSVILLE, TEXAS v. WALKER COUNTY ESD NO. 3; THE BOARD OF ESD NO. 3; AND THE OFFICERS & COMMISSIONERS OF ESD NO. 3, IN THEIR OFFICIAL CAPACITIES; from Walker County; 10th Court of Appeals District (10-22-00009-CV, 658 SW3d 807, 12-07-22)

23-0049 MQ PROSPER NORTH, LLC AND DONALD SILVERMAN v. LISA COULTER AND SUMMIT PAVING, LLC; from Collin County; 5th Court of Appeals District (05-20-00800-CV, ___ SW3d ___, 12-12-22)

23-0062 IN RE ESTATE OF OLIVER LEE RENZ, DECEASED; from Reeves County; 8th Court of Appeals District (08-21-00042-CV, 662 SW3d 531, 12-15-22)

23-0063 NIMITZ PROPERTIES, LLC v. SHIRLEY DUPRIEST AND FRED DUPRIEST; from Brazos County; 10th Court of Appeals District (10-18-00327-CV, ___ SW3d ___, 10-26-22)

- 23-0090 ESTATE OF RONALD WESLEY SHORTES v. CLAUDIA RACHEL SHORTES JONES ALSO KNOWN AS CLAUDIA RACHEL MANN; from Travis County; 3rd Court of Appeals District (03-21-00124-CV, ___ SW3d ___, 12-21-22)
- 23-0106 JERRY GRISAFFI v. ROCKY MOUNTAIN HIGH BRANDS, INC. F/K/A REPUBLIC OF TEXAS BRANDS, INC.; from Dallas County; 5th Court of Appeals District (05-20-00538-CV, ___ SW3d ___, 10-18-22)
- 23-0114 CITY OF BEDFORD, SELF-INSURED v. KEITH LONG, DECEASED; PAULA R. LONG, BENEFICIARY; AND CHASE LONG, BENEFICIARY; from Wise County; 2nd Court of Appeals District (02-22-00465-CV, ___ SW3d ___, 12-28-22)
- 23-0159 JAMES R. SNELL v. BEHAVIORAL HEALTH CONNECTIONS, INC. UHS OF TIMBERLAWN, INC., UNIVERSAL HEALTH SERVICES, INC., AND HEATHER CAWTHON; 5th Court of Appeals District (05-20-00915-CV, ___ SW3d ___, 12-05-22)
- 23-0208 IN THE INTEREST OF M.S.; from Montgomery County; 9th Court of Appeals District (09-22-00313-CV, 662 SW3d 620, 02-02-23)
- 23-0277 BRUCE WEBB v. HORST GROSSPETER; from Dimmit County; 4th Court of Appeals District (04-22-00332-CV, ___ SW3d ___, 02-22-23)
- 23-0334 IN THE INTEREST OF R.W.S., J.R.S., AND M.S., CHILDREN; from Navarro County; 10th Court of Appeals District (10-22-00353-CV, ___ SW3d ___, 04-19-23)
- 23-0362 J.B.M.H. AND Y.C.B. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Hays County; 3rd Court of Appeals District (03-22-00661-CV, ___ SW3d ___, 04-13-23)
2 petitions

23-0440 D.R. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-22-00777-CV, ___ SW3d ___, 04-27-23)

ORDERS ON MOTIONS FOR REHEARING

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

21-1000 IN RE BRAD LARSEN, RENT WERX LLC D/B/A LARSEN PROPERTIES AND LEAH LARSEN; from Bexar County; 4th Court of Appeals District (04-21-00046-CV, 635 SW3d 386, 05-05-21)

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)

abatement order issued February 7, 2023, lifted
motion for stay denied
as amended

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0156 IN RE KINDER MORGAN SACROC, LP; KINDER MORGAN CO2 CO., LP; KINDER MORGAN PRODUCTION CO., L.P.; AND KINDER MORGAN PRODUCTION CO., LLC; from Scurry County; 11th Court of Appeals District (11-21-00234-CV, ___ SW3d ___, 12-17-21)

Per Curiam Opinion
(Justice Bland not participating)

22-0280 IN RE FRANCISCO GONZALEZ; from Tarrant County; 2nd Court of Appeals District (02-22-00051-CV, ___ SW3d ___, 02-25-22)

22-1144 IN RE WILLOW CREEK GOLF CLUB, INC.; from Harris County; 1st Court of Appeals District (01-22-00553-CV, ___ SW3d ___, 08-23-22)
(Justice Lehrmann not participating)

- 23-0057 IN RE CHRISTUS SANTA ROSA HEALTH CARE CORPORATION
D/B/A CHRISTUS SANTA ROSA HOSPITAL - WESTOVER HILLS; from
Bexar County; 4th Court of Appeals District (04-22-00745-CV, ___ SW3d
___, 01-11-23)
stay order issued February 3, 2023, lifted
- 23-0118 IN RE DEREK CURTISS; from Harris County; 14th Court of Appeals
District (14-22-00673-CV, ___ SW3d ___, 01-10-23)
(Justice Lehrmann not participating)
- 23-0127 IN RE MOCO PRECINCT CHAIR GROUP, AN UNINCORPORATED
ASSOCIATION, ET AL.
as redrafted
- 23-0139 IN RE PHILIP M. ROSS; from Bexar County; 4th Court of Appeals District
(04-23-00125-CV, ___ SW3d ___, 02-17-23)
- 23-0160 IN RE MICHAEL BANIGAN; from Collin County; 5th Court of Appeals
District (05-22-01084-CV, 660 SW3d 307, 01-12-23)
- 23-0177 IN RE PHILIP W. STEWART; from Bexar County; 4th Court of Appeals
District (04-23-00083-CV, ___ SW3d ___, 02-22-23)
- 23-0259 IN RE STEPHEN PATRICK BLACK; from Guadalupe County; 4th Court of
Appeals District (04-22-00834-CV, ___ SW3d ___, 01-04-23)