



THE SUPREME COURT OF TEXAS

Orders Pronounced December 22, 2023

ORDERS ON CAUSES

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)

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

Justice Boyd delivered the opinion of the Court.

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

22-0649 SAN JACINTO RIVER AUTHORITY v. CITY OF CONROE, TEXAS AND CITY OF MAGNOLIA, TEXAS; from Montgomery County; 9th Court of Appeals District (09-20-00180-CV, ___ SW3d ___, 04-21-22)
motion of amici curiae to participate in oral argument granted

Time allotted to argue: 17/20/3 minutes

THE FOLLOWING CAUSE IS RESET FOR ORAL ARGUMENT:

22-1149 ROGER BORGELT, MARK PULLIAM, JAY WILEY, AND THE STATE OF TEXAS v. AUSTIN FIREFIGHTERS ASSOCIATION, IAFF LOCAL 975; CITY OF AUSTIN; AND MARC A. OTT, IN HIS OFFICIAL CAPACITY AS THE CITY MANAGER OF THE CITY OF AUSTIN; from Travis County; 3rd Court of Appeals District (03-21-00227-CV, ___ SW3d ___, 11-22-22)

2 petitions

respondent's unopposed motion to continue oral argument granted

[**Note:** This cause has been reset for oral argument at 9:00 a.m., February 21, 2024.]

Time allotted to argue: 20/20 minutes

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

22-0785 RAHUL K. NATH, M.D. AND USHA NATH v. BAYLOR COLLEGE OF MEDICINE AND TEXAS CHILDREN'S HOSPITAL; from Harris County; 1st Court of Appeals District (01-20-00401-CV, ___ SW3d ___, 04-07-22)

joint motion to dismiss pursuant to settlement granted in part

motion for rehearing dismissed

denial of petition for review on September 1, 2023, withdrawn

petition reinstated

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, vacates the judgments of the court of appeals and trial court, and renders judgment dismissing the case with prejudice. The parties' request that the court of appeals' opinion be vacated is denied.

(Justice Bland not participating)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-1008 GABRIEL RODRIGUEZ AND IRENE RODRIGUEZ v. CITY OF ROBINSON, TEXAS; from McLennan County; 10th Court of Appeals District (10-21-00075-CV, 634 SW3d 773, 10-06-21)

Justice Busby filed an opinion concurring in the denial of the petition for review, in which Justice Lehrmann joined.

23-0628 JOHN MICHAEL FITZPATRICK v. DEBORAH LYNN FITZPATRICK; from Collin County; 5th Court of Appeals District (05-22-00001-CV, ___ SW3d ___, 05-08-23)

23-0774 BROCK AGENCY, INC. AND MARK TAYLOR v. JAY ROGER OWENS; from Montgomery County; 9th Court of Appeals District (09-22-00336-CV, ___ SW3d ___, 06-01-23)
motion to dismiss appeal for lack of jurisdiction, dismissed as moot

23-0863 GLEN D. AARON, II v. CADDO MINERALS, INC., ET AL.; from Glasscock County; 11th Court of Appeals District (11-22-00020-CV, ___ SW3d ___, 08-31-23)

23-0867 JEAN KAYIHURA v. HOMEOWNERS OF AMERICA MGA, INC. AND HOMEOWNERS OF AMERICA INSURANCE COMPANY, INC.; from Harris County; 14th Court of Appeals District (14-22-00680-CV, ___ SW3d ___, 08-17-23)

23-0878 DARREN SCHUHMACHER, M.D. v. GLENN BROYLES; from Dallas County; 5th Court of Appeals District (05-23-00209-CV, ___ SW3d ___, 09-06-23)

23-0917 ANGELIA SMITH, KELVIN SMITH AND ALL OCCUPANTS v. SNUG OWNER, LLC D/B/A THE BROOKLYN@9590; from Dallas County; 5th Court of Appeals District (05-22-00171-CV, ___ SW3d ___, 10-03-23)

ORDERS ON MOTIONS FOR REHEARING

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

- 22-1024 TAYLOR MORRISON OF TEXAS, INC. AND TAYLOR WOODROW COMMUNITIES-LEAGUE CITY, LTD. v. MICHAEL FULCHER AND LISA FULCHER; from Galveston County; 13th Court of Appeals District (13-20-00332-CV, ___ SW3d ___, 08-04-22)
- 23-0435 SIXTO P. MEJIA v. DIGNA BERNAL; from Harris County; 1st Court of Appeals District (01-22-00147-CV, ___ SW3d ___, 02-23-23)

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

- 23-0504 IN RE BARBARA J. STANFIELD, INDIVIDUALLY, AS A DIRECT-ACTION PLAINTIFF, AND DERIVATIVELY ON BEHALF OF INTERVENOR TIG TRANSPORTATION, LLC; from Harris County; 1st Court of Appeals District (01-21-00674-CV, ___ SW3d ___, 05-16-23)

MISCELLANEOUS

STAY ORDERS ARE ISSUED IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS:

- 23-0511 IN RE BRADLEY HUBBARD, M.D. AND DALLAS PLASTIC SURGERY INSTITUTE; from Dallas County; 5th Court of Appeals District (05-23-00385-CV, ___ SW3d ___, 05-19-23)
agreed motion for emergency stay granted
stay order issued
[Note: The petition for writ of mandamus remains pending before this Court.]
- 23-1013 IN RE TERRY LYNN JONES; from Titus County; 6th Court of Appeals District (06-23-00094-CV, ___ SW3d ___, 12-12-23)
relator's emergency motion for temporary relief granted in part
stay order issued
response requested due by January 22, 2024
[Note: The petition for writ of mandamus remains pending before this Court.]