



THE SUPREME COURT OF TEXAS

Orders Pronounced May 10, 2024

ORDERS ON CAUSES

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

The Court reverses the court of appeals' judgment in part and reinstates the trial court's judgment.

Justice Huddle delivered the opinion of the Court.

22-0521 ROBERTO ALONZO AND NEW PRIME, INC. v. CHRISTINE JOHN AND CHRISTOPHER LEWIS; from Harris County; 14th Court of Appeals District (14-20-00148-CV, ___ SW3d ___, 03-29-22)

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
(Justice Lehrmann not participating)

22-0674 IN THE MATTER OF TRUST A AND TRUST C. ESTABLISHED UNDER THE BERNARD L. AND JEANNETTE FENENBOCK LIVING TRUST AGREEMENT, DATED MARCH 12, 2008; from El Paso County; 8th Court of Appeals District (08-19-00071-CV, 651 SW3d 588, 06-29-22)

2 petitions

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

Justice Boyd delivered the opinion of the Court.

22-1074 CITY OF HOUSTON v. CATRENNIA FOREMAN SAULS, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF DWAYNE FOREMAN, DECEASED; AND TRISTENA CHRISTIAN, AS NEXT FRIEND OF D.F., A MINOR; from Harris County; 14th Court of Appeals District (14-20-00485-CV, 654 SW3d 772, 07-29-22)

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

Justice Devine delivered the opinion of the Court.

22-1100 IN RE LAKESIDE RESORT JV, LLC D/B/A MARGARITAVILLE RESORT LAKE CONROE; from Montgomery County; 9th Court of Appeals District (09-22-00345-CV, ___ SW3d ___, 12-01-22)

stay order issued December 16, 2022, lifted

Pursuant to Texas Rule of Appellate Procedure 52.8(c), without hearing oral argument, the Court conditionally grants the writ of mandamus.

Per Curiam Opinion

22-1167 IN RE RICHARDSON MOTORSPORTS, LTD.; from Dallas County; 5th Court of Appeals District (05-22-00938-CV, 655 SW3d 658, 11-23-22)

The Court conditionally grants the writ of mandamus.

Justice Busby delivered the opinion of the Court.

23-0078 HARLEY CHANNELVIEW PROPERTIES, LLC v. HARLEY MARINE GULF, LLC; from Harris County; 1st Court of Appeals District (01-21-00547-CV, 683 SW3d 429, 12-20-22)

stay order issued February 17, 2023, lifted

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

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

Justice Boyd concurred in the judgment.

23-0447 TEXAS WINDSTORM INSURANCE ASSOCIATION v. STEPHEN PRUSKI; from Nueces County; 13th Court of Appeals District (13-21-00167-CV, 667 SW3d 460, 02-23-23)

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

Justice Lehrmann delivered the opinion of the Court.

ORDERS ON CASES GRANTED

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

24-0368 JANE ROE v. LEIGHTON PAIGE PATTERSON; SOUTHWESTERN BAPTIST THEOLOGICAL SEMINARY (U.S. Fifth Circuit 22-40281)

[**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:

23-0964 ELTON JAMES SENEGAL v. MR. TRANSMISSION AND LELAND RICHARDS; from Jefferson County; 9th Court of Appeals District (09-22-00377-CV, ___ SW3d ___, 10-12-23)

23-1001 RICHARD ALAN HAASE v. DEUTSCHE BANK NATIONAL TRUST COMPANY; from Fort Bend County; 1st Court of Appeals District (01-20-00854-CV, ___ SW3d ___, 08-29-23)

- 23-1020 ANDREW GAUTREAUX AND PHILLIP D. PETERSON v. DERRICK MAY, JOSEPH SHELTON, JOHN GRIFFIN, DANIEL HIBBS, CHANCE SMITH, JON PEARSON AND OPTIMUM ENERGY PARTNERS, LLC; from Dallas County; 5th Court of Appeals District (05-22-00616-CV, ___ SW3d ___, 09-06-23)
- 24-0009 KATE KINGSBURY v. THE UNIVERSITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-22-00861-CV, ___ SW3d ___, 11-30-23)
- 24-0020 SPOON RANCH FAMILY LIMITED PARTNERSHIP AND DDMP, LLC v. ATMOS ENERGY CORPORATION; from Mitchell County; 11th Court of Appeals District (11-22-00210-CV, 680 SW3d 694, 11-30-23)
(Justice Devine not participating)
- 24-0080 EVA HOWARD PROVOST v. BRYAN WILLIAMS; from Harris County; 14th Court of Appeals District (14-22-00080-CV, ___ SW3d ___, 08-17-23)
- 24-0097 TIFFANY CANNON v. HARRISON J. FENTON; from Harris County; 14th Court of Appeals District (14-22-00529-CV, ___ SW3d ___, 12-21-23)
- 24-0105 WATERSTONE ON LAKE CONROE, INC. AND STEVE BOWEN v. KEITH DEWBERRY AND JOHN T. FONT; from Montgomery County; 9th Court of Appeals District (09-22-00020-CV, ___ SW3d ___, 12-14-23)
- 24-0106 IN THE INTEREST OF J.R., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-23-00071-CV, ___ SW3d ___, 01-18-24)
- 24-0107 EVA A. NIECZYPEROWICZ v. ANDREW NIECZYPEROWICZ; from Harris County; 14th Court of Appeals District (14-23-00695-CV)

- 24-0118 ELISHA HOLLOWAY v. REVELSTOKE VENTURE, LLC; from Tarrant County; 2nd Court of Appeals District (02-23-00375-CV, ___ SW3d ___, 01-18-24)
- 24-0157 IN THE MATTER OF M.F.M.; from Cameron County; 13th Court of Appeals District (13-23-00456-CV, ___ SW3d ___, 02-08-24)
- 24-0197 NATHANAEL BROWN v. JESSICA FREED AND SAMUEL FREED; from Travis County; 3rd Court of Appeals District (03-21-00556-CV, ___ SW3d ___, 12-29-23)
- 24-0244 IN RE THE COMMITMENT OF DERIN KEITH MUELLER; from Brazoria County; 14th Court of Appeals District (14-23-00044-CV, ___ SW3d ___, 12-28-23)
- 24-0249 IN THE INTEREST OF J.W.W.; from San Jacinto County; 9th Court of Appeals District (09-23-00292-CV, ___ SW3d ___, 02-15-24)
- 24-0342 IN THE INTEREST OF B.W.R., A/K/A B.R., B.W.H., A/K/A B.H., B.R.H. A/K/A B.H., CHILDREN; from Harris County; 14th Court of Appeals District (14-23-00709-CV, ___ SW3d ___, 03-14-24)
counsel's motion to withdraw granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED FOR WANT OF JURISDICTION:

- 24-0378 ANGELA FAYE SEALS v. VIRGIL LEE SEALS, III; from Travis County; 3rd Court of Appeals District (03-22-00310-CV, ___ SW3d ___, 10-04-23)
See TEX. R. APP. P. 53.7(a)

ORDERS ON MOTIONS FOR REHEARING

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

- 23-0793 DONALD W. TAYLOR v. CLARK ASPY, MADISON PRESTON AND NAMAN HOWELL SMITH & LEE, PLLC; from Gillespie County; 4th Court of Appeals District (04-21-00387-CV, ___ SW3d ___, 08-16-23)
- 24-0082 GABRIEL RODRIGUEZ, SR., GABRIEL RODRIGUEZ, JR., AND PAUL CELESTINE v. HILLCORP ENERGY COMPANY, VIRGINIA RODRIGUEZ, IMELDA GARZA SAENZ, MARIA LILIA HENKEL, ISRAEL GUERRA, MARIO CORONA, BLANCA CORONA GARZA, HOMERO CORONA, ROSIE OWNSBY, DELIA RODRIGUEZ, ESTATE OF FILIBERTO GARZA AND JOSIE (FIELDS) RODRIGUEZ; from Starr County; 4th Court of Appeals District (04-23-00092-CV, ___ SW3d ___, 11-29-23)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 22-1175 IN RE URBAN 8 LLC AND URBAN 8 MANAGEMENT LLC; from Dallas County; 5th Court of Appeals District (05-22-01022-CV, ___ SW3d ___, 10-06-22)
stay order issued January 6, 2023, lifted
Per Curiam Opinion
- 24-0175 IN RE JAMES RICHARDS; from Montgomery County; 9th Court of Appeals District (09-23-00408-CV, ___ SW3d ___, 02-01-24)
- 24-0191 IN RE ROBERT ROBINSON; from Smith County; 12th Court of Appeals District
as amended
relator's motion for temporary stay dismissed as moot

24-0210 IN RE NATHANAEL BROWN; from Travis County; 3rd Court of Appeals District (03-21-00556-CV, ___ SW3d ___, 12-29-23)
motion for temporary relief dismissed as moot

24-0270 IN RE VERNON LEE ASBELL; from Montgomery County; 9th Court of Appeals District (09-22-00132-CV, ___ SW3d ___, 02-22-24)

24-0277 IN RE NAIMA HAM; from Bell County; 3rd Court of Appeals District (03-23-00586-CV, ___ SW3d ___, 10-20-23)
relator's motion to supplement appendix granted