



THE SUPREME COURT OF TEXAS

Orders Pronounced June 14, 2024

ORDERS ON CAUSES

22-0733 RIVER PLANTATION COMMUNITY IMPROVEMENT ASSOCIATION v. RIVER PLANTATION PROPERTIES, LLC AND PREISLER GOLF PROPERTIES, LLC; from Montgomery County; 9th Court of Appeals District (09-20-00036-CV, 661 SW3d 812, 04-28-22)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court.

22-0843 TEXAS TECH UNIVERSITY SYSTEM AND TEXAS TECH UNIVERSITY SYSTEM BOARD OF REGENTS v. PUREZA "DIDIT" MARTINEZ; from Lubbock County; 7th Court of Appeals District (07-22-00055-CV, 683 SW3d 111, 08-17-22)

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

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

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

22-0844 THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
v. IDEXX LABORATORIES, INC.; from Harris County; 14th Court of
Appeals District (14-20-00699-CV, 683 SW3d 108, 08-11-22)

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

Chief Justice Hecht delivered the opinion of the Court.

22-0953 PAY AND SAVE, INC. v. ROEL CANALES; from Duval County; 4th Court
of Appeals District (04-20-00125-CV, ___ SW3d ___, 07-27-22)
2 petitions

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the
petitions for review and without hearing oral argument, the Court affirms in
part and reverses in part the court of appeals' judgment and renders judgment
in part.

Per Curiam Opinion

(Justice Boyd not participating)

23-0231 PUBLIC UTILITY COMMISSION OF TEXAS v. LUMINANT ENERGY
COMPANY LLC; 3rd Court of Appeals District (03-21-00098-CV, 665
SW3d 166, 03-17-23)

2 petitions

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

Chief Justice Hecht delivered the opinion of the Court.

(Justice Huddle and Justice Young not participating)

23-0376 FOSSIL GROUP, INC. v. NICOLE HARRIS; from Collin County; 5th Court
of Appeals District (05-21-01018-CV, 682 SW3d 896, 02-06-23)

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

Justice Devine delivered the opinion of the Court.

Justice Blacklock filed a concurring opinion.

Justice Young filed a concurring opinion, in which Chief Justice Hecht
joined.

23-0555 PUBLIC UTILITY COMMISSION OF TEXAS v. RWE RENEWABLES AMERICAS, LLC AND TX HEREFORD WIND, LLC; 3rd Court of Appeals District (03-21-00356-CV, 669 SW3d 566, 06-01-23)

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

Justice Lehrmann delivered the opinion of the Court.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

23-0041 ALBERTSONS, LLC D/B/A RANDALL'S; ALBERTSONS COMPANIES, LLC D/B/A RANDALL'S; RANDALL'S FOOD MARKETS, INC. D/B/A RANDALL'S; AND RANDALL'S FOOD & DRUGS LP D/B/A RANDALL'S v. MARYAM MOHAMMADI; from Harris County; 14th Court of Appeals District (14-21-00045-CV, 656 SW3d 851, 12-06-22)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

23-0282 SAVE OUR SPRINGS ALLIANCE, INC. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE CITY OF DRIPPING SPRINGS; from Travis County; 8th Court of Appeals District (08-20-00239-CV, 668 SW3d 710, 12-13-22)

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

23-0463 IN THE MATTER OF THE MARRIAGE OF CARLOS Y. BENAVIDES, JR. AND LETICIA R. BENAVIDES; from Webb County; 4th Court of Appeals District (04-20-00599-CV, ___ SW3d ___, 02-08-23)

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

23-0694 BRENT EDWARD WEBSTER v. COMMISSION FOR LAWYER DISCIPLINE; from Williamson County; 8th Court of Appeals District (08-22-00217-CV, 676 SW3d 687, 07-13-23)

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

23-0756 BRP-ROTAX GMBH & CO. KG v. SHEEMA SHAIK AND TOUSEEF SIDDIQUI; from Dallas County; 5th Court of Appeals District (05-22-00943-CV, ___ SW3d ___, 08-04-23)

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

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

23-0755 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND LINDSEY NICOLE DESSART; from Collin County; 5th Court of Appeals District (05-23-00763-CV, ___ SW3d ___, 08-30-23)

[**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:

22-0293 MANUEL J. MONTEMAYOR v. TEXAS DEPARTMENT OF INSURANCE; from Cameron County; 13th Court of Appeals District (13-19-00249-CV, ___ SW3d ___, 05-13-21)

as reinstated

petitioner's motion for leave to supplement record granted

petitioner's motion to compel mediation and for sanctions denied

petitioner's request to take deposition and motion for leave to supplement record denied

23-0278 NATIONSTAR MORTGAGE LLC v. YA QIN TONG AND STEPHEN CHU; from Collin County; 5th Court of Appeals District (05-19-01558-CV, ___ SW3d ___, 03-09-23)

23-0478 MCDOWELL OWENS ENGINEERING, INC. v. THE TIMAEUS LAW FIRM, PLLC; from Harris County; 1st Court of Appeals District (01-22-00483-CV, 679 SW3d 754, 05-09-23)

23-0530 HIBERNIA ENERGY, LLC AND RYAN LLC, AS ASSIGNEE v. GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS; AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-21-00527-CV, ___ SW3d ___, 04-21-23)

- 23-0554 JACK STADTMAN AND SARAH STADTMAN v. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2005-WL3, ASSET-BACKED CERTIFICATES, SERIES 2005-WL3; from Collin County; 5th Court of Appeals District (05-21-00824-CV, ___ SW3d ___, 04-13-23)
- 23-0727 CAROLINE MICHELLE ANTOUN v. GABY ELIAS ANTOUN; from Denton County; 2nd Court of Appeals District (02-22-00343-CV, ___ SW3d ___, 07-13-23)
- 23-0733 DAVID BAGWELL AND SUSAN BAGWELL v. BROUGHTON MAINTENANCE ASSOCIATION, INC.; OLD GROVE MAINTENANCE ASSOCIATION, INC.; AND WHITTIER HEIGHTS HOME OWNERS ASSOCIATION, INC.; from Tarrant County; 2nd Court of Appeals District (02-23-00001-CV, ___ SW3d ___, 08-10-23)
- 23-0796 WOOD GROUP USA, INC. v. TARGA NGL PIPELINE COMPANY LLC; from Harris County; 1st Court of Appeals District (01-21-00542-CV, ___ SW3d ___, 08-17-23)
- 23-0825 M. MATTHEW WILLIAMS; DAVID HOWELL; LAW FIRM OF M. MATTHEW WILLIAMS; LEIGHTON, WILLIAMS, ADKINSON, & BROWN, PLLC; AND LEIGHTON, MICHAUX, ADKINSON, & BROWN, PLLC v. KIRSTEN HANNA, UPSIDE UP PROPERTIES, LLC, AND UPSIDE UP VENTURES, INC; from Travis County; 3rd Court of Appeals District (03-22-00254-CV, 681 SW3d 416, 08-24-23)
2 petitions

(Justice Lehrmann not participating)
- 23-0834 ZHEN QIN, A/K/A NICK ZHEN QIN OR NICK QIN v. YUANYUAN YANG; from Fort Bend County; 14th Court of Appeals District (14-22-00197-CV, ___ SW3d ___, 08-24-23)

- 23-0854 CITY OF HOUSTON v. NIKOLETTE LEDESMA AND ELSA ESTRADA; from Harris County; 1st Court of Appeals District (01-22-00377-CV, ___ SW3d ___, 08-29-23)
- 23-0859 FLOYD KENNETH BAILEY, JR. AND KENNETH CAMP BAILEY v. ADAM PEAVY AND ADAM PEAVY PC; from Harris County; 14th Court of Appeals District (14-20-00777-CV, ___ SW3d ___, 06-27-23)
- 23-0912 VIVIAN CASPER v. TEXAS WOMAN’S UNIVERSITY, ABIGAIL TILTON, SHANNON SCOTT, GENEVIEVE WEST, SYMONE OSIEKO, CARINE FEYTEN, CAROLYN KAPINUS, AND KATHERINE ANTWI GREEN; from Denton County; 2nd Court of Appeals District (02-22-00345-CV, ___ SW3d ___, 08-31-23)
- 23-0930 DENNIS TOPLETZ, INDIVIDUALLY, AS HEIR OF HAROLD TOPLETZ, AND D/B/A TOPLETZ INVESTMENTS; CASEY TOPLETZ; VICKIE TOPLETZ; STEVEN TOPLETZ; MONARCH DEVELOPMENT CORPORATION; MARVIN LEVIN, INDIVIDUALLY, AND AS EXECUTOR OF THE ESTATES OF HAROLD AND JACK TOPLETZ; AND TOPLETZ, LP v. JAMES CHOICE, RENEKA TOWERS, ALYSIA CROW, NENA ELDRIDGE, CAROL OSTEN, AND RODERICK NICHOLS, INDIVIDUALLY AND AS REPRESENTATIVES OF THOSE SIMILARLY SITUATED; from Dallas County; 5th Court of Appeals District (05-22-00781-CV, ___ SW3d ___, 08-22-23)
- 23-0962 JOSE ISMAEL RAMIREZ D/B/A FORTHRIGHT CONSTRUCTION AND FORTHRIGHT-RAMIREZ, INC. v. JJ & EG, LLC; from Harris County; 14th Court of Appeals District (14-22-00715-CV, ___ SW3d ___, 10-10-23)
- 23-0963 KEVIN KELLY AND TIFFANY KELLY v. TEXAS WINDSTORM INSURANCE ASSOCIATION; from Jefferson County; 9th Court of Appeals District (09-22-00173-CV, ___ SW3d ___, 10-19-23)

24-0061 BLF LLC, BRADFORD W. BAYLIFF, AND LISA E. W. BAYLIFF v. THE LANDING AT BLANCO PROPERTY OWNERS ASSOCIATION; from Blanco County; 3rd Court of Appeals District (03-22-00423-CV, ___ SW3d ___, 12-13-23)
motion for leave to file second supplement to petition for review granted

24-0435 IN THE INTEREST OF J.W., JR., A CHILD; from Harris County; 14th Court of Appeals District (14-23-00848-CV, ___ SW3d ___, 04-11-24)

THE FOLLOWING PETITIONS FOR REVIEW ARE ABATED:

23-0792 USA MILLENNIUM, LP v. ANSON DISTRIBUTING, LLC; from Harris County; 14th Court of Appeals District (14-20-00622-CV, ___ SW3d ___, 08-24-23)
abatement order issued

[**Note:** Effective June 11, 2024, the case is abated pursuant to TEX. R. APP. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. TEX. R. APP. P. 8.3. All motions and other documents pending or filed are abated subject to being reurged in the event the case is reinstated. TEX. R. APP. P. 8.2, 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]

23-0965 DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES v. IN THE INTEREST OF N.L.S., E.J.C., AKA E.J.C., CHILDREN; from Brazoria County; 1st Court of Appeals District (01-23-00297-CV, ___ SW3d ___, 10-12-23)
abatement order issued

[**Note:** The case is abated pursuant to case no. 15-0171, *In re P.M.* until further order of this Court. The case is remanded to the trial court to determine if the respondent is entitled to new counsel to aid in filing a response to the petition for review. The trial court should hold any hearings necessary and make and issue findings of fact and conclusions of law as necessary. This case is removed from the Court's active docket until July 12, 2024, by which time the parties must file either a status report or a motion to lift the order of abatement.]

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS DENIED:

22-0694 STEPHANNIE LYNN RYLIE, TEXAS C&D AMUSEMENTS, INC., AND BRIAN AND LISA SCOTT D/B/A TSCA AND D/B/A RIVER BOTTOM PUB v. THE CITY OF FORT WORTH AND DAVID COOKE, IN HIS OFFICIAL CAPACITY AS FORT WORTH CITY MANAGER; from Tarrant County; 2nd Court of Appeals District (02-17-00185-CV, 649 SW3d 246, 03-17-22)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

23-0633 IN RE SUNOCO RETAIL LLC, SUNOCO, LLC, SUNOCO ENERGY SERVICES LLC, GOPETRO TRANSPORT LLC, AND DERRICK RAY LEWIS; from Dallas County; 5th Court of Appeals District (05-23-00554-CV, ___ SW3d ___, 07-14-23)
stay order issued October 3, 2023, lifted

(Justice Lehrmann not participating)

23-0940 IN RE SABIAN A. ALEXANDER; from Travis County; 3rd Court of Appeals District (03-23-00616-CV, ___ SW3d ___, 10-20-23)

24-0470 IN RE VAN SHAW; from Tarrant County; 2nd Court of Appeals District (02-24-00259-CV, ___ SW3d ___, 06-10-24)
relator's motion to stay denied

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

24-0325 IN RE THE STATE OF TEXAS; from Harris County; 14th Court of Appeals District (14-24-00290-CV)

administrative stay issued April 23, 2024, lifted
real parties in interest's motion to vacate administrative stay dismissed as moot
relator's emergency motion for temporary relief granted
stay order issued

Pursuant to Texas Rule of Appellate Procedure 52.10(b), Real Party in Interest Harris County and its agents are prohibited from making payments under the Uplift Harris program pending further order of this Court.

Justice Blacklock delivered the opinion of the Court.

[**Note:** The petition for writ of mandamus remains pending before this Court.]

THE FOLLOWING PETITION FOR WRIT OF INJUNCTION IS DISMISSED:

24-0065 BLF LLC, BRADFORD W. BAYLIFF, AND LISA E. W. BAYLIFF; from Blanco County; 3rd Court of Appeals District (03-22-00423-CV, ___ SW3d ___, 12-13-23)

motion for temporary relief dismissed as moot