



THE SUPREME COURT OF TEXAS

Orders Pronounced November 15, 2024

ORDERS ON CAUSES

24-0884 IN RE TEXAS HOUSE OF REPRESENTATIVES

stay order issued October 17, 2024, lifted
emergency motion to intervene, being treated as motion for leave to file
amicus brief, granted as supplemented
relator's motion for leave to file emergency petition for writ of injunction
dismissed as moot
respondents' motion for reconsideration and to dismiss for lack of jurisdiction
dismissed as moot

Pursuant to Texas Rule of Appellate Procedure 52.8, without hearing oral
argument, the Court denies the petition for writ of mandamus.

Justice Young delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

23-0927 DAVID W. CROMWELL v. ANADARKO E&P ONSHORE, LLC; from
Loving County; 8th Court of Appeals District (08-22-00129-CV, 676 SW3d
860, 09-27-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 15,
2025.]

Time allotted to argue: 20/20 minutes

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

24-0081 IN RE THOMAS AND BECKY ANN CARLSON

[**Note:** This case has been set for oral argument at 9:00 a.m., January 16, 2025.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

23-0122 NEW WORLD CAR NISSAN, INC., D/B/A WORLD CAR HYUNDAI, AND NEW WORLD CAR IMPORTS, SAN ANTONIO, INC., D/B/A WORLD CAR HYUNDAI v. HYUNDAI MOTOR AMERICA AND TEXAS DEPARTMENT OF MOTOR VEHICLES; from Travis County; 8th Court of Appeals District (08-20-00147-CV, 658 SW3d 754, 11-29-22) as reinstated

(Justice Devine not participating)

23-0408 NAUTILUS INSURANCE COMPANY v. HOF PARTNERS LLC; from Tarrant County; 2nd Court of Appeals District (02-22-00175-CV, ___ SW3d ___, 04-27-23)

(Justice Lehrmann and Justice Devine not participating)

23-0423 PBEX II, LLC; PBEX OPERATIONS, LLC; PBEX OPERATING, LTD.; WORD B. WILSON INVESTMENTS, LP; PRIMERO ENERGY, LLC; CHEL-TRAND HOLDINGS, LLC; WPW PERMIAN LLC; AND CBS PERMIAN, LLC; AND TORCH OIL & GAS COMPANY v. DORCHESTER MINERALS, L.P. AND DORCHESTER MINERALS OPERATING, L.P.; from Midland County; 7th Court of Appeals District (07-21-00212-CV, 670 SW3d 374, 04-28-23)
2 petitions

(Justice Devine not participating)

23-0701 VOLVO CARS OF NORTH AMERICA, LLC N/K/A VOLVO CAR USA, LLC v. STAR HOUSTON, INC. D/B/A STAR MOTOR CARS AND THE BOARD OF THE TEXAS DEPARTMENT OF MOTOR VEHICLES; from Travis County; 3rd Court of Appeals District (03-21-00239-CV, 673 SW3d 644, 05-25-23)

2 petitions

(Justice Devine not participating)

23-0864 ROSARIO Y. MENDOZA, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF MARCO A. HOYOS MARTINEZ v. RUSH TRUCK CENTERS OF TEXAS, L.P. D/B/A RUSH ENTERPRISES INC. A/K/A RUSH TRUCK CENTER- EL PASO; from El Paso County; 8th Court of Appeals District (08-22-00226-CV, 676 SW3d 821, 09-01-23)

24-0098 CITY OF PASADENA, JEFF WAGNER AND ROBIN GREEN v. APTVV, LLC AND APTPCY, LLC; from Harris County; 1st Court of Appeals District (01-20-00287-CV, ___ SW3d ___, 12-21-23)

24-0166 ROEDER HOLDINGS, LLC v. JOY & YOO PROPERTIES, INC.; from Dallas County; 5th Court of Appeals District (05-22-00699-CV, ___ SW3d ___, 11-28-23)

2 petitions

24-0201 HOUSE OF RAEFORD FARMS, INC. v. SOMMA FOOD GROUP, LLC, OZARK MOUNTAIN POULTRY, INC. AND FIELDALE FARMS CORPORATION; from Dallas County; 5th Court of Appeals District (05-22-01231-CV, ___ SW3d ___, 02-02-24)

3 petitions

24-0254 CYNTHIA MYNARD v. CHARLES ASHLEY DEGENHARDT; from Williamson County; 14th Court of Appeals District (14-22-00773-CV, ___ SW3d ___, 12-28-23)

- 24-0282 KATHY BRORMAN, CREEKWOOD REAL ESTATE, LLC, ALYSSA HECK, AND DAVID WIGGAINS v. SUNDAY CANYON PROPERTY OWNERS ASSOCIATION, INC.; from Randall County; 7th Court of Appeals District (07-23-00195-CV, ___ SW3d ___, 02-28-24)
- 24-0291 CONSULTANTS IN PAIN MEDICINE, PLLC AND DAVID BLANTON v. ELLEN BOYLE DUNCAN, PLLC AND ELLEN BOYLE DUNCAN, M.D.; from Bexar County; 4th Court of Appeals District (04-22-00749-CV, 690 SW3d 739, 03-13-24)
- 24-0322 AIG SPECIALTY INSURANCE CO. (F/K/A AMERICAN INTERNATIONAL SPECIALTY LINES INSURANCE CO.) v. EXXONMOBIL OIL CORPORATION; from Dallas County; 5th Court of Appeals District (05-23-00719-CV, ___ SW3d ___, 03-13-24)
- (Justice Lehrmann not participating)
- 24-0352 PEYTON LYNN MABRY v. ROBERT CARROLL BEVERS; from Collin County; 5th Court of Appeals District (05-22-00713-CV, ___ SW3d ___, 02-07-24)
- 24-0362 3HM TRUCKING, LLC, MICHAEL JEROME WRIGHT, PRESTIGE GUNITE, INC., JESUS MARIA ROSALES, III, TRI-NATIONAL, INC., AND RMR DRIVER SERVICES, INC. v. JOANN CARR ELIZONDO, ET AL.; from Hidalgo County; 13th Court of Appeals District (13-23-00135-CV, ___ SW3d ___, 03-21-24)
- 24-0413 DEBORAH MCLEOD v. THE HARRIS CENTER FOR MENTAL HEALTH AND IDD; from Harris County; 1st Court of Appeals District (01-22-00947-CV, ___ SW3d ___, 04-02-24)

24-0479 RIGHT-WAY SAND CO. A/K/A RIGHT WAY SAND, INC., RPRS INVESTMENTS, LTD. AND ADLOY, LLC v. SOUTH TEXAS PIPELINES LLC AND HSC PIPELINE PARTNERSHIP LLC; from Harris County; 1st Court of Appeals District (01-23-00573-CV, ___ SW3d ___, 04-30-24)

24-0490 CARL RALPH DAILY v. PHIL SMITH AND LAW OFFICE OF PHIL SMITH, TEXAS BAR 18664400; from Hopkins County; 6th Court of Appeals District (06-23-00093-CV, ___ SW3d ___, 06-03-24)
as redrafted

24-0539 MICKEY M. HADNOT v. LUFKIN INDEPENDENT SCHOOL DISTRICT; from Angelina County; 12th Court of Appeals District (12-23-00144-CV, 690 SW3d 777, 05-22-24)

24-0571 WILLIAM E. ROBINSON, JR. v. BORAL WINDOWS LLC F/K/A HEADWATERS WINDOWS, LLC., ET AL.; from Dallas County; 5th Court of Appeals District (05-22-01184-CV, ___ SW3d ___, 06-10-24)

(Justice Young not participating)

24-0584 JAMES ANDY FRY, INDIVIDUALLY, AS DIRECTOR OF FRY SONS RANCH, INC. AND AS TRUSTEE OF THE PRESS FRY FAMILY TRUST v. DIANNA LYNN FRY, AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF JOSEPH NATHAN FRY; PRESS ALLEN FRY; AND EDWARD HEATH FRY, INDIVIDUALLY AND IN THEIR DERIVATIVE CAPACITY ON BEHALF OF FRY SONS RANCH INC., AND AS MAJORITY SHAREHOLDERS OF FRY SONS RANCH INC. AND AS BENEFICIARIES OF THE PRESS FRY FAMILY TRUST; from Burnet County; 3rd Court of Appeals District (03-22-00739-CV, ___ SW3d ___, 05-24-24)

- 24-0592 OSCAR REYNA v. LUBBOCK COUNTY; from Lubbock County; 7th Court of Appeals District (07-23-00380-CV, 692 SW3d 853, 06-10-24)
- 24-0604 TOMMY DALE DAY v. MELISSA KAY DAY; from Bexar County; 4th Court of Appeals District (04-23-00476-CV, ___ SW3d ___, 06-20-24)
- 24-0628 OHIO DEVELOPMENT, LLC v. JOHN J. PARKER JR.; from Kendall County; 4th Court of Appeals District (04-23-00069-CV, ___ SW3d ___, 04-30-24)
- 24-0652 IN THE INTEREST OF B.S.C., A CHILD; from Ector County; 11th Court of Appeals District (11-23-00139-CV, ___ SW3d ___, 06-27-24)
- 24-0657 NICKELS AND DIMES INCORPORATED v. FLARB, LLC; from Collin County; 5th Court of Appeals District (05-24-00121-CV, ___ SW3d ___, 07-01-24)
- 24-0688 DANIELLE SPOSITO v. LINDA ROLLINS-THREATS, PH.D.; from Dallas County; 5th Court of Appeals District (05-23-00597-CV, ___ SW3d ___, 07-10-24)
- 24-0703 ANTHONY ROHLF, TDCJ NO. 2089530 v. MARIA E. IBARRA, ET AL.; from Karnes County; 13th Court of Appeals District (13-23-00178-CV, ___ SW3d ___, 06-06-24)
- 24-0724 PATRICIA MARIE CARROLL v. UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON; from Harris County; 1st Court of Appeals District (01-23-00014-CV, ___ SW3d ___, 07-16-24)

- 24-0754 2005 TOWER LLC v. LAUREL SMITH; from Montgomery County; 9th Court of Appeals District (09-22-00350-CV, ___ SW3d ___, 08-01-24)
- 24-0758 MICHAEL LAWRENCE SHALIT v. ROBIN LYNN SHALIT; from Kendall County; 4th Court of Appeals District (04-23-00749-CV, ___ SW3d ___, 06-05-24)
- 24-0779 IN THE INTEREST OF J.P., A CHILD; from Hockley County; 7th Court of Appeals District (07-23-00321-CV, ___ SW3d ___, 07-30-24)
- 24-0784 IN RE COMMITMENT OF MELVIN LEE ALLEN; from Travis County; 3rd Court of Appeals District (03-24-00099-CV, ___ SW3d ___, 08-29-24)
- 24-0819 IN THE INTEREST OF K.D.R., K.D.R., AND K.C.R.; from Polk County; 9th Court of Appeals District (09-24-00089-CV, ___ SW3d ___, 08-15-24)
- 24-0839 K. B. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-24-00158-CV, ___ SW3d ___, 08-22-24)
as amended
- 24-0866 IN THE INTEREST OF A.S., A CHILD; from Montgomery County; 9th Court of Appeals District (09-24-00116-CV, ___ SW3d ___, 09-19-24)
- 24-0927 IN THE INTEREST OF S.M.O., A CHILD; from Bexar County; 4th Court of Appeals District (04-24-00253-CV, ___ SW3d ___, 09-25-24)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 24-0193 JOCELYN COOPER, DVM, AND TIGE WITSBERGER, DVM v. GULF COAST VETERINARY SURGERY - SAN ANTONIO MANAGEMENT LLC AND VETERINARY SPECIALISTS OF NORTH AMERICA LLC; from Bexar County; 6th Court of Appeals District (06-23-00081-CV, ___ SW3d ___, 01-31-24)
abatement order issued October 24, 2024, lifted
petition reinstated
petitioners' motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

- 23-0663 ENPLAT II, LLC, PLATFORM II, LLC AND SIMMONS BANK F/K/A SOUTHWEST BANK, MANAGEMENT v. DEVON ENERGY PRODUCTION COMPANY, LP, EASTLAND OIL CO., SPINNAKER INVESTMENTS, LP, CALLON (PERMIAN) LLC F/K/A CARRIZO (PERMIAN) LLC, TILDEN CAPITAL MINERALS, LLC, PEGASUS RESOURCES, LLC, THE WOODLANDS VENTURE CAPITAL COMPANY, MAP2009-OK, JOURNEY OIL & GAS, INC., EASCO, LLC, TERRY JENNINGS, AS TRUSTEE OF THE TJS TRUST, WALKER ROYALTY, LP, BEVERLY GAY NICHOLS, GREGORY P. MILLER, BOYD D. MCMILLAN AND DELFINA L. MCMILLAN; from Reeves County; 8th Court of Appeals District (08-21-00217-CV, 697 SW3d 181, 07-10-23)

(Justice Devine not participating)

- 23-0789 WESTLAKE CHEMICAL CORPORATION v. BERKLEY REGIONAL INSURANCE COMPANY AND ZURICH AMERICAN INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-21-00225-CV, ___ SW3d ___, 05-25-23)

Justice Boyd filed an opinion concurring in the denial of the rehearing.

- 24-0225 MANSION PARTNERS, LTD. v. HARRIS COUNTY APPRAISAL DISTRICT, APPRAISAL REVIEW BOARD OF HARRIS COUNTY, TEXAS; from Harris County; 1st Court of Appeals District (01-21-00306-CV, ___ SW3d ___, 12-28-23)
- 24-0288 RG ALTS, LP v. BEN MCMILLAN, ANDREW SWAN, DAVID BENJAMIN JACOBSON, IDX GLOBAL, LLC, AND IDX DIGITAL ASSETS, LLC; from Dallas County; 5th Court of Appeals District (05-23-00011-CV, ___ SW3d ___, 01-24-24)
- 24-0416 CYNTHIA S. FORNESA AND RICARDO FORNESA, JR. v. EFG COMPANIES; JOHN PAPPANASTOS; SCOTT KNAPP; from Fort Bend County; 14th Court of Appeals District (14-23-00579-CV, ___ SW3d ___, 02-08-24)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 24-0536 IN RE DYNAMIC SLR INC., MOHAMMAD ELASHI AND SYNAPTIC SOLAR, LLC; from Dallas County; 5th Court of Appeals District (05-23-00908-CV, ___ SW3d ___, 04-17-24)
- 24-0542 IN RE AMERICAN RISK INSURANCE COMPANY, INC.; from Bexar County; 4th Court of Appeals District (04-23-00932-CV, ___ SW3d ___, 05-22-24)
- 24-0643 IN RE COMSTOCK ENERGY, LLC; from Harris County; 14th Court of Appeals District (14-23-00676-CV, ___ SW3d ___, 07-18-24)
motion to modify stay order dismissed as moot
stay order issued August 23, 2024, lifted

- 24-0645 IN RE ENERGY TRANSFER LP, ENERGY TRANSFER MARKETING & TERMINALS, L.P., AND SEANTERRY BURKS; from Dallas County; 5th Court of Appeals District (05-24-00526-CV, ___ SW3d ___, 06-24-24)
relators' motion for stay and temporary relief dismissed as moot
real party in interest's motion to correct response dismissed as moot, as amended
- 24-0789 IN RE CONGHUA YAN; from Tarrant County; 2nd Court of Appeals District (02-24-00411-CV, ___ SW3d ___, 09-18-24)

THE DECISION OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING APPEAL IS AFFIRMED:

- 24-0408 LANDON STEPHON KEATING v. COMMISSION FOR LAWYER DISCIPLINE (BODA Cause No. 68536)

THE FOLLOWING CASES ARE ABATED:

- 22-0637 AMERICAN MEDICAL HOME HEALTH SERVICES, LLC, HUB CITY HOME HEALTH, INC. D/B/A AMERICAN MEDICAL HOME HEALTH SERVICES, AMERICAN MEDICAL HOME HEALTH SERVICES SAN ANTONIO, LLC, AMERICAN MEDICAL HOSPICE CARE, LLC, AMERICAN MEDICAL PALLIATIVE SUPPORT, LLC, MAGDALENA (MAGGIE) CLEMENTE, RENE ESTRADA, AND GINA TREVINO v. LEGACY HOME HEALTH AGENCY, INC. AND LEGACY HOME CARE SERVICES, INC. D/B/A ALL SEASONS HOME CARE, INC.; from Bexar County; 4th Court of Appeals District (04-20-00494-CV, ___ SW3d ___, 03-30-22)
abatement order issued

[**Note:** Effective November 9, 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.]

(Justice Devine not participating)

22-0704 AMERICAN MEDICAL HOME HEALTH SERVICES, LLC, HUB CITY HOME HEALTH, INC. D/B/A AMERICAN MEDICAL HOME HEALTH SERVICES, AMERICAN MEDICAL HOME HEALTH SERVICES SAN ANTONIO, LLC, AMERICAN MEDICAL HOSPICE CARE, LLC, AMERICAN MEDICAL PALLIATIVE SUPPORT, LLC, MAGDALENA (MAGGIE) CLEMENTE, RENE ESTRADA, AND GINA TREVINO v. LEGACY HOME HEALTH AGENCY, INC. AND LEGACY HOME CARE SERVICES, INC. D/B/A ALL SEASONS HOME CARE, INC.; from Bexar County; 4th Court of Appeals District (04-22-00239-CV, ___ SW3d ___, 06-29-22)

abatement order issued

[**Note:** Effective November 9, 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.]

(Justice Devine not participating)