



THE SUPREME COURT OF TEXAS

Orders Pronounced January 31, 2025

ORDERS ON CAUSES

24-0055 INWOOD NATIONAL BANK AND INWOOD BANCSHARES, INC. v. D. KYLE FAGIN, INDIVIDUALLY AND AS TRUSTEE AND BENEFICIARY OF THE D. KYLE FAGIN QUALIFIED SUBCHAPTER S TRUST; from Dallas County; 5th Court of Appeals District (05-21-00878-CV, ___ SW3d ___, 10-09-23)

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 reinstates the trial court's judgment.

Per Curiam Opinion

THE FOLLOWING CAUSE IS RESET FOR ORAL ARGUMENT:

22-0631 THE BOEING COMPANY v. SOUTHWEST AIRLINES PILOTS ASSOCIATION (SWAPA) ON BEHALF OF ITSELF AND ITS MEMBERS; from Dallas County; 5th Court of Appeals District (05-20-01067-CV, ___ SW3d ___, 03-30-22)

unopposed motion to reset oral argument granted

[**Note:** This cause has been reset for oral argument at 9:00 a.m., March 19, 2025.]

Time allotted to argue: 20/20 minutes

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

23-0676 CACTUS WATER SERVICES, LLC v. COG OPERATING, LLC; from Reeves County; 8th Court of Appeals District (08-22-00037-CV, 676 SW3d 733, 07-28-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 18, 2025.]
Time allotted to argue: 20/20 minutes

(Justice Young not participating)

23-0724 JOHN CARROZZELLA, MD AND JCMD MEDICAL SERVICES, INC. v. BIOTE MEDICAL, LLC; from Tarrant County; 2nd Court of Appeals District (02-22-00072-CV, ___ SW3d ___, 07-27-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 18, 2025.]
Time allotted to argue: 20/20 minutes

23-0772 ELSIE OPIELA AND ADRIAN OPIELA, JR. v. RAILROAD COMMISSION OF TEXAS AND MAGNOLIA OIL & GAS OPERATING LLC; from Travis County; 3rd Court of Appeals District (03-21-00258-CV, 681 SW3d 397, 06-30-23)

joint motion for reversal and remand pursuant to settlement granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, vacates the judgment of the court of appeals, and remands the case to the trial court for further proceedings in accordance with the parties' settlement agreement.

(Justice Young not participating)

24-0040 RUSH TRUCK CENTERS OF TEXAS, L.P. AND BLUE BIRD BODY COMPANY v. SEAN SAYRE AND TORI SAYRE, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF EMORY SAYRE, DECEASED; from Dallas County; 5th Court of Appeals District (05-23-00775-CV, ___ SW3d ___, 11-30-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 19, 2025.]
Time allotted to argue: 20/20 minutes

24-0273 ABIGAIL DALILA CERNA A/N/F OF R.W. v. PEARLAND URBAN AIR, LLC; from Harris County; 14th Court of Appeals District (14-23-00090-CV, 693 SW3d 711, 02-08-24)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 19, 2025.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

22-1005 CITY OF HOUSTON v. ELMER RIVERA, KASSANDRA MORALES RODRIGUEZ, AND ISREAL MORALES; from Harris County; 1st Court of Appeals District (01-19-00629-CV, ___ SW3d ___, 06-16-22)

23-0193 CITY OF HOUSTON v. JIMMIE LEE JONES JUNIOR; from Harris County; 14th Court of Appeals District (14-21-00128-CV, ___ SW3d ___, 10-27-22)

23-0552 JOSHUA JACOB MIRELES AND CRISTIN MIRELES v. HARRIS COUNTY, TEXAS; from Harris County; 14th Court of Appeals District (14-22-00367-CV, 672 SW3d 663, 06-01-23)

23-0679 FORT BEND INDEPENDENT SCHOOL DISTRICT v. KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-22-00052-CV, ___ SW3d ___, 07-13-23)

- 23-0877 JASON A. GIBSON, P.C. D/B/A THE GIBSON LAW FIRM AND JASON A. GIBSON v. ALEJANDRO L. PADUA AND THE PADUA LAW FIRM, PLLC; from Harris County; 14th Court of Appeals District (14-21-00489-CV, ___ SW3d ___, 07-06-23)
- 23-0935 PACER ENERGY, LTD. v. ENDEAVOR ENERGY RESOURCES, LP; PONY OIL, LLC; VIPER ENERGY PARTNERS, LLC; MKSEA, LLC; ROYALTY ASSET HOLDINGS, LP; AND PONY OIL OPERATING, LLC; from Martin County; 11th Court of Appeals District (11-21-00169-CV, 675 SW3d 390, 09-14-23)
- 23-1011 CRAIG TAYLOR v. CITY OF ARLINGTON; from Tarrant County; 2nd Court of Appeals District (02-22-00325-CV, ___ SW3d ___, 10-12-23)
- 24-0083 MCNEIL, MCNEIL, & HOLT, BILLY MCNEIL AND JEANNE HOLT, BOTH INDIVIDUALLY AND AS EXECUTORS OF THE ESTATE OF GLENDA MCNEIL, DECEASED, JIMMY MCNEIL CATTLE COMPANY, AND WESTWAY RANCHES, LLC v. GARDNER ENERGY CORPORATION; BAJA ENERGY, LLC., PANDALE LAND & MINERALS COMPANY LLC., HEDBERG FAMILY LIMITED PARTNERSHIP AND PESCADOR PARTNERS, LTD; from Reeves County; 8th Court of Appeals District (08-23-00140-CV, ___ SW3d ___, 12-27-23)
- 24-0208 FREEDOM POWERSPORTS, L.L.C. v. JAMES ALAN BARNES, INDIVIDUALLY AND NEXT FRIEND OF E.B., A MINOR, AND AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF C.A.B., DECEASED, MIRTHA BARNES, ET AL.; from Dallas County; 5th Court of Appeals District (05-22-00677-CV, ___ SW3d ___, 02-05-24)
- 24-0214 EUGENIA FAE PIERCE, INDIVIDUALLY, ON BEHALF OF ALL WRONGFUL DEATH BENEFICIARIES AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ELTON PIERCE v. ABILENE REGIONAL MEDICAL CENTER AND BRIAN GANESH, M.D.; from Taylor County; 11th Court of Appeals District (11-23-00027-CV, 684 SW3d 564, 02-08-24)

- 24-0358 ANTHONY G. BUZBEE AND ANTHONY G. BUZBEE, LP D/B/A THE BUZBEE LAW FIRM v. TERRY & THWEATT, P.C.; from Harris County; 1st Court of Appeals District (01-23-00123-CV, ___ SW3d ___, 11-07-23)
- 24-0403 CITY OF HOUSTON v. PERCY TAYLOR; from Harris County; 14th Court of Appeals District (14-22-00629-CV, ___ SW3d ___, 04-02-24)
- 24-0475 JUDICIAL BRANCH CERTIFICATION COMMISSION; AND VELMA ARELLANO; DON FORD, III; THE HONORABLE POLLY SPENCER; THE HONORABLE WILLIAM SOWDER; THE HONORABLE VICTOR VILLAREAL; ANN MURRAY MOORE; MARK BLENDEN; THE HONORABLE SID HARLE; THE HONORABLE GLEN HARRISON; JEFF RINARD; AND MELINDA SAUCEDO, IN THEIR OFFICIAL CAPACITIES v. JO ANN HOLMGREN AND PREFERRED LEGAL SERVICES, INC.; from Travis County; 3rd Court of Appeals District (03-22-00245-CV, 691 SW3d 155, 04-30-24)
- 24-0527 LAZY W CONSERVATION DISTRICT v. THE CITY OF DRIPPING SPRINGS, TEXAS; from Hays County; 3rd Court of Appeals District (03-22-00296-CV, ___ SW3d ___, 05-31-24)
(Justice Devine not participating)
- 24-0587 JBS CARRIERS, INC. v. CHAMBLEE RYAN, P.C.; from Angelina County; 12th Court of Appeals District (12-23-00125-CV, 691 SW3d 797, 06-12-24)
- 24-0589 NOVOTERRA CHASE, LLC AND GONET USA, LLC v. KIRT MCGHEE; from Montgomery County; 9th Court of Appeals District (09-22-00167-CV, ___ SW3d ___, 05-30-24)

- 24-0610 JOHN WHITMIRE, IN HIS OFFICIAL CAPACITY AS MAYOR OF THE CITY OF HOUSTON, TEXAS, AND SALLIE ALCORN, TWILA CARTER, MARTHA CASTEX-TATUM, MARIO CASTILLO, WILLIE DAVIS, CAROLYN EVANS-SHABAZZ, FRED FLICKINGER, MARY NAN HUFFMAN, TARSHA JACKSON, ABBIE KAMIN, JOAQUIN MARTINEZ, AMY PECK, LETITIA PLUMMER, EDWARD POLLARD, JULIAN RAMIREZ, AND TIFFANY D. THOMAS, IN THEIR OFFICIAL CAPACITIES OF CITY COUNCIL MEMBERS OF THE CITY OF HOUSTON, TEXAS v. JAMES ROBERT JONES AND ALLEN WATSON; from Harris County; 14th Court of Appeals District (14-23-00550-CV, 691 SW3d 685, 04-23-24)
- 24-0621 TEKWAY, INC. v. PINNACLE TECHNICAL RESOURCES, INC.; from Dallas County; 5th Court of Appeals District (05-22-00752-CV, ___ SW3d ___, 04-26-24)
- 24-0641 CITY OF HOUSTON v. LUCY CARO; from Harris County; 14th Court of Appeals District (14-23-00319-CV, ___ SW3d ___, 04-23-24)
- 24-0663 BLAKE INTERNATIONAL RIGS, L.L.C. AND BLAKE INTERNATIONAL USA RIGS, L.L.C. v. STALLION OFFSHORE QUARTERS, INC.; from Harris County; 14th Court of Appeals District (14-22-00878-CV, ___ SW3d ___, 07-02-24)
- 24-0668 BOXER PROPERTY MANAGEMENT CORPORATION v. TERESA R. DEHNEL; from Tarrant County; 2nd Court of Appeals District (02-22-00336-CV, ___ SW3d ___, 07-03-24)
2 petitions
- 24-0670 TEXAS DISPOSAL SYSTEMS, INC.; TEXAS LANDFILL MANAGEMENT, LLC; TDS EXCAVATION SERVICES, LLC (N/K/A TDS ENVIRONMENTAL SERVICES, LLC); TEXAS DISPOSAL SYSTEMS LANDFILL, INC.; TDS LAND MANAGEMENT, LP, AND THE AUSTIN SAVANNA, LLC v. KATZEN MARSHALL & ASSOCIATES, INC.; from Travis County; 7th Court of Appeals District (07-23-00348-CV, ___ SW3d ___, 07-08-24)

- 24-0672 TEXAS DISPOSAL SYSTEMS, INC., TEXAS LANDFILL MANAGEMENT, LLC, TDS EXCAVATION SERVICES, LLC (N/K/A TDS ENVIRONMENTAL SERVICES,LLC), TEXAS DISPOSAL SYSTEMS LANDFILL, INC., TDS LAND MANAGEMENT, LP AND THE AUSTIN SAVANNA, LLC v. ALAMO ADVISORS, LP; from Travis County; 7th Court of Appeals District (07-23-00347-CV, ___ SW3d ___, 07-08-24)
- 24-0693 DALE BALL AND CLIFFORD WIECK v. BARLEY WATER GROUP, INC. AND ETTER WATER WELL, LLC; from Hemphill County; 7th Court of Appeals District (07-23-00378-CV, ___ SW3d ___, 05-09-24)
2 petitions
- 24-0735 U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST v. GARSON B. SILVERS, ZEONS, INC., ATHAS CAPITAL GROUP, INC., RAMA FUND, LLC, WHITE GLASS LENDING, LLC, AMF HOLDINGS, LLC, SEABROOK CAPITAL LLC; from Harris County; 14th Court of Appeals District (14-22-00910-CV, ___ SW3d ___, 06-04-24)
(Justice Devine not participating)
- 24-0744 JOSE SALOMON DAVILA v. DEVIN LEE WELLS AND GIGOT AGRA PRODUCTS, INC.; from Hansford County; 7th Court of Appeals District (07-23-00426-CV, ___ SW3d ___, 08-02-24)
- 24-0792 KORY LEE GILL, D.O. v. KELLY GOODSON; from Brazos County; 10th Court of Appeals District (10-23-00249-CV, ___ SW3d ___, 07-18-24)

24-0793 KERESA RICHARDSON v. STATE OF TEXAS, GOVERNOR GREG ABBOTT, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE STATE OF TEXAS, AND JANE NELSON, IN HER OFFICIAL CAPACITY AS SECRETARY OF STATE; from Collin County; 5th Court of Appeals District (05-23-00325-CV, ___ SW3d ___, 08-29-24)
emergency motion to expedite dismissed as moot

(Justice Sullivan not participating)

24-0805 HOLLY DAWN RUTHVEN v. D. ELAINE WIKE; from Galveston County; 1st Court of Appeals District (01-22-00696-CV, ___ SW3d ___, 03-28-24)

24-0826 TEXAS HIGHWAY WALLS, LLC v. SARAH COOK; from Travis County; 3rd Court of Appeals District (03-22-00736-CV, ___ SW3d ___, 06-14-24)

24-0834 AMBER CARDEN AND WILLIAM DUNCAN MCGEE v. MINTON, BASSETT, FLORES & CARSEY, P.C.; AND JOHN C. CARSEY, INDIVIDUALLY; from Travis County; 3rd Court of Appeals District (03-22-00513-CV, ___ SW3d ___, 08-21-24)

24-0887 ANGELA MEDLIN, YSIDRO RENTERIA AND MOZELLE CARR v. AMBER MARIE KING, JAMES ALAN SPARKS, AND HOLLY DIANE JONES; from Loving County; 8th Court of Appeals District (08-24-00001-CV, ___ SW3d ___, 08-16-24)

2 petitions

emergency motion to expedite dismissed as moot

24-0967 IN THE INTEREST OF O.O., A CHILD; from Grayson County; 5th Court of Appeals District (05-24-00456-CV, ___ SW3d ___, 10-04-24)

24-0997 IN THE INTEREST OF F.L.J.B., A CHILD; from Collin County; 5th Court of Appeals District (05-23-00024-CV, ___ SW3d ___, 06-21-24)

24-1006 R.M. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Williamson County; 3rd Court of Appeals District (03-24-00262-CV, ___ SW3d ___, 10-18-24)

25-0020 IN THE INTEREST OF D.Y.V.M, AND G.E.M., CHILDREN; from Harris County; 14th Court of Appeals District (14-24-00427-CV, ___ SW3d ___, 12-05-24)

25-0024 IN THE INTEREST OF I.J.M., L.M.M., A.F.M., AND E.M.M., CHILDREN; from Bexar County; 4th Court of Appeals District (04-24-00397-CV, ___ SW3d ___, 12-11-24)

ORDERS ON MOTIONS FOR REHEARING

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

24-0205 HUFFMAN ASSET MANAGEMENT, LLC AND PRAIRIE CAPITAL, LLC v. MAURICE COLTER AND NI-IDA COLTER; from Dallas County; 5th Court of Appeals District (05-22-00779-CV, ___ SW3d ___, 11-07-23)
denial of petition for review on June 28, 2024, withdrawn
petition reinstated

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

23-0095 TOTALENERGIES PETROCHEMICALS & REFINING USA, INC. F/K/A TOTAL PETROCHEMICALS & REFINING USA, INC. AND ACE PROPERTY & CASUALTY INSURANCE CO. v. KINDER MORGAN PETCOKE, LP AND KINDER MORGAN PETCOKE GP LLC; from Harris County; 14th Court of Appeals District (14-20-00661-CV, 658 SW3d 647, 09-15-22)
2 rehearings

(Justice Young not participating)

- 23-0099 MOSAIC BAYBROOK ONE, LP, MOSAIC BAYBROOK TWO, LP, MOSAIC RESIDENTIAL, INC., MOSAIC BAYBROOK ONE GP LLC, MOSAIC BAYBROOK TWO GP LLC, ROBERT M. WEBER, VELISSA PARMER, ABID BHIMANI, MOSAIC GP FUND III LLC, EASTHAM CAPITAL FUND III (QP) LP, EASTHAM CAPITAL FUND IV, LP, AUSPAY-BAYBROOK, LLC, AUSPAY-MOSAIC GP, LLC, WILLAMSBURG ENTERPRISES, LLLP, PHILIP SALEM, WIDAD SALEM, BAYBROOK LL, LLC, v. TAMMY CESSOR AND PAUL SIMIEN; from Harris County; 14th Court of Appeals District (14-19-00514-CV, ___ SW3d ___, 06-29-21)
- 24-0156 STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY v. ERNEST VALDEZ; from Bexar County; 4th Court of Appeals District (04-22-00113-CV, 690 SW3d 712, 01-31-24)
- 24-0420 CHERIE FAYE WOODWARD v. BRIAN DAVID WOODWARD; from Collin County; 5th Court of Appeals District (05-23-00051-CV, ___ SW3d ___, 03-07-24)
- 24-0623 JESUS JIMENEZ ESCAMILLA, JR. v. GABRIELA ESTRADA; from Dallas County; 5th Court of Appeals District (05-23-00236-CV, ___ SW3d ___, 07-01-24)
- 24-0683 BENJAMIN MENDEZ BRINGAS, MANUEL MENDEZ BRINGAS AND RENE MENDEZ BRINGAS v. OXY USA WTP LP; from Harris County; 1st Court of Appeals District (01-22-00373-CV, ___ SW3d ___, 07-09-24)
- 24-0836 DAVID LYNN v. RONALD FERGUSON; from Tarrant County; 7th Court of Appeals District (07-24-00030-CV, ___ SW3d ___, 08-16-24)
motion to exceed word limit granted
second motion to stay denied
motion to abate denied

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 23-0904 IN RE LAUREN JANE ANDERSEN; from Travis County; 3rd Court of Appeals District (03-23-00286-CV, ___ SW3d ___, 08-25-23)
- 24-0803 IN RE BRANDON LEE DOEGE; from Bexar County; 4th Court of Appeals District (04-24-00257-CV, ___ SW3d ___, 06-05-24)
- 24-0832 IN RE TEXAS DEPARTMENT OF PUBLIC SAFETY; from De Witt County; 13th Court of Appeals District (13-24-00363-CV, ___ SW3d ___, 08-29-24)
- 24-1031 IN RE CORY STARNES

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 24-0907 IN RE SYSCO CORPORATION, SYSCO USA I, INC., AND RODNEY HARRIS; from Harris County; 1st Court of Appeals District (01-24-00763-CV, ___ SW3d ___, 10-29-24)
relators' motion to voluntarily dismiss granted
relators' emergency motion for temporary relief dismissed as moot