



# THE SUPREME COURT OF TEXAS

Orders Pronounced May 16, 2025

## ORDERS ON CAUSES

22-0878 MYERS-WOODWARD, LLC v. UNDERGROUND SERVICES  
MARKHAM, LLC AND UNITED BRINE PIPELINE COMPANY, LLC;  
from Matagorda County; 13th Court of Appeals District (13-20-00172-CV,  
699 SW3d 1, 06-16-22)

2 petitions

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

Chief Justice Blacklock delivered the opinion of the Court.

23-0955 WALGREENS v. PAMELA MCKENZIE; from Harris County; 14th Court of  
Appeals District (14-22-00113-CV, 676 SW3d 170, 08-17-23)

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

Justice Busby delivered the opinion of the Court.

24-0255 IN RE NEWKIRK LOGISTICS, INC.; from Tarrant County; 2nd Court of  
Appeals District (02-24-00027-CV, \_\_\_ SW3d \_\_\_, 03-11-24)

real parties in interest's motion for limited relief dismissed as moot  
stay order issued April 19, 2024, lifted  
stay order issued October 18, 2024, 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

24-0258 THE STATE OF TEXAS v. THREE THOUSAND, SEVEN HUNDRED SEVENTY-FOUR DOLLARS AND TWENTY-EIGHT CENTS U.S. CURRENCY (\$3,774.28); TEN THOUSAND, ONE HUNDRED SEVENTY-SIX DOLLARS AND ONE CENT U.S. CURRENCY (\$10,176.01); THIRTY-THREE THOUSAND, THREE HUNDRED FORTY-NINE DOLLARS AND EIGHTY-SIX CENTS U.S. CURRENCY (\$33,349.86); AND NINE THOUSAND, SIX HUNDRED NINETEEN DOLLARS U.S. CURRENCY (\$9,619.00); from Potter County; 7th Court of Appeals District (07-23-00297-CV, 692 SW3d 759, 01-30-24)

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

Justice Lehrmann delivered the opinion of the Court.

### **ORDERS ON CASES GRANTED**

#### THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

24-0206 MEGATEL C90-2, INC., ARMIN AFZALIPOUR, AND MEGATEL HOMES, LLC F/K/A MEGATEL HOMES, INC. v. BANK OF UTAH; from Dallas County; 5th Court of Appeals District (05-22-01057-CV, \_\_\_ SW3d \_\_\_, 02-07-24)

joint motion to dismiss granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, after granting the petition for review and without hearing oral argument or considering the merits, the Court vacates the trial court's and the court of appeals' judgments and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement. The Court denies the parties' request to vacate the court of appeals' opinion.

Justice Sullivan filed a concurring opinion, in which Justice Busby joined.

24-0954 EXTREME TACTICS AND TRAINING SOLUTIONS, LLC v. ROBERT GARCIA; from Ellis County; 13th Court of Appeals District (13-22-00519-CV, 704 SW3d 828, 10-24-24)

joint motion pursuant to settlement granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, after granting the petition for review and without hearing oral argument or considering the merits, the Court vacates the trial court's and the court of appeals' judgments and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement. The Court denies the parties' request to vacate the court of appeals' opinion.

*See concurring opinion issued in 24-0206, Megatel C90-2, Inc. v. Bank of Utah.*

24-0987 ETC TEXAS PIPELINE, LTD. v. XTO ENERGY INC.; from Midland County; 11th Court of Appeals District (11-22-00350-CV, 698 SW3d 915, 09-12-24)

2 petitions

joint motion to dismiss granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, after granting the petitions for review and without hearing oral argument or considering the merits, the Court vacates the trial court's and the court of appeals' judgments and dismisses the case as moot. The Court denies the parties' request to vacate the court of appeals' opinion and their request to remand to the court of appeals for it to consider vacatur of its opinion.

*See concurring opinion issued in 24-0206, Megatel C90-2, Inc. v. Bank of Utah.*

25-0063 SUNOCO PIPELINE, L.P., ORBIT GULF COAST NGL EXPORTS, LLC, AND ENERGY TRANSFER GC NGL PIPELINES, LP F/K/A LONE STAR NGL PIPELINE, LP v. MOBIL PIPE LINE COMPANY AND EXXONMOBIL PIPELINE COMPANY, LLC; from Liberty County; 9th Court of Appeals District (09-23-00075-CV, \_\_\_ SW3d \_\_\_, 12-12-24) joint motion to dismiss granted in part as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, after granting the petition for review and without hearing oral argument or considering the merits, the Court vacates the trial court's orders and the court of appeals' judgment and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement. The Court denies the parties' request to vacate the court of appeals' opinion.

*See* concurring opinion issued in 24-0206, *Megatel C90-2, Inc. v. Bank of Utah*.

#### **ORDERS ON PETITIONS FOR REVIEW**

##### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

25-0097 IN THE INTEREST OF A.B.-G. AND D.B., CHILDREN; from Harris County; 1st Court of Appeals District (01-24-00509-CV, \_\_\_ SW3d \_\_\_, 12-05-24)  
counsel's motion to withdraw granted

25-0162 CINCO WEST DEVELOPMENT, LLC v. HIGHLAND HOMES-DALLAS, INC. AND BLUE STAR ALLEN LAND, LP; from Collin County; 5th Court of Appeals District (05-24-00946-CV, \_\_\_ SW3d \_\_\_, 12-06-24)  
(Justice Lehrmann not participating)

25-0211 IN THE INTEREST OF M.L.O., A CHILD; from Collin County; 5th Court of Appeals District (05-25-00050-CV, \_\_\_ SW3d \_\_\_, 02-20-25)  
emergency motion for stay dismissed as moot

- 25-0214 LATISHA HASSEN v. PAUL DEMETRIOU; from Collin County; 5th Court of Appeals District (05-24-00290-CV, \_\_\_ SW3d \_\_\_, 11-13-24)
- 25-0269 IN THE INTEREST OF J.T., A.P., L.P., CHILDREN; from Nueces County; 13th Court of Appeals District (13-24-00453-CV, \_\_\_ SW3d \_\_\_, 02-13-25)
- 25-0305 IN THE ESTATE OF JULIAN D. DRISCOLL, DECEASED; from Hays County; 7th Court of Appeals District (07-24-00128-CV, \_\_\_ SW3d \_\_\_, 02-24-25)

### **ORDERS ON MOTIONS FOR REHEARING**

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

- 24-0940 GESPA NICARAGUA, S.A. v. RECOM AG, FLEXTRONICS INTERNATIONAL USA, INC., FLEXTRONICS AUTOMOTIVE USA (TEXAS), LLC, AND EXPEDITORS INTERNATIONAL OF WASHINGTON, INC.; from El Paso County; 8th Court of Appeals District (08-22-00244-CV, 705 SW3d 362, 10-09-24)
- 25-0142 FIDELIS JOHNSON BADAIKI v. STEVE MCKENZIE, SCHLUMBERGER HOLDINGS CORPORATION ET AL; from Harris County; 1st Court of Appeals District (01-20-00778-CV, \_\_\_ SW3d \_\_\_, 12-31-24)
- (Justice Devine not participating)
- 25-0150 WILEY R. HARRIS, III AND TORI S. HARRIS v. JORRIT VAN DER TOGT AND ANDREA VAN DER TOGT; from Harris County; 14th Court of Appeals District (14-23-00520-CV, \_\_\_ SW3d \_\_\_, 08-27-24)
- (Justice Devine not participating)
- 25-0189 IN THE INTEREST OF J.A.G. AND G.A.G., CHILDREN; from Bexar County; 4th Court of Appeals District (04-24-00511-CV, \_\_\_ SW3d \_\_\_, 01-15-25)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

25-0298 IN RE TARIQ FAROOQ; from Collin County; 5th Court of Appeals District  
(05-24-01246-CV)

25-0306 IN RE DYLAN SCOTT KRUFAL; from Webb County; 4th Court of Appeals  
District (04-25-00034-CV, \_\_\_ SW3d \_\_\_, 02-19-25)  
real party in interest's motion for emergency stay dismissed as moot