



Orders of the Supreme Court of Texas
Fiscal Year 2012
(September 1, 2011 – August 31, 2012)

Assembled by
The Supreme Court of Texas Clerk's Office

Blake A. Hawthorne, Clerk of the Court
Monica Zamarripa, Deputy Clerk

THE SUPREME COURT OF TEXAS

Orders Pronounced September 1, 2011

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF
MANDAMUS IS DENIED:

11-0655 IN RE STEPHANIE DEATHERAGE; from Montgomery County; 9th district
(09-11-00456-CV, ___ SW3d ___, 08-18-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced September 2, 2011

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS REINSTATED:

06-1084 BISON BUILDING MATERIALS, LTD. v. LLOYD K. ALDRIDGE; from Harris County; 1st district (01-05-00330-CV, 263 SW3d 69, 09-14-06)
motion to reinstate granted
abatement order issued June 24, 2011, lifted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

11-0344 CLIFTON THOMAS, M.D. v. ARACELLY TORREZ, INDIVIDUALLY, AND AS REPRESENTATIVE OF THE ESTATE OF RICARDO TORREZ AND AS NEXT FRIEND OF RICARDO ISAAH TORREZ, MINOR CHILD; from Harris County; 14th district (14-10-00281-CV, ___ SW3d ___, 03-31-11)
unopposed motion to abate appeal pending settlement granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until October 3, 2011, by which time the parties must file either a status report or a motion to dismiss.]

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0442 ESTATE OF GEORGE HANKS, PAT HELMER, JEAN TESSMER, JOE HANKS AND HOWARD HANKS v. SABINE COUNTY, TEXAS; from Sabine County; 6th district (06-10-00099-CV, ___ SW3d ___, 04-05-11)

11-0489 DORIS LAM AND BRIAN MAI v. PHUONG NGUYEN; from Collin County; 5th district (05-09-00922-CV, ___ SW3d ___, 02-25-11)

11-0496 JEFFERY B. KAISER v. ANITA K.M. SILFVAST; from Harris County; 1st district
(01-08-00496-CV, ___ SW3d ___, 12-23-10)

(Justice Guzman not sitting)

11-0497 IN THE INTEREST OF A.L.S., M.B.S., B.P.S, AND F.J.S.; from Harris County; 14th
district (14-10-00245-CV, 338 SW3d 59, 03-01-11)

11-0509 MARK ANTHONY HEGWOOD, INDIVIDUALLY, AS SURVIVING PARENT OF
XAVIER ALEXANDER HEGWOOD, AS NEXT FRIEND OF KAMYRA FAITH
HEGWOOD, AND AS PERSONAL REPRESENTATIVE OF XAVIER
ALEXANDER HEGWOOD v. AMERICAN HABILITATION SERVICES, INC.
D/B/A THOMAS CARE CENTER; from Harris County; 1st district
(01-07-00649-CV, ___ SW3d ___, 02-17-11)

11-0525 FADHIL M. SALIH AND SELWA ABDUL HUSSEIN v. JPMORGAN CHASE
BANK, N.A.; from Harris County; 1st district
(01-10-00813-CV, ___ SW3d ___, 05-19-11)

11-0581 GARY WAYNE HARTON v. FIRST VICTORIA NATIONAL BANK; from Jackson
County; 13th district (13-10-00371-CV, ___ SW3d ___, 05-19-11)

ORDERS ON MOTIONS FOR REHEARING

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

11-0192 AIR STARTER COMPONENTS, INC. v. JAMES E. GLATTLY, ET AL.; from Fort
Bend County; 1st district (01-09-00098-CV, 332 SW3d 620, 10-07-10)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0477 IN RE GALE C. HUTCHINSON, JR.; from Collin County; 5th district
(05-11-00456-CV, ___ SW3d ___, 04-20-11)

11-0570 IN RE GARY DEROUIN; from Bexar County; 4th district
(04-11-00043-CV, ___ SW3d ___, 02-09-11)

11-0690 IN RE JENNIFER EDDINGTON; from Rusk County; 12th district
(12-11-00265-CV, ___ SW3d ___, 09-01-11)
emergency motion to stay denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED AS MOOT:

11-0657 IN RE MARCUS D. LAMB AND WORD OF GOD FELLOWSHIP, INC., D/B/A
DAYSTAR TELEVISION NETWORK; from Dallas County; 5th district
(05-11-01114-CV, ___ SW3d ___, 08-22-11)
motion to dismiss petition for writ of mandamus and motion for emergency stay
granted
emergency motion to stay dismissed as moot

THE SUPREME COURT OF TEXAS

Orders Pronounced September 6, 2011

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

10-0960 IN RE XL SPECIALTY INSURANCE COMPANY AND CAMBRIDGE
INTEGRATED SERVICES GROUP, INC.; from Dallas County; 5th district
(05-10-01067-CV, ___ SW3d ___, 10-27-10)
motion to stay proceedings denied

[**Note:** This case remains set for oral argument at 9:00 a.m., November 10, 2011.]

THE SUPREME COURT OF TEXAS

Orders Pronounced September 9, 2011

ORDERS ON CAUSES

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

10-0435 WEEKS MARINE, INC. v. MAXIMINO GARZA; from Starr County; 4th district
(04-08-00660-CV, ___ SW3d ___, 04-21-10)
unopposed motion for leave to share allotted time for oral argument with amicus
curiae granted

Time allotted to argue: 15/20/5 minutes

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

11-0542 DUGAS LIMITED PARTNERSHIP v. DONNA NEAL GOODE DUGAS AND
LAURA NICOLE DUGAS; from Denton County; 2nd district
(02-09-00463-CV, 341 SW3d 504, 03-31-11)
joint motion to dismiss petition for review granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. The Court sets aside the judgment of the court of appeals without reference to the merits and dismisses the case pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

- 11-0534 AMS CONSTRUCTION COMPANY, INC. D/B/A AMS STAFF LEASING v. K.H.K. SCAFFOLDING HOUSTON, INC.; from Harris County; 1st district (01-09-00360-CV, ___ SW3d ___, 04-28-11)
amended motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until October 10, 2011, by which time the parties must file either a status report or a motion to dismiss.]

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0358 HILARIO B. ORTIZ v. STEPHEN PHILIP GLUSMAN, M.D.; from El Paso County; 8th district (08-08-00345-CV, 334 SW3d 812, 02-16-11)
- 11-0474 JANINE CHARBONEAU MCINNIS, D.V.M. v. MICHAEL MALLIA, J.D., TOMMY HASTINGS, J.D. AND THE MALLIA LAW FIRM, P.C.; from Harris County; 14th district (14-09-00931-CV, ___ SW3d ___, 03-08-11)
as corrected
- 11-0476 JOHN VEN HUIZEN AND VANESSA VEN HUIZEN, INDIVIDUALLY AND AS NEXT FRIENDS OF GIULIANA SOPHIA VEN HUIZEN, A MINOR v. CHRISTUS SPOHN HEALTH SYSTEM CORPORATION D/B/A CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI - MEMORIAL; from Nueces County; 13th district (13-10-00400-CV, ___ SW3d ___, 05-19-11)
- 11-0575 JAY SANDON COOPER v. TEXAS WORKFORCE COMMISSION AND CITY OF DALLAS, TEXAS; from Collin County; 5th district (05-10-00513-CV, 343 SW3d 310, 06-08-11)
- 11-0579 IN THE INTEREST OF B.W.E. AND A.E.E., CHILDREN; from Galveston County; 14th district (14-10-01008-CV, ___ SW3d ___, 05-17-10)
- 11-0588 PHILIP FRANKLIN YOUNG, III v. COMMUNITY CHURCH OF P.K. LAKE; from Palo Pinto County; 11th district (11-10-00325-CV, ___ SW3d ___, 06-23-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE
OF APPELLATE PROCEDURE 9.4(i):

11-0689 DONALD C. JACKSON v. CHRIS CHAMPAGNE, ET AL.; from Jefferson County;
9th district (09-11-00081-CV, ___ SW3d ___, 07-14-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the redrawn petition is due to be filed by September 19, 2011."

ORDERS ON MOTIONS FOR REHEARING

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

10-0488 NOEL D. ISCHY AND NOW DEVELOPMENT CO., INC. v. M.P. MCCAMMON,
ET AL.; from Concho County; 3rd district
(03-06-00707-CV, ___ SW3d ___, 05-12-10)

11-0011 ANGELA BRESCIA AND DUANE BRESCIA v. SLACK & DAVIS, L.L.P. AND
DONNA BOWEN; from Travis County; 3rd district
(03-08-00042-CV, ___ SW3d ___, 11-19-10)

(Justice Hecht not sitting)

MISCELLANEOUS

THE FOLLOWING CASE IS SET FOR ORAL ARGUMENT:

11-0589 ALLCAT CLAIMS SERVICE, L.P. AND JOHN WEAKLY v. SUSAN COMBS,
COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND
GREG ABBOTT, ATTORNEY GENERAL FOR THE STATE OF TEXAS

[**Note:** This case has been set for oral argument at 9:00 a.m., October 24, 2011.]

Time allotted to argue: 30/30 minutes

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0569 IN RE CHRISTOPHER J. EMERSON; from Harris County; 14th district
(14-11-00057-CR, ___ SW3d ___, 02-08-11)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED AS MOOT:

11-0398 IN RE MAGELLAN TERMINALS HOLDINGS, L.P. AND MAGELLAN
MIDSTREAM HOLDINGS GP, LLC; from Harris County; 1st district
(01-11-00373-CV, ___ SW3d ___, 05-13-11)
abatement order issued July 22, 2011, lifted
petition reinstated
motion to dismiss petition for writ of mandamus as moot granted
motion for leave to file surreply to motion for temporary relief dismissed as moot
motion for temporary relief dismissed as moot

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

11-0702 IN RE JAZZERCISE, INC. AND KELLIE ELLINGTON; from Dallas County; 5th
district (05-11-01034-CV, ___ SW3d ___, 08-30-11)
emergency motion for temporary relief granted
stay order issued
requested response due September 19, 2011

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

THE SUPREME COURT OF TEXAS

Orders Pronounced September 12, 2011

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS ABATED:

10-0232 BASITH GHAZALI, M.D. v. PATRICIA BROWN; from Tarrant County; 2nd district
(02-09-00191-CV, 307 SW3d 499, 02-25-10)
joint motion for dismissal by agreement granted in part
abatement order issued

[**Note:** This case is removed from the Court's active docket until October 12, 2011, by which time the parties must file either a status report or a motion to dismiss.]

THE SUPREME COURT OF TEXAS

Orders Pronounced September 13, 2011

MISCELLANEOUS

THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0705 IN RE ALFREDO A. GALINDO, IDALIA M. GALINDO, ELIZABETH
BOHORQUEZ AND MICHAEL O. WHITMIRE; from Travis County; 3rd district
(03-09-00358-CV, ___ SW3d ___, 09-18-09)
emergency motion for temporary relief denied
requested response due September 23, 2011

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

(Justice Hecht and Justice Guzman not sitting)

THE SUPREME COURT OF TEXAS

Orders Pronounced September 16, 2011

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS RESET FOR ORAL ARGUMENT:

10-0150 ECOM REAL ESTATE MANAGEMENT, INC. v. THE CITY OF MIDLOTHIAN, TEXAS; from Ellis County; 10th district (10-09-00039-CV, ___ SW3d ___, 01-27-10)
motion to postpone oral argument denied

[**Note:** This case has been reset for oral argument at 9:00 a.m., November 9, 2011.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0553 DINH DUC NGUYEN v. LAN NGOC NGUYEN; from Harris County; 1st district (01-09-00421-CV, ___ SW3d ___, 02-24-11)

11-0560 JAMES ZIMMERHANZEL AND LINDA ZIMMERHANZEL v. JOHNNIE G. GREEN III AND STORMWATER RESEARCH GROUP; from Guadalupe County; 8th district (08-09-00166-CV, ___ SW3d ___, 04-27-11)

11-0616 HANLEY-WOOD, LLC v. GALEN POSS AND MICHAEL GREEN; from Dallas County; 5th district (05-10-00595-CV, ___ SW3d ___, 06-23-11)

ORDERS ON MOTIONS FOR REHEARING

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

11-0136 DENNIS JAMES POLEDORE, JR. v. FRANK JEROME FRALEY; from Fort Bend County; 1st district (01-09-00658-CV, ___ SW3d ___, 10-07-10)

11-0346 EX PARTE ROBERT E. MACLAREN; from Walker County; 10th district
(10-11-00081-CV, ___ SW3d ___, 05-04-11)

11-0416 EDWIN R. FORD, REGINA FORD, CLARENCE CAIN, CONNIE CAIN, JAMES
L. KERSEY, MARY KERSEY, BRETT PAPELL AND LYNN PAPELL v.
HANSON AGGREGATES WEST, INC.; from Comal County; 3rd district
(03-09-00397-CV, 338 SW3d 39, 02-09-11)

**THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF
MANDAMUS ARE DENIED:**

11-0406 IN RE SABRINA TAYLOR AND ANDRE' EDMOND; from Harris County; 1st
district (01-10-00859-CV, ___ SW3d ___, 06-03-11)
as supplemented

11-0463 IN RE JAMES A. WALTERS; from Dallas County; 5th district
(05-11-00376-CV, ___ SW3d ___, 04-21-11)

MISCELLANEOUS

THE FOLLOWING CASE IS DISMISSED:

11-0538 MICHAEL RENE CORPUS v. CITY OF MCALLEN; from Hidalgo County; 13th
district (13-10-00670-CV, ___ SW3d ___, 05-19-11)
motion to dismiss granted

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0585 IN RE FRANCISCO LOPEZ CAMACHO; from Harris County

11-0623 IN RE JULIE FISCHER; from Harris County; 14th district
(14-11-00482-CV, ___ SW3d ___, 07-21-11)

(Justice Medina not sitting)

THE SUPREME COURT OF TEXAS

Orders Pronounced September 23, 2011

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 10-0838 ROBINSON & HARRISON POULTRY CO., INC. v. MARCELO GALVAN, ET AL.; from Hidalgo County; 13th district (13-08-00650-CV, 323 SW3d 236, 06-17-10)
2 petitions
abatement order issued July 8, 2011, lifted
petitions reinstated
joint motion to grant petitions for review, to set aside the court's judgment without regard to the merits, and to remand to the trial court to enter agreed dismissal, granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without hearing oral argument or considering the merits, the Court grants the cross-petitions, vacates the judgments of the court of appeals and the trial court, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0347 TSBA, INC. D/B/A THE SURETY BONDING COMPANY v. LEROY PERKINS, MARK PERKINS, PERKINS INSURANCE AGENCIES, LLC., AND SBMP, INC. D/B/A PERKINS INSURANCE AGENCIES, LLP; from Taylor County; 11th district (11-10-00170-CV, ___ SW3d ___, 03-31-11)
as redrafted
- 11-0512 PROGRESSIVE COUNTY MUTUAL INSURANCE COMPANY v. MEMORIAL HERMANN HOSPITAL SYSTEM; from Harris County; 1st district (01-10-00408-CV, ___ SW3d ___, 03-17-11)
- 11-0556 IN THE ESTATE OF WILBUR WALDO LYNCH, DECEASED; from Kendall County; 4th district (04-09-00777-CV, ___ SW3d ___, 04-20-11)

- 11-0631 LAIRD HILL SALT WATER DISPOSAL, LTD. AND BOLTSERV, INC. v. EAST TEXAS SALT WATER DISPOSAL COMPANY, INC.; from Gregg County; 12th district (12-10-00122-CV, ___ SW3d ___, 06-30-11)
- 11-0632 MARIA CONCEPCION LOPEZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF BARBARA A. FRANCO, DECEASED v. BLANCA ESTELLA RIVERA HERNANDEZ AS REPRESENTATIVE OF THE ESTATE OF BARBARA A. FRANCO, DECEASED; from El Paso County; 8th district (08-08-00343-CV, ___ SW3d ___, 04-20-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0410 KEN W. GOOD v. SMITH COUNTY JUDGE JOEL P. BAKER AND FORMER SMITH COUNTY COMMISSIONER, PRECINCT NO. 1, JO ANN FLEMING; from Smith County; 6th district (06-10-00024-CV, 339 SW3d 260, 03-25-11)
- 11-0451 RUFUS ODEM v. DELOITTE & TOUCHE LP, JOHN MORGAN AND KATHIE SCHWERDTFEGER; from Bexar County; 4th district (04-09-00747-CV, ___ SW3d ___, 02-02-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0250 IN RE CHARLES ROSS; from Smith County; 12th district (12-09-00317-CV, ___ SW3d ___, 08-18-10)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0637 IN RE DAVID NA'IM; from Dallas County; 5th district (05-11-00612-CV; 05-11-00613-CV, ___ SW3d ___, 06-02-11)
- 11-0638 IN RE BORIS TWAIN CLEWIS; from Harris County; 14th district (14-11-00556-CV, ___ SW3d ___, 07-07-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced September 30, 2011

ORDERS ON CAUSES

PARTIES ORDERED TO FILE ADDITIONAL BRIEFS:

10-0121 THE FINANCE COMMISSION OF TEXAS, THE CREDIT UNION COMMISSION OF TEXAS AND TEXAS BANKERS ASSOCIATION v. VALERIE NORWOOD, ELISE SHOWS, MARYANN ROBLES-VALDEZ, BOBBY MARTIN, PAMELA COOPER AND CARLOS RIVAS; from Travis County; 3rd district (03-06-00273-CV, 303 SW3d 404, 01-08-10)

The Court requests the parties file briefs addressing the issue of jurisdiction, including the following matters:

- (1) Do the plaintiffs' claims present a case or controversy that a declaratory judgment will resolve?
- (2) Do the plaintiffs have standing?

Refer to TEX. R. APP. P. 55 for the requirements of briefs. The page limit for each brief is 20 pages.

Both Petitioners' and Respondents' briefs are due **October 20, 2011**. Responsive briefs are due **October 31, 2011**.

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

08-0265 CITY OF DALLAS v. VSC, LLC; from Dallas County; 5th district (05-05-01227-CV, 242 SW3d 584, 01-04-08)

09-0039 BIC PEN CORPORATION v. JANACE M. CARTER, AS NEXT FRIEND OF BRITTANY CARTER; from Matagorda County; 13th district (13-03-00560-CV, ___ SW3d ___, 08-18-05)

(Justice Green not sitting)

- 09-0497 TYLER SCORESBY, M.D. v. CATARINO SANTILLAN, INDIVIDUALLY AND AS NEXT FRIEND OF SAMUEL SANTILLAN, A MINOR; from Tarrant County; 2nd district (02-08-00357-CV, 287 SW3d 319, 04-30-09)
- 09-0652 THE STATE OF TEXAS v. CHRIS AND HELEN PETROPOULOS; from Travis County; 3rd district (03-04-00714-CV, ___ SW3d ___, 04-28-09)
- 10-0002 SAMUEL T. JACKSON v. STATE OFFICE OF ADMINISTRATIVE HEARINGS AND SHELIA BAILEY TAYLOR IN HER OFFICIAL CAPACITY AS CHIEF ADMINISTRATIVE LAW JUDGE, STATE OFFICE OF ADMINISTRATIVE HEARINGS; from Travis County; 3rd district (03-07-00293-CV, ___ SW3d ___, 07-30-09)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 10-0802 MISSION CONSOLIDATED INDEPENDENT SCHOOL DISTRICT v. GLORIA GARCIA; from Hidalgo County; 13th district (13-09-00458-CV, ___ SW3d ___, 05-27-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 10, 2012.]

Time allotted to argue: 20/20 minutes

- 10-0859 IN THE MATTER OF M.P.A.; from Bell County; 3rd district (03-08-00337-CV, ___ SW3d ___, 07-14-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 10, 2012.]

Time allotted to argue: 20/20 minutes

- 10-1028 PNS STORES, INC., D/B/A MACFRUGAL'S BARGAIN CLOSEOUTS D/B/A MACFRUGALS, INC. v. ANNA E. RIVERA AS NEXT FRIEND FOR RACHEL RIVERA; from Bexar County; 4th district (04-09-00561-CV, 335 SW3d 265, 11-03-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 11, 2012.]

Time allotted to argue: 20/20 minutes

11-0079 ONCOR ELECTRIC DELIVERY COMPANY LLC v. DALLAS AREA RAPID TRANSIT AND FORT WORTH TRANSPORTATION AUTHORITY; from Dallas County; 5th district (05-09-01500-CV, 331 SW3d 91, 12-22-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 11, 2012.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

09-0014 JIMMY J. KELLY v. AMERICAN INTERSTATE INSURANCE CO., HAMMERMAN & GAINER, INC., AND SHERYL BUTMAN; from Harris County; 14th district (14-07-00083-CV, ___ SW3d ___, 11-25-08)

(Justice Guzman not sitting)

09-0875 LLOYD SNYDER v. CUNNINGHAM LINDSEY CLAIMS MANAGEMENT, INC. AND GLENDA HIGGINS; from Harris County; 14th district (14-07-00449-CV, 291 SW3d 472, 06-25-09)

(Justice Guzman not sitting)

10-0420 TEXAS DEPARTMENT OF LICENSING AND REGULATION v. CAROLYN K. MCCOLLUM; from Harris County; 1st district (01-08-00414-CV, 321 SW3d 58, 04-22-10)

10-0580 IN THE INTEREST OF L.L. AND T.L., CHILDREN; from Bexar County; 4th district (04-08-00911-CV, ___ SW3d ___, 06-16-10)

10-0993 TAMMY PRESLEY, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF KEVIN LEE PRESLEY v. GULF STATES UTILITIES COMPANY AND ENTERGY GULF STATES, INC.; from Jefferson County; 9th district (09-10-00039-CV, ___ SW3d ___, 10-28-10)

10-1002 MULTI-COUNTY WATER SUPPLY CORPORATION, INC. v. CITY OF HAMILTON, TEXAS AND UPPER LEON RIVER MUNICIPAL WATER DISTRICT; from Hamilton County; 14th district (14-09-00333-CV, ___ SW3d ___, 08-31-10)

- 10-1030 CITY OF ALTON v. CITY OF MISSION; from Hidalgo County; 13th district
(13-08-00582-CV, ___ SW3d ___, 10-14-10)
- 11-0017 EL PASO COUNTY COMMUNITY COLLEGE DISTRICT v. ANTONIO
LAWLER; from El Paso County; 8th district
(08-08-00174-CV, ___ SW3d ___, 11-30-10)
- 11-0030 STEPHEN KEMP AND ELLIOT KEMP v. PAUL JENSEN, JOHN SARINGER
AND WAGSTAFF, ALVIS, STUBBEMAN, SEAMSTER & LONGACRE, LLP;
from Taylor County; 11th district (11-09-00052-CV, 329 SW3d 866, 12-02-10)
- 11-0060 JAMES B. HARRIS v. GORDON R. COOPER, II; from Brazoria County; 14th
district (14-09-00185-CV, 329 SW3d 898, 12-14-10)
- 11-0074 VHA SOUTHWEST COMMUNITY HEALTH CORPORATION, D/B/A
COMMUNITY HEALTH CORPORATION v. MILTON E. AUNAN, II; from Bowie
County; 6th district (06-10-00081-CV, ___ SW3d ___, 12-16-10)
- 11-0099 FRITO-LAY, INC. v. TRINITY UNIVERSAL INSURANCE COMPANY, TRINITY
UNIVERSAL INSURANCE COMPANIES, TRINITY LLOYD'S INSURANCE
COMPANY AND UNITRIN PROPERTY AND CASUALTY INSURANCE
GROUP; from Dallas County; 5th district
(05-08-01263-CV, ___ SW3d ___, 11-22-10)
- 11-0207 IN RE COMMITMENT OF JOE NATHAN POLK; from Montgomery County; 9th
district (09-10-00127-CV, ___ SW3d ___, 02-24-11)
as redrafted
- 11-0209 WISE ELECTRIC COOPERATIVE, INC. v. AMERICAN HAT COMPANY; from
Montague County; 2nd district (02-09-00368-CV, ___ SW3d ___, 10-14-10)
- 11-0220 JERRY L. BERWICK v. RICHARD T. WAGNER; from Harris County; 1st district
(01-09-00834-CV, 336 SW3d 805, 02-10-11)
- 11-0269 IN THE MATTER OF THE EXPUNCTION OF LSW; from El Paso County; 8th
district (08-08-00292-CV, 334 SW3d 342, 01-05-11)
- 11-0275 WEEKLEY HOMES, L.P. D/B/A DAVID WEEKLEY HOMES, WEEKLEY
HOMES BUSINESS TRUST, DAVID WEEKLEY AND RANDY BRADEN v. LEN
RAO; from Dallas County; 5th district (05-10-00570-CV, 336 SW3d 413, 03-22-11)

- 11-0325 COPTIC ORTHODOX PATRIARCHATE DIOCESE OF THE SOUTHERN UNITED STATES, ST. MARY COPTIC ORTHODOX CHURCH, ST. MARK COPTIC ORTHODOX CHURCH v. STEPHANIE M.; from Harris County; 14th district (14-10-00004-CV, ___ SW3d ___, 03-17-11)
- 11-0370 ANASTACIO G. GARZA AND BARBARA T. GARZA v. ALEJANDRO E. VILLARREAL, JR., ET AL.; from Tarrant County; 4th district (04-09-00750-CV, ___ SW3d ___, 02-24-11)
- 11-0375 R&R RESOURCES CORPORATION AND JAY BROWN v. ECHELON OIL AND GAS, L.L.C., TEX-OIL AND GAS, INC. AND BAIRTEX ENERGY, INC.; from Fayette County; 3rd district (03-07-00636-CV, ___ SW3d ___, 01-14-10)
- 11-0439 TRANSCONTINENTAL REALTY INVESTORS, INC. AND RT REALTY, L.P. v. MCGUIRE, CRADDOCK, STROTHER, & HAIL, P.C.; from Dallas County; 5th district (05-09-00884-CV, ___ SW3d ___, 04-20-11)
- 11-0445 MICHAEL C. MEWHINNEY v. THE LONDON WINEMAN, INC.; from Dallas County; 5th district (05-09-01057-CV, 339 SW3d 177, 03-22-11)
- 11-0452 JOHN D. STONE v. WYTHE II CORPORATION; from Jefferson County; 9th district (09-09-00397-CV, 342 SW3d 96, 03-10-11)
2 petitions
- 11-0486 CITY OF HOUSTON v. MAGUIRE OIL COMPANY, ET AL.; from Harris County; 14th district (14-09-00701-CV, 342 SW3d 726, 05-03-11)
- 11-0513 TERRY MCBRIDE v. JOHN JAMES; from Wichita County; 2nd district (02-09-00320-CV, 02-09-0046-CV, ___ SW3d ___, 03-24-11)
- 11-0536 CHARLES MCGARRY v. HENRY FRED EFFEL; from Dallas County; 5th district (05-09-01459-CV, 339 SW3d 789, 04-19-11)
- 11-0539 WEINGARTEN REALTY MANAGEMENT CO. AND SCOTTSDALE INSURANCE COMPANY v. LIBERTY MUTUAL FIRE INSURANCE COMPANY; from Harris County; 14th district (14-09-00860-CV, 343 SW3d 859, 05-26-11)
- 11-0563 LATEEFAH NEAL v. TEXAS DEPARTMENT OF HEALTH; from Travis County; 3rd district (03-09-00574-CV, ___ SW3d ___, 05-06-11)

11-0576 IN THE MATTER OF THE MARRIAGE OF THOMAS FRANCIS MOROCH AND CHRISTY CALVERT (MOROCH) COLLINS; from Dallas County; 5th district (05-09-00811-CV, 339 SW3d 159, 03-08-11)

11-0635 ASHISH K. BANIK v. AVASTHI & ASSOCIATES, INC.; from Harris County; 14th district (14-09-01016-CV, 343 SW3d 260, 05-17-11)

ORDERS ON MOTIONS FOR REHEARING

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

11-0039 AMERISURE MUTUAL INSURANCE COMPANY v. SVETLANA POPLIN; from Harris County; 14th district (14-09-00222-CV, ___ SW3d ___, 08-31-10)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

10-0460 IN RE ALICE M. PUIG IN HER INDIVIDUAL CAPACITY AND IN HER CAPACITY AS THE INDEPENDENT ADMINISTRATRIX OF THE ESTATE OF ALICIA PRIETO PUIG, AND CHARLES B. PUIG; from Webb County; 4th district (04-10-00197-CV, ___ SW3d ___, 06-02-10)
corrected opinion issued

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

09-0443 IN RE TEXAS MUTUAL INSURANCE COMPANY AND GLORIA WILLIAMS; from Dallas County; 5th district (05-09-00214-CV, ___ SW3d ___, 04-06-09)

09-0508 IN RE TEXAS MUTUAL INSURANCE COMPANY AND EVIE VILLARREAL; from Duval County; 4th district (04-09-00082-CV, 329 SW3d 1, 04-29-09)
motion for emergency temporary stay denied

09-0823 IN RE LM INSURANCE CORPORATION, LIBERTY INSURANCE CORPORATION, AND NATALEE BROOKE BELL KERR; from Dallas County; 5th district (05-09-01123-CV, ___ SW3d ___, 09-24-09)
emergency motion for stay denied

- 10-0957 IN RE HEB GROCERY COMPANY, L.P.; from Nueces County; 13th district
(13-10-00533-CV, ___ SW3d ___, 11-08-10)
- 11-0064 IN RE H.D.V.; from Dallas County; 5th district
(05-11-00078-CV, ___ SW3d ___, 01-25-11)
- 11-0152 IN RE AMERIMEX DRILLING I, LTD.; from Howard County; 11th district
(11-10-00245-CV, 331 SW3d 70, 11-12-10)
- 11-0205 IN RE LIBERTY MUTUAL FIRE INSURANCE COMPANY; from Zavala County;
4th district (04-11-00032-CV, ___ SW3d ___, 03-16-11)
as redrafted
- 11-0389 IN RE JERRY RAY MERCER; from Wharton County; 13th district
(13-11-00296-CV, ___ SW3d ___, 05-10-11)

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 10-0255 IN RE MARK D. LUEBE; from Harris County; 1st district
(01-09-00908-CV, ___ SW3d ___, 04-02-10)

THE SUPREME COURT OF TEXAS

Orders Pronounced October 4, 2011

ORDERS ON CAUSES

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

10-0513 MATTHEW W. WASSERMAN, M.D. v. CHRISTINA BERGERON GUGEL; from Harris County; 14th district (14-09-00450-CV, ___ SW3d ___, 05-20-10)
respondent's motion to request apportionment of 10 minutes of oral argument granted

Time allotted to argue: 20/10/10 minutes

ORDERS ON PETITIONS FOR REVIEW

SOLICITOR GENERAL INVITED TO FILE BRIEF:

11-0732 IN RE STEPHANIE LEE; from Harris County; 14th district
(14-11-00714-CV, ___ SW3d ___, 09-13-11)

The Solicitor General is invited to file a brief in this case expressing the views of the State.

THE SUPREME COURT OF TEXAS

Orders Pronounced October 7, 2011

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

10-0687 IN RE FRANK KENT MOTOR COMPANY D/B/A FRANK KENT CADILLAC;
from Tarrant County; 2nd district (02-10-00298-CV, ___ SW3d ___, 08-30-10)
motion for leave to file a supplement to brief on the merits granted

THE FOLLOWING CAUSE IS DISMISSED:

10-0232 BASITH GHAZALI, M.D. v. PATRICIA BROWN; from Tarrant County; 2nd district
(02-09-00191-CV, 307 SW3d 499, 02-25-10)
joint motion to dismiss granted
abatement order issued September 12, 2011, lifted

THE FOLLOWING CAUSE IS REINSTATED:

09-0387 CAROL SEVERANCE v. JERRY PATTERSON, COMMISSIONER OF THE
TEXAS GENERAL LAND OFFICE; GREG ABBOTT, ATTORNEY GENERAL
FOR THE STATE OF TEXAS; AND KURT SISTRUNK, DISTRICT ATTORNEY
FOR THE COUNTY OF GALVESTON, TEXAS
abatement of July 29, 2011, lifted

The Court reinstates our consideration on rehearing of the certified questions in light
of the recent order of the United States Court of Appeals for the Fifth Circuit denying
the State's mootness claims.

(Chief Justice Jefferson not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0614 ROBERTO JUAREZ SALINAS v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd district (03-11-00263-CV, ___ SW3d ___, 06-17-11)
application for complete recordation for transcript denied
- 11-0639 IN THE INTEREST OF M.E.-M.N., MINOR CHILD; from Denton County; 2nd district (02-09-00358-CV, 342 SW3d 254, 05-26-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0377 WENDY GONZALEZ ANAYA, INDIVIDUALLY AND AS NEXT FRIEND OF NEWBORN BABY CHRISTOPHER GABRIEL HERNANDEZ, DECEASED AND JOSE HERNANDEZ, INDIVIDUALLY v. GEOFFREY ZIMMERMAN, M.D.; from Harris County; 1st district (01-07-00570-CV, ___ SW3d ___, 03-31-11)
- 11-0393 IN THE INTEREST OF B.J.H.-T, A CHILD; from Smith County; 12th district (12-09-00157-CV, ___ SW3d ___, 03-02-11)
- 11-0408 DONALD E. SPENCER v. DON MCGILL OF KATY, LTD.; from Harris County; 14th district (14-10-00018-CV, ___ SW3d ___, 03-03-11)
- 11-0510 SHAUNE E. GROSS v. NIKKI DEMBY, SAN ANTONIO INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES AND TONI THOMPSON; from Bexar County; 4th district (04-10-00789-CV, ___ SW3d ___, 04-13-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced October 14, 2011

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0531 SANDRIA L. SHELDON v. UNKNOWN NURSE/STAFF OF TRINITY MOTHER FRANCES HOSPITAL, TYLER, TEXAS; from Smith County; 6th district (06-10-00097-CV, ___ SW3d ___, 05-18-11)
- 11-0587 LEFT GATE PROPERTY HOLDINGS, INC. D/B/A NORTHSIDE TEXAS DIRECT AUTO AND ED WILLIAMS INDIVIDUALLY v. TEMEASHA SCOTT; from Harris County; 1st district (01-10-00334-CV, ___ SW3d ___, 04-07-11) as supplemented
- 11-0607 INFINITI HOTEL GROUP, LLC v. VINAY PATEL AND SAI LAXMI, LLC; from Comal County; 3rd district (03-09-00610-CV, ___ SW3d ___, 04-08-11)
- 11-0608 IN THE MATTER OF T.D.S.; from Harris County; 14th district (14-11-00005-CV, ___ SW3d ___, 06-23-11) as supplemented
- 11-0624 RALPH O. DOUGLAS v. LINDA PORTER AND MARCELYN CURRY; from Harris County; 14th district (14-10-00055-CV, ___ SW3d ___, 04-26-11)
- 11-0626 AARON ROSSETT, F.N.P. v. GREGORY WILSON AND ANNE WILSON; from Bexar County; 4th district (04-10-00583-CV, ___ SW3d ___, 05-11-11)
- 11-0661 JESUS VARELA, ET AL. v. CITY OF LAREDO; from Webb County; 4th district (04-10-00619-CV, ___ SW3d ___, 05-11-11)
- 11-0665 HANNON, INC. v. RONNY SCOTT D/B/A DOLLAR LAND; from Tarrant County; 2nd district (02-10-00012-CV, ___ SW3d ___, 05-12-11)
- 11-0666 BRUCE M. CRIDER v. MARY H. CRIDER; from Galveston County; 1st district (01-10-00268-CV, ___ SW3d ___, 07-07-11)
- 11-0667 IN THE MATTER OF V.M.S.; from Comanche County; 11th district (11-10-00357-CV, ___ SW3d ___, 07-14-11)

as supplemented

11-0678 C. KYLE SMITH v. COMMUNITY NATIONAL BANK; from Midland County; 11th district (11-09-00196-CV, 344 SW3d 561, 06-16-11)
as supplemented

11-0774 IN THE INTEREST OF K.L.J., K.N.J. AND B.H.B., CHILDREN; from Lubbock County; 7th district (07-10-00436-CV, ___ SW3d ___, 07-27-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

11-0777 BOBIE KENNETH TOWNSEND v. MONTGOMERY CENTRAL APPRAISAL DISTRICT, ET AL.; from Montgomery County; 9th district (09-10-00394-CV, ___ SW3d ___, 07-28-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by October 24, 2011."

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

11-0534 AMS CONSTRUCTION COMPANY, INC. D/B/A AMS STAFF LEASING v. K.H.K. SCAFFOLDING HOUSTON, INC.; from Harris County; 1st district (01-09-00360-CV, ___ SW3d ___, 04-28-11)
motion to dismiss granted
abatement order issued September 9, 2011, lifted

ORDERS ON MOTIONS FOR REHEARING

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

11-0168 JOE PUTNAM AND IRVING TAXPAYERS OPPOSED TO WASTEFUL AND ILLEGAL USE OF TAX MONEY v. THE CITY OF IRVING, TEXAS; from Dallas County; 5th district (05-10-01269-CV, 331 SW3d 869, 01-27-11)

11-0352 NATIVIDAD DELGADO v. PROGRESSIVE COUNTY MUTUAL INSURANCE COMPANY; from Lubbock County; 7th district

(07-09-00362-CV, 335 SW3d 689, 02-04-11)

11-0361 DAVID ALAN SHEPHERD v. OFFICE DEPOT AND UNITED PARCEL SERVICE (UPS); from Gregg County; 6th district (06-10-00110-CV, ___ SW3d ___, 03-30-11)

11-0396 ECF NORTHRIDGE ASSOCIATES, L.P. AND TCI 9033 WILSHIRE BOULEVARD, INC. v. ORIX CAPITAL MARKETS, L.L.C., ET AL.; from Dallas County; 5th district (05-09-00066-CV, 336 SW3d 400, 03-14-11)
2 motions for rehearing

(Justice Johnson not sitting)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0688 IN RE NINA LOPEZ; from Dallas County; 5th district
(05-11-00379-CV, 345 SW3d 784, 07-28-11)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

11-0820 IN RE LANDIS BARROW; from Potter County

The Court strikes the petition for writ of mandamus with the following notation: "The petition violates Texas Rules of Appellate Procedure 52.6 and is struck. Relator is ordered to redraw; the redrawn petition is due to be filed October 24, 2011."

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

11-0552 IN RE JOHN WALTER COBB AND ELIZABETH COBB; from Polk County; 9th district (09-11-00266-CV, ___ SW3d ___, 06-30-11)
motion for temporary relief granted
stay order issued

THE SUPREME COURT OF TEXAS

Orders Pronounced October 19, 2011

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

07-0284 CITY OF DALLAS v. KENNETH E. ALBERT, ET AL.; from Collin County; 5th district (05-03-01297-CV, 05-03-01298-CV, 214 SW3d 631, 12-21-06)
motion to clarify opinion and judgment, granted in part
judgment issued August 26, 2011, withdrawn
corrected judgment issued

THE SUPREME COURT OF TEXAS

Orders Pronounced October 21, 2011

ORDERS ON CAUSES

08-0591 ROLLING PLAINS GROUNDWATER CONSERVATION DISTRICT v. CITY OF ASPERMONT, TEXAS; from Stonewall County; 11th district (11-07-00009-CV, 258 SW3d 231, 05-08-08)

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

Per Curiam Opinion

08-0943 TEXAS DEPARTMENT OF TRANSPORTATION v. ROGER SEFZIK; from Travis County; 13th district (13-06-00550-CV, 267 SW3d 127, 06-19-08)

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

Per Curiam Opinion

(Justice Johnson not sitting)

09-0223 SHARYLAND WATER SUPPLY CORPORATION v. CITY OF ALTON, CARTER & BURGESS, INC., CRIS EQUIPMENT COMPANY, AND TURNER, COLLIE & BRADEN, INC.; from Hidalgo County; 13th district (13-06-00038-CV, 277 SW3d 132, 02-05-09)

The Court affirms in part, reverses and renders in part, and reverses and remands in part the court of appeals' judgment.

Chief Justice Jefferson delivered the opinion of the Court.

10-0389 KOUROSH HEMYARI AND UNION VALLEY RANCH, L.P. v. GARY BEN STEPHENS, STEPHENS GROUP, L.P., AND STEPHENS GROUP II, L.P.; from Dallas County; 5th district (05-08-01492-CV, ___ SW3d ___, 04-20-10)

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 renders judgment.

Per Curiam Opinion

10-0669 H.E. BARNES v. LEE ROY MATHIS; from Anderson County; 12th district (12-08-00340-CV, 316 SW3d 795, 07-14-10)

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

Per Curiam Opinion

10-0854 LYNDA MARINO v. CHARLES KING; from Brazos County; 10th district (10-09-00368-CV, ___ SW3d ___, 09-01-10)

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

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

11-0589 ALLCAT CLAIMS SERVICE, L.P. AND JOHN WEAKLY v. SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND GREG ABBOTT, ATTORNEY GENERAL FOR THE STATE OF TEXAS
unopposed motion for leave of court for amici curiae to share argument time granted

Time allotted to argue: 24/30/6 minutes

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 08-0244 BASIC CAPITAL MANAGEMENT, INC., AMERICAN REALTY TRUST, INC., TRANSCONTINENTAL REALTY INVESTORS, INC., CONTINENTAL POYDRAS CORP., CONTINENTAL COMMON, INC., AND CONTINENTAL BARONNE, INC. v. DYNEX COMMERCIAL, INC. AND DYNEX CAPITAL, INC.; from Dallas County; 5th district (05-04-01358-CV, 254 SW3d 508, 02-22-08)
- 08-0658 CARROLL G. ROBINSON, BRUCE R. HOTZE, AND JEFFREY N. DAILY v. ANNISE D. PARKER, MAYOR; CITY OF HOUSTON; HOUSTON CITY COUNCIL, ET AL.; from Harris County; 14th district (14-06-00167-CV, 260 SW3d 463, 04-03-08)

(Justice Guzman not sitting)

- 10-0524 ST. DAVID'S HEALTHCARE PARTNERSHIP, L.P., LLP D/B/A ST. DAVID'S HOSPITAL AND ST. DAVID'S COMMUNITY HEALTH FOUNDATION v. GENARO ESPARZA, JR.; from Travis County; 3rd district (03-09-00734-CV, 315 SW3d 601, 05-13-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

- 10-0648 EL PASO FIELD SERVICES, L.P. AND GULFTERRA SOUTH TEXAS, L.P. F/K/A EL PASO SOUTH TEXAS, L.P. v. MASTEC NORTH AMERICA, INC. AND MASTEC, INC.; from Harris County; 1st district (01-07-00319-CV, 317 SW3d 431, 05-06-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 11, 2012.]

Time allotted to argue: 20/20 minutes

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

10-0886 IN RE BILLY FREDERICK ALLEN

[**Note:** This case has been set for oral argument at 9:00 a.m., January 12, 2012.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

10-0089 DEWAYNE ROGERS LOGGING, INC. v. DEERE & COMPANY D/B/A JOHN DEERE COMPANY, PROPAC INDUSTRIES, LTD. AND EAST TEXAS MACHINERY RENTAL, INC.; from Trinity County; 12th district (12-08-00048-CV, 299 SW3d 374, 08-31-09)

10-0564 LIVE OAK ENERGY, INC. v. HUNT OIL COMPANY; from Dallas County; 5th district (05-07-01553-CV, 313 SW3d 384, 10-19-09)

10-0965 DAN H. HANKE AND THE HANKE GROUP, P.C., F/K/A HANKE, GREEN AND STEIN; LANGLEY & BANACK INCORPORATED, A/K/A LANGLEY & BANACK, INC.; STEVEN R. BROOK; AND DAVID S. GRAGG v. LAWRENCE T. FLACK; from Bexar County; 4th district (04-08-00177-CV, 334 SW3d 251, 10-13-10)

(Justice Hecht not sitting)

10-0968 QUWANDA GRANT AND CELESTE BROWN v. HOPE VILLAGE APARTMENTS; from Jasper County; 9th district (09-09-00527-CV, ___ SW3d ___, 10-28-10)

10-0976 BENJIE JOHNSON v. HOPE VILLAGE APARTMENTS; from Jasper County; 9th district (09-09-00526-CV, ___ SW3d ___, 10-28-10)

- 10-0982 ROCIO G. GUERRA, INDIVIDUALLY AND AS NEXT FRIEND OF HER MINOR CHILDREN, VIDAL G. GUERRA III AND MAYELA A. GUERRA v. JOSEFINA ALEXANDER GONZALEZ AND DELFINA ALEXANDER, INDIVIUDALLY AND AS TRUSTEES OF THE DELFINA AND JOSEFINA ALEXANDER FAMILY TRUST; from Webb County; 4th district
(04-09-00004-CV, ___ SW3d ___, 05-26-10)
- 11-0091 JTW MEDICAL PRODUCTS, INC. v. KARA SWINDELL AND JEREMY SWINDELL; from Dallas County; 5th district
(05-09-01543-CV, 329 SW3d 70, 11-08-10)
- 11-0119 JON A. MARSHALL v. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 358; from Harris County; 1st district
(01-07-00910-CV, ___ SW3d ___, 01-20-11)
- 11-0143 CITY OF CORPUS CHRISTI v. SAN PATRICIO MUNICIPAL WATER DISTRICT AND SOUTH TEXAS WATER AUTHORITY; from Nueces County; 13th district
(13-10-00272-CV, ___ SW3d ___, 01-13-11)
2 petitions
- 11-0170 RELIANCE INSURANCE COMPANY (IN LIQUIDATION) AND TEXAS PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION v. JOHN LYLE HIBDON AKA J.L. HIBDON; from Harris County; 14th district
(14-09-00092-CV, 333 SW3d 364, 01-20-11)
- 11-0194 WELDON AND SHARON BOEHL v. ROGER BOLEY, ELLEN E. DAWSON, AND RICHARD SMITH COMPANY, D/B/A COLDWELL BANKER UNITED, REALTORS; from Travis County; 7th district
(07-09-00269-CV, ___ SW3d ___, 01-26-11)
- 11-0221 JSC NEFTEGAS-IMPEX v. CITIBANK, N.A.; from Harris County; 1st district
(01-07-00397-CV, ___ SW3d ___, 02-10-11)
2 petitions
- 11-0319 BILLY JAMES HORTON v. VERNA LAYNELL HORTON; from Montgomery County; 9th district (09-10-00063-CV, 335 SW3d 862, 03-10-11)
- 11-0414 MPII, INC. D/B/A MISSION PARK FUNERAL CHAPELS SOUTH v. JOSEPH ANTHONY RIVAS; from Bexar County; 13th district
(13-09-00177-CV, ___ SW3d ___, 03-24-11)

(Justice Green not sitting)

- 11-0493 NICK DIGIUSEPPE D/B/A SOUTHBROOK DEVELOPMENT AND FRISCO MASTER PLAN, L.P. v. ROGER LAWLER; from Collin County; 5th district (05-09-01468-CV, ___ SW3d ___, 05-13-11)
- 11-0503 RAYMOND YARBROUGH v. ACIG; from Dallas County; 5th district (05-10-00562-CV, ___ SW3d ___, 05-16-11)
- 11-0511 PAMELA RUST v. TEXAS FARMERS INSURANCE COMPANY; from Tarrant County; 8th district (08-10-00128-CV, 341 SW3d 541, 04-20-11)
- 11-0530 JACLYN DUKATT v. MITCHELL DUKATT; from Dallas County; 5th district (05-10-01431-CV, ___ SW3d ___, 05-31-11)
- 11-0561 FINIS DEAN SMITH AND DEBBY SMITH v. BASA RESOURCES, INC.; from Stephens County; 11th district (11-09-00339-CV, ___ SW3d ___, 04-14-11)
- 11-0601 EX PARTE ROBERT EDWARD MACLAREN; from Montgomery County as redrafted
- 11-0603 ALBERT F. PERALTA v. PS LPT PROPERTIES INVESTORS; from Travis County; 3rd district (03-11-00126-CV, ___ SW3d ___, 06-30-11)
- 11-0617 JOSE F. DIAZ v. LILIANA M. DIAZ; from Bexar County; 4th district (04-10-00304-CV, ___ SW3d ___, 06-22-11)
- 11-0643 JAMES MACAVOY v. CITY OF ATHENS; from Henderson County; 12th district (12-10-00259-CV, ___ SW3d ___, 06-30-11)
- 11-0651 RICHARD A. DODD, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE A. DODD, DECEASED, LEOLA DODD, DORIS ANNETTE DODD, GLENN WAYNE DODD, LON MARCUS DODD, AND KAREN DODD PAIR v. TORNADO TRUCKING, INC. AND JUAN LEAL, JR.; from Falls County; 10th district (10-10-00062-CV, ___ SW3d ___, 07-06-11)
- 11-0654 CHRISTOPHER CASTLEBERRY v. ACE AMERICAN INSURANCE/ESIS; from Morris County; 6th district (06-11-00016-CV, ___ SW3d ___, 08-04-11)
- 11-0687 DEANNA AND PHILLIP HOFSTETTER, INDIVIDUALLY AND AS JUDGMENT CREDITORS AND TURNOVER ASSIGNEES OF MARIA I. BENITIZ v. LOYA INSURANCE COMPANY; from Harris County; 1st district (01-10-00104-CV, ___ SW3d ___, 04-28-11)

- 11-0695 CURTIS R. FRANCIS v. ARVA KING, ET AL.; from Freestone County; 10th district
(10-09-00112-CV, ___ SW3d ___, 06-15-11)
- 11-0715 CONTINENTAL CASUALTY INSURANCE COMPANY v. MARY M.
LAVENDER; from Denton County; 2nd district
(02-10-00399-CV, ___ SW3d ___, 06-09-11)
- 11-0735 EDWIN A. WHITE v. MLMT 2004-BPC1 CARLYLE CROSSING, LLC, A
DELAWARE LIMITED LIABILITY COMPANY; from Tarrant County; 2nd district
(02-10-00233-CV, ___ SW3d ___, 08-18-11)

**THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF
JURISDICTION:**

- 10-1031 NATEX CORPORATION D/B/A NATEX CORPORATION ARCHITECTS v.
PARIS INDEPENDENT SCHOOL DISTRICT; from Lamar County; 6th district
(06-10-00052-CV, 326 SW3d 728, 11-01-10)
- 11-0271 MICHAEL M. EULER v. MILES MARKS, TRUSTEE AND TEXAS DOW
EMPLOYEES FEDERAL CREDIT UNION; from Montgomery County; 9th district
(09-09-00344-CV, ___ SW3d ___, 02-03-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0326 ROOSEVELT BARNES, JR. v. POLK COUNTY SHERIFF DEPARTMENT,
SHERIFF BILLY RAY NELSON, SR., SHERIFF MIKE NETTLES, AND THE
POLK COUNTY DRUG TASK FORCE; from Polk County; 9th district
(09-10-00221-CV, ___ SW3d ___, 03-17-11)

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

09-0715 MABON LIMITED v. AFRI-CARIB ENTERPRISES, INC.; from Harris County;
14th district (14-07-00650-CV, 287 SW3d 217, 03-31-09)
2 motions for rehearing
denial of petitions for review on February 25, 2011, withdrawn
petitions for review reinstated

[**Note:** The petitions for review remain pending before this Court.]

(Justice Guzman not sitting)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0323 IN RE RICHARD RAFFERTY; from Dallas County; 5th district
(05-11-00358-CV, ___ SW3d ___, 04-04-11)
motion for sanctions denied
motion to dismiss petition for writ of mandamus dismissed as moot

11-0567 IN RE VICENTE REYES; from Bexar County; 4th district
(04-10-00697-CR, ___ SW3d ___, 10-13-10)
motion for forwarding of record denied

11-0691 IN RE CAROL ANN GIBBONS AND VIRGINIA FLOYD; from Tarrant County;
2nd district (02-11-00319-CV, ___ SW3d ___, 08-29-11)
emergency motion to stay denied

11-0730 IN RE DWIGHT BROWN; from Denton County

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED AS MOOT:

11-0628 IN RE JOHNNIE LINDSEY
joint motion to dismiss mandamus action as moot granted

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

11-0831 IN RE CARY SCHULMAN AND THE CARY SCHULMAN LAW FIRM; from
Dallas County; 5th district (05-10-00061-CV, ___ SW3d ___, 09-07-11)
motion to extend page limits denied

The Court strikes the petition for writ of mandamus with the following notations: "The
petition violates Texas Rule of Appellate Procedure 52.6 and is struck."

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DISMISSED:

11-0177 IN RE DONALD W. DAVIS; from Denton County; 2nd district
(02-11-00088-CV, ___ SW3d ___, 03-09-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced October 26, 2011

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0858 IN RE CARY SCHULMAN & JENNIFER LUGO; from Rockwall County; 5th
district
motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced October 28, 2011

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS SET FOR SUBMISSION:

11-0519 EVANSTON INSURANCE CO. v. LEGACY OF LIFE, INC.

[**Note:** This case has been set for oral argument at 9:00 a.m., January 12, 2012.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

11-0846 ANTHONY R. FREEMAN v. JOHN S. FRESHOUR AND CAROLYN RANDLE;
from Anderson County; 12th district
abatement order issued

[**Note:** This case is removed from the Court's active docket until further order of this Court. It is the responsibility of the parties to immediately notify this Court of the decision in the court of appeals, and in any event to provide a status update no later than November 28, 2011.]

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0562 PAUL ROBERTSON v. HOME STATE COUNTY MUTUAL INSURANCE
COMPANY; from Tarrant County; 2nd district
(02-08-00280-CV, 348 SW3d 273, 06-02-11)

11-0659 LARRY LAWSON v. RAQUEL WEST; from Jefferson County; 9th district
(09-10-00052-CV, ___ SW3d ___, 05-19-11)

11-0668 IN THE INTEREST OF R.S., A.S., N.S., AND B.J.S., CHILDREN; from Johnson
County; 10th district (10-10-00350-CV, ___ SW3d ___, 06-22-11)

- 11-0669 SKIDMORE ENERGY, INC., JOHNNY L. PATTON, JR., PATTON PRODUCTION COMPANY AND PULS, TAYLOR & WOODSON, L.L.P. v. MAXUS (U.S.) EXPLORATION COMPANY; from Dallas County; 5th district (05-09-00402-CV, 345 SW3d 672, 07-12-11)
- 11-0697 CONCEPT GENERAL CONTRACTING, INC. D/B/A CONCEPT BUILDERS AND CAPITOL INDEMNITY CORP. v. ASBESTOS MAINTENANCE SERVICES, INC.; from Deaf Smith County; 7th district (07-10-00332-CV, 346 SW3d 172, 07-18-11)
- 11-0724 RICHARD M. OWEN AND MARSHA LONG OWEN v. OPTION ONE MORTGAGE CORPORATION AKA SAND CANYON CORPORATION; from Harris County; 1st district (01-10-00412-CV, ___ SW3d ___, 07-28-11)

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

- 11-0802 EARLE COBB, JR. AS PRIOR ATTORNEY AND NEXT FRIEND FOR C.D., A MINOR v. PATRICIA ANN BROOKS; from Bexar County; 4th district (04-10-00912-CV, ___ SW3d ___, 06-01-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0216 SINCERELY YOURS, L.P. v. NCI BUILDING SYSTEMS, L.P., D/B/A METALLIC BUILDING CO. AND BUILDING SYSTEMS DE MEXICO, S.A., D.E. CV; from Denton County; 7th district (07-10-00280-CV, ___ SW3d ___, 12-22-10)
- 11-0497 IN THE INTEREST OF A.L.S., M.B.S., B.P.S, AND F.J.S.; from Harris County; 14th district (14-10-00245-CV, 338 SW3d 59, 03-01-11)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0259 IN RE BUCKNER CHILDREN AND FAMILY SERVICES, INC.; from Dallas County; 5th district (05-11-00371-CV, ___ SW3d ___, 04-01-11)
- 11-0455 IN RE COLONIAL LLOYDS INSURANCE COMPANY, ATLAS GENERAL AGENCY, L.L.C., JIM KIGHT AND WESLEY BROADUS; from Harris County; 14th district (14-11-00358-CV, ___ SW3d ___, 06-09-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0745 IN RE THE ALTA FAY AND EUGENE R. FANT CHILDREN'S TRUST OF 1978,
NUMBER ONE; from Harris County; 1st district
(01-11-00166-CV, ___ SW3d ___, 08-04-11)
- 11-0746 IN RE TED LAWRENCE ROBERTSON; from Harris County; 14th district
(14-11-00271-CV, ___ SW3d ___, 04-21-11)
motion to recuse dismissed as moot

(Justice Guzman not sitting)

**THE MOTION IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS
GRANTED:**

- 11-0084 IN RE ASTEC UNDERGROUND, INC.; from Hidalgo County; 13th district
(13-11-00065-CV, ___ SW3d ___, 02-03-11)
unopposed motion for partial lift of stay granted
stay order issued

The stay issued February 7, 2011, is lifted in part only to allow the trial court to conduct a hearing to approve the parties' tentative settlement agreement. This Court's stay issued February 7, 2011, otherwise remains in full force and effect.

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

THE SUPREME COURT OF TEXAS

Orders Pronounced October 31, 2011

MISCELLANEOUS

THE FOLLOWING CASE IS SET FOR ORAL ARGUMENT:

11-0855 NESTLE USA, INC., SWITCHPLACE, LLC, AND NSBMA, LP v. SUSAN COMBS, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS AND GREG ABBOTT, TEXAS ATTORNEY GENERAL

The parties are ordered to file briefs:

Plaintiffs' brief due November 21, 2011.

Defendants' brief due December 12, 2011.

Plaintiffs' reply brief due December 19, 2011.

[**Note:** This case has been set for oral argument at 9:00 a.m., January 12, 2012.]

Time allotted to argue: 30/30 minutes

THE SUPREME COURT OF TEXAS

Orders Pronounced November 4, 2011

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

- 10-0671 KERRY HECKMAN, MONICA MAISENBACHER, SYLVIA PETERSON, TAMMY NEWBERRY, ELVEDA VIEIRA AND JESSICA STEMCKO, ON BEHALF OF THEMSELVES AND ALL OTHER PERSONS SIMILARLY SITUATED v. WILLIAMSON COUNTY, HONORABLE DAN A. GATTIS, HONORABLE SUZANNE BROOKS, HONORABLE TIM WRIGHT, HONORABLE DOUG ARNOLD AND HONORABLE WILLIAM THOMAS EASTES; from Williamson County; 3rd district (03-06-00600-CV, ___ SW3d ___, 04-23-10)
unopposed motion to withdraw as counsel granted

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

- 11-0634 EX PARTE: THE CITY OF IRVING, TEXAS; from Dallas County; 5th district (05-11-00036-CV, 343 SW3d 850, 05-20-11)
joint motion to dismiss granted
request to expedite mandate granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. Without hearing oral argument or considering the merits, the Court vacates the judgments of the court of appeals and trial court, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0545 HUBERTO FLORES v. CHARLES APPLER, ET AL.; from Dallas County; 5th district (05-09-01523-CV, ___ SW3d ___, 05-24-11)
as redrafted
as supplemented
request for Americans with Disabilities Act Advocate Accommodations dismissed as moot
- 11-0605 BETTY LOU JASPER v. THOMAS EUGENE JASPER, JR.; from Hardin County; 9th district (09-09-00519-CV, ___ SW3d ___, 06-16-11)
- 11-0633 THERESA ALLEN v. SANDEE HART, DAVID DIES AND DIES AND HART LLP; from Orange County; 9th district (09-10-00157-CV, ___ SW3d ___, 06-16-11)
- 11-0712 STANLEY THAW v. LESLIE SCHACHAR, M.D.; from Denton County; 7th district (07-10-00027-CV, ___ SW3d ___, 07-26-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 11-0760 GENESIS CAPITAL PARTNERS, IX, ET AL. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st district (01-09-00998-CV, ___ SW3d ___, 06-16-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by November 14, 2011."

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0575 JAY SANDON COOPER v. TEXAS WORKFORCE COMMISSION AND CITY OF DALLAS, TEXAS; from Collin County; 5th district (05-10-00513-CV, 343 SW3d 310, 06-08-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0664 IN RE HISPANIC HOUSING AND EDUCATION CORPORATION; from Harris County; 14th district
motion for stay of proceedings denied
- 11-0766 IN RE GARY L. DEROUIN; from Bexar County; 4th district
(04-11-00085-CV, ___ SW3d ___, 07-13-11)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 11-0879 IN RE SIANA OIL & GAS CO., LLC.; from Dawson County; 11th district
(11-11-00199-CV, ___ SW3d ___, 09-15-11)

The Court strikes the petition for writ of mandamus with the following notation: "The petition violates Texas Rule of Appellate Procedure 52.6 and is struck."

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

- 11-0891 IN RE CARRIE DEAN; from Dallas County; 5th district
(05-11-01326-CV, ___ SW3d ___, 11-02-11)
motion for temporary stay granted
stay order issued
requested response due November 14, 2011

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

THE SUPREME COURT OF TEXAS

Orders Pronounced November 7, 2011

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS DISMISSED:

10-0628 TEXAS ELECTRIC UTILITY CONSTRUCTION, LTD. v. INFRASOURCE
UNDERGROUND CONSTRUCTION SERVICES, LLC; from Nacogdoches County;
12th district (12-09-00287-CV, ___ SW3d ___, 06-30-10)
motion to dismiss granted

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

10-0150 ECOM REAL ESTATE MANAGEMENT, INC. v. THE CITY OF MIDLOTHIAN,
TEXAS; from Ellis County; 10th district (10-09-00039-CV, ___ SW3d ___, 01-27-10)
agreed motion to postpone oral argument denied

[**Note:** This case remains set for oral argument at 9:00 a.m., November 9, 2011.]

THE SUPREME COURT OF TEXAS

Orders Pronounced November 8, 2011

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS DISMISSED:

10-0150 ECOM REAL ESTATE MANAGEMENT, INC. v. THE CITY OF MIDLOTHIAN, TEXAS; from Ellis County; 10th district (10-09-00039-CV, ___ SW3d ___, 01-27-10)
agreed motion to dismiss appeal granted
respondent's motion to abate dismissed as moot
respondent's motion to dismiss appeal dismissed as moot

Pursuant to Texas Rule of Appellate Procedure 56.3, without hearing oral argument or considering the merits, the Court vacates the judgment of the court of appeals and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

THE SUPREME COURT OF TEXAS

Orders Pronounced November 9, 2011

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS DENIED:

11-0470 S.T.M. v. THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Tarrant County; 2nd district (02-10-00354-CV, ___ SW3d ___, 04-28-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced November 10, 2011

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0906 IN RE FUNDING PARTNERS, L.P., FPIC, L.L.C., JEAP SOLUTIONS, L.L.C., DPIC, L.L.C., DPLS, L.L.C., DPLS II, L.L.C., FBP, INC., FPLS, L.L.C., FPLS II, L.L.C., FPMB, INC., DASH PARTNERS, LP, AND PROSPECT, L.L.C.; from Bexar County; 4th district (04-11-00632-CV&04-11-00633-CV, ___ SW3d ___, 10-05-11) emergency motion to stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced November 15, 2011

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0915 IN RE LEXINGTON INSURANCE COMPANY; from Harris County; 14th district
(14-11-00780-CV, ___ SW3d ___, 10-27-11)
emergency motion for stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced November 18, 2011

ORDERS ON CAUSES

10-0375 ATMOS ENERGY CORPORATION, CENTERPOINT ENERGY RESOURCES CORPORATION, AND TEXAS GAS SERVICE COMPANY v. THE CITIES OF ALLEN, ET AL. AND RAILROAD COMMISSION OF TEXAS; from Travis County; 3rd district (03-06-00691-CV, 309 SW3d 563, 02-05-10)
3 petitions

The Court affirms the court of appeals' judgment.

Justice Wainwright delivered the opinion of the Court.

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

10-0223 CENTOCOR, INC. v. PATRICIA HAMILTON AND THOMAS HAMILTON; from Nueces County; 13th district (13-07-00301-CV, 310 SW3d 476, 03-04-10)
cross-respondent's and amici curiae's motion to participate in oral argument granted

Time allotted to argue: 20/20/10 minutes

THE FOLLOWING CAUSE IS DISMISSED:

11-0018 IN RE LARRY CHARLES FULLER
joint motion to dismiss granted

ORDERS ON PETITIONS FOR REVIEW

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

- 11-0815 MAERSK LINE, LIMITED v. MIGUEL RUIZ, JOHN CRONAN AND RICHARD E. HICKS; from Harris County; 1st district (01-10-00516-CV, ___ SW3d ___, 08-25-11)
motion to stay trial court proceedings granted
stay order issued

[**Note:** The petition for review remains pending before this Court.]

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0609 TIMOTHY ERWIN v. SCOTT FERRIS; from Van Zandt County; 12th district (12-10-00273-CV, ___ SW3d ___, 06-30-11)
- 11-0610 NELISH PAGARE v. SEEMA NILESH PAGARE; from Dallas County; 5th district (05-09-01342-CV, 344 SW3d 575, 06-21-11)
- 11-0636 JOYCE A. BUTLER v. LOWE'S HOME CENTERS, INC.; from Harris County; 14th district (14-10-00297-CV, ___ SW3d ___, 05-03-11)
- 11-0646 JONATHAN DONALDSON v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE - CORRECTIONAL INSTITUTIONS DIVISION AND PATRICIA CHAMBERLAIN; from Anderson County; 12th district (12-10-00289-CV, ___ SW3d ___, 06-30-11)
- 11-0704 RAYMOND H. STAUFFACHER, JR. v. COADUM CAPITAL FUND I, LLC; from Harris County; 14th district (14-10-00351-CV, 344 SW3d 584, 06-30-11)
- 11-0718 DOUBLE C CONTRACTING, INC. v. GBC HARBOUR LIGHTS MARINA, LTD. AND HARBOUR LIGHTS VILLAS PHASE ONE, LTD.; from Henderson County; 12th district (12-10-00342-CV, ___ SW3d ___, 07-29-11)
- 11-0721 ECOPRODUCT SOLUTIONS, L.P. v. ENGLOBAL ENGINEERING AND SWENSON TECHNOLOGY, INC.; from Harris County; 1st district (01-10-00366-CV, ___ SW3d ___, 06-30-11)
- 11-0722 JORGE TREVINO, M.D. & TREVINO, ROMAN & ASSOCIATES, L.L.P. v. BETTY CARRIZALES AND RUBEN GOMEZ, INDIVIDUALLY AND AS NEXT FRIENDS OF M.C., A MINOR CHILD; from Hidalgo County; 13th district (13-09-00365-CV, ___ SW3d ___, 06-16-11)

- 11-0727 KENNETH HICKMAN-BEY v. TEXAS BOARD OF CRIMINAL JUSTICE, ET AL.; from Bee County; 13th district (13-11-00378-CV, ___ SW3d ___, 08-04-11)
- 11-0738 REBECCA TERRELL AND CHANDRASHEKHAR THANEDAR v. PAMPA INDEPENDENT SCHOOL DISTRICT; from Gray County; 7th district (07-10-00212-CV, 345 SW3d 641, 04-29-11)
- 11-0739 ELIZABETH THOMAS v. DOROTHY ELIZABETH COOK AND ARDYSS INTERNATIONAL INC.; from Harris County; 14th district (14-09-00892-CV, ___ SW3d ___, 08-25-11)
- 11-0751 JERRY SMITH, ON BEHALF OF THE HEIRS OF WADE AND CLARA SMITH v. HORACE E. PEEK AND ELIZABETH J. PEEK; from Camp County; 6th district (06-11-00056-CV, ___ SW3d ___, 08-16-11)
- 11-0755 ALBERTO HERNANDEZ v. HIGHLAND HOMES, LTD.; from Dallas County; 5th district (05-09-01382-CV, 345 SW3d 150, 06-08-11)
- 11-0785 NATHAN P. PHILIPELLO AND WIFE, SHARI K. PHILIPELLO v. THE NELSON FAMILY FARMING TRUST; from Robertson County; 14th district (14-10-00026-CV, 349 SW3d 692, 08-16-11)
- 11-0789 RAMONA JACKSON v. WILLIAMS BROTHERS CONSTRUCTION CO., INC. AND ISMAEL ALONSO; from Harris County; 1st district (01-09-00920-CV, ___ SW3d ___, 08-18-11)
- 11-0794 DAVIS FAMILY BLANCO ROAD PROPERTY TRUST, LUIS DAVIS, TRUSTEE v. CANYON CREEK ESTATES HOMEOWNERS ASSOCIATION; from Bexar County; 4th district (04-10-00725-CV, ___ SW3d ___, 07-13-11)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 11-0788 THE MONTGOMERY COUNTY DISTRICT ATTORNEY v. JAMES J. ZARYCHTA JR.; from Montgomery County; 13th district (13-10-00558-CV, ___ SW3d ___, 08-18-11)
motion to withdraw petition for review granted

ORDERS ON MOTIONS FOR REHEARING

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

- 10-0562 KENNETH R. LYLE v. JANE GUINN REVOCABLE TRUST, PERRY B. MENKING, JR. INVESTMENT MANAGEMENT TRUST, LYNN SAHIN, KATE LUTKEN BRUNO GRANTOR TRUST, WESLEY LUTKEN GRANTOR TRUST, DANIEL R. JAPHET, JR., GRETCHEN JAPHET, SUSAN JAPHET SCOTTY, AND LARKEN JAPHET SUTHERLAND; from Brazoria County; 1st district (01-09-00081-CV, ___ SW3d ___, 03-11-10)
- 10-0833 EPIGMENIO GONZALEZ, JR. v. DARIO BUSTAMANTE AND JUANITA BUSTAMANTE; from Duval County; 4th district (04-09-00481-CV, ___ SW3d ___, 06-09-10)
3 motions for rehearing
- 11-0345 ELENE B. GLASSMAN v. MERYL B. GOODFRIEND; from Harris County; 14th district (14-09-00522-CV, 347 SW3d 772, 06-02-11)
- 11-0439 TRANSCONTINENTAL REALTY INVESTORS, INC. AND RT REALTY, L.P. v. MCGUIRE, CRADDOCK, STROTHER, & HAIL, P.C.; from Dallas County; 5th district (05-09-00884-CV, ___ SW3d ___, 04-20-11)
- 11-0452 JOHN D. STONE v. WYTHE II CORPORATION; from Jefferson County; 9th district (09-09-00397-CV, 342 SW3d 96, 03-10-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0771 IN RE ROBERT F. CALDWELL; from Smith County; 12th district (12-11-00054-CV, ___ SW3d ___, 07-29-11)
- 11-0795 IN RE MARK LESHER AND RHONDA LESHER; from Red River County; 6th district (06-11-00111-CR, ___ SW3d ___, 06-24-11)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

11-0919 IN RE STATE AUTO PROPERTY & CASUALTY INSURANCE COMPANY,
BRENT OWEN, AND MICHELLE HICKS; from Dallas County; 5th district (05-11-
00559-CV, 348 SW3d 499, 08-12-11)

The Court strikes the petition for writ of mandamus with the following notation: "The
petition violates Texas Rules of Appellate Procedure 52.6 and is struck. Relator is
ordered to redraw; the redrawn petition is due to be filed November 28, 2011."

THE MOTION IN THE FOLLOWING CASE IS DENIED:

11-0867 CARTER & BURGESS, INC. v. AUSTIN COMMERCIAL CONTRACTORS, INC.;
from Dallas County; 5th district (05-10-01542-CV, 347 SW3d 897, 08-15-11)
motion for stay denied

[**Note:** The petition for review remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced November 28, 2011

ORDERS ON CAUSES

11-0589 IN RE ALLCAT CLAIMS SERVICE, L.P. AND JOHN WEAKLY

The Court denies Allcat's requests for relief relating to its facial challenge because the Act does not violate Article VIII, Section 24 of the Constitution. The Court dismisses the as-applied challenge and attorney's fees claim for lack of jurisdiction.

Justice Johnson delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Wainwright, Justice Medina, Justice Green, and Justice Guzman joined.

Justice Willett delivered an opinion concurring in part and dissenting in part, in which Justice Lehrmann joined.

THE SUPREME COURT OF TEXAS

Orders Pronounced November 29, 2011

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0947 IN RE DARLA LEXINGTON O'QUINN; from Harris County; 1st district (01-11-00614-CV, ___ SW3d ___, 11-03-11)
motion for emergency stay of trial court proceedings denied

THE SUPREME COURT OF TEXAS

Orders Pronounced December 2, 2011

ORDERS ON CAUSES

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

- 11-0079 ONCOR ELECTRIC DELIVERY COMPANY LLC v. DALLAS AREA RAPID TRANSIT AND FORT WORTH TRANSPORTATION AUTHORITY; from Dallas County; 5th district (05-09-01500-CV, 331 SW3d 91, 12-22-10)
motion for divided argument granted

Time allotted to argue: 15/20/5 minutes

THE FOLLOWING CAUSE IS DISMISSED:

- 11-0007 IN RE ASCENSION MARTINEZ, JR., INDIVIDUALLY AND D/B/A RBR REAL ESTATE; from Hidalgo County; 13th district (13-10-00589-CV, ___ SW3d ___, 12-22-10)
stay order issued January 21, 2011, lifted
motion to dismiss granted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0555 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR GREENPOINT FUNDING v. NANCY GROVES; from Harris County; 14th district (14-10-00090-CV, ___ SW3d ___, 04-12-11)
- 11-0648 KRISTOFER THOMAS KASTNER v. MARTIN, DROUGHT AND TORRES INC., ET AL.; from Bexar County; 4th district (04-09-00565-CV, ___ SW3d ___, 07-20-11)
- 11-0680 RALPH O. DOUGLAS v. ALLETTE B. WILLIAMS; from Harris County; 1st district (01-09-00777-CV, ___ SW3d ___, 06-23-11)

- 11-0689 DONALD C. JACKSON v. CHRIS CHAMPAGNE, ET AL.; from Jefferson County; 9th district (09-11-00081-CV, ___ SW3d ___, 07-14-11)
as redrafted
- 11-0699 HUSAIN ABDULWAHAB v. SAM'S REAL ESTATE BUSINESS TRUST; from Tarrant County; 2nd district (02-10-00282-CV, ___ SW3d ___, 07-21-11)
- 11-0701 CELIA GILLIES, INDIVIDUALLY AND AS NEXT FRIEND OF E.A.G., A MINOR AND HEIR TO THE ESTATE OF REBECCA T. CASTANEDA v. ETHICON ENDO-SURGERY, INC.; from Dallas County; 5th district (05-09-00150-CV, 342 SW3d 205, 04-26-11)
as corrected
- 11-0706 BEN INGHAM AND GERRY INGHAM v. JEFFREY P. O'BLOCK, ROBERT PAGE SHIRTUM AND BARBARA FRAN SHIRTUM; from Edwards County; 4th district (04-10-00294-CV, ___ SW3d ___, 07-27-11)
- 11-0741 CH TOWNHOMES, INC. v. LEWISVILLE INDEPENDENT SCHOOL DISTRICT; from Denton County; 2nd district (02-10-00338-CV, 346 SW3d 21, 04-21-11)
- 11-0743 VIOLETTE M. BROWN AND SHERMAN A. BROWN v. THE ESTATE OF ROBERT LOUIS ANDERSON, DECEASED AND JOHN S. MARTIN; from Matagorda County; 13th district (13-10-00463-CV, ___ SW3d ___, 08-04-11)
- 11-0750 RENE ARROYO v. TEXAS WORKFORCE COMMISSION, AND ITS TECHNOLOGIES % LOGISTICS,% TALX UCM SERVICES, INC.-UC EXPRESS; from El Paso County; 8th district (08-11-00059-CV, ___ SW3d ___, 06-15-11)
- 11-0763 NAINESH GANDHI AND CHANDAN HOSPITALITY, LLC v. RAJENDRAKUMAR GANDHI; from Kleberg County; 13th district (13-10-00207-CV, ___ SW3d ___, 08-04-11)
- 11-0770 TOMMY GIO, INC. D/B/A TIGER ROOM; GREENVILLE AVENUE SERVICE BAR, INC. D/B/A SERVICE BAR; AND KYPROS, INC. D/B/A SOFRANO'S v. STACY A. DUNLOP AND THE DUNLOP LAW FIRM, PLLC; from Dallas County; 5th district (05-10-00259-CV, 348 SW3d 503, 08-12-11)
- 11-0775 KELLEY A. MCFARLAND v. WARDEN GROUNDS, ET AL.; from Coryell County; 11th district (11-11-00009-CV, ___ SW3d ___, 08-18-11)
- 11-0791 JOSEPH R. WILLIE, II v. COMMISSION FOR LAWYER DISCIPLINE; from Harris County; 14th district (14-10-00900-CV, ___ SW3d ___, 07-26-11)

- 11-0812 JAMES JOLLY CLARK AND EONIC CREATIONS, INC. v. C. MICHAEL LUCAS; from Travis County; 3rd district (03-10-00474-CV, 347 SW3d 800, 06-15-11)
- 11-0843 WELDON MACKEY v. TEXAS DEPARTMENT OF TRANSPORTATION; from Wise County; 8th district (08-09-00209-CV, 345 SW3d 760, 07-20-11)

THE FOLLOWING PETITIONS FOR REVIEW ARE STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 11-0757 FREEMAN LATHAN AND FRIEDA JENKINS, SOLE HEIRS OF THE ESTATE OF EFFIE LATHAN, DECEASED v. THE CITY OF BEAUMONT, TEXAS; from Jefferson County; 9th district (09-11-00110-CV, 346 SW3d 870, 07-28-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 53.2(k), and Misc. Docket No. 11-9152 - Electronic-Filing Rule 5(g) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by December 12, 2011."

- 11-0835 LOURDES MARIA VARGAS DE DAMIAN, ET AL. v. BELL HELICOPTER TEXTRON, INC.; from Tarrant County; 2nd district (02-08-00210-CV, ___ SW3d ___, 08-31-11)
motion to exceed page limit denied

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by December 12, 2011."

- 11-0876 THERESA BARNETT v. DAVID S. CROCKETT AND DAVID S. CROCKETT & CO.; from Dallas County; 5th district (05-11-00515-CV, ___ SW3d ___, 09-08-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by December 12, 2011."

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 11-0693 ROLAND J. HARDY D/B/A HARDY & ASSOCIATES v. CAROL MATTER AND FRANK MATTER; from Bexar County; 4th district (04-10-00785-CV, 350 SW3d 329, 07-20-11)
joint motion to dismiss granted in part

ORDERS ON MOTIONS FOR REHEARING

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

11-0607 INFINITI HOTEL GROUP, LLC v. VINAY PATEL AND SAI LAXMI, LLC; from Comal County; 3rd district (03-09-00610-CV, ___ SW3d ___, 04-08-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0691 IN RE CAROL ANN GIBBONS AND VIRGINIA FLOYD; from Tarrant County; 2nd district (02-11-00319-CV, ___ SW3d ___, 08-29-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0294 IN RE BARRY DWAYNE MINNFEE; from Fort Bend County; 1st district (01-09-00506-CV, ___ SW3d ___, 07-21-11)

11-0832 IN RE ROBERT TROY MCCLURE

11-0852 IN RE GENTRY STEPHEN LEONARD

11-0874 IN RE VALERIE THOMAS BAHAR, M.D. AND VALERIE THOMAS BAHAR, M.D., P.A.; from Travis County; 3rd district (03-11-00493-CV, ___ SW3d ___, 09-16-11)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

11-0618 IN RE ANDRE WILLIAMS

11-0705 IN RE ALFREDO A. GALINDO, IDALIA M. GALINDO, ELIZABETH BOHORQUEZ AND MICHAEL O. WHITMIRE; from Travis County; 3rd district (03-09-00358-CV, ___ SW3d ___, 09-18-09)
motion to dismiss petition for writ of mandamus granted

(Justice Hecht not sitting)

THE SUPREME COURT OF TEXAS

Orders Pronounced December 6, 2011

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

11-0350 IN RE GECU; from El Paso County; 8th district
(08-11-00139-CV, ___ SW3d ___, 05-12-11)
joint motion for abatement and request for expedited ruling granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until January 5, 2012, by which time the parties must file either a status report or a motion to dismiss.]

THE SUPREME COURT OF TEXAS

Orders Pronounced December 9, 2011

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0602 DARNELL SMITH v. ROBERT H. QUADA, JR., ET AL.; from Walker County; 10th district (10-09-00414-CV, ___ SW3d ___, 07-06-11)
- 11-0779 LESIKAR OIL AND GAS CO. v. LEGEND SWABBING, LLC; from Parker County; 2nd district (02-10-00157-CV, ___ SW3d ___, 08-18-11)
- 11-0793 IN THE INTEREST OF B.G.M., A CHILD; from Marion County; 6th district (06-10-00022-CV, ___ SW3d ___, 08-04-11)
- 11-0797 MILLET HARRISON, JR. v. THE STATE OF TEXAS; from Jefferson County; 9th district (09-11-00031-CV, ___ SW3d ___, 08-25-11)
- 11-0805 MARIO PADILLA, M.D. v. ANITA LOWEREE; from El Paso County; 8th district (08-10-00052-CV, ___ SW3d ___, 08-31-11)
- 11-0880 TOBY BOWEN v. SHELLEY BOWEN; from Tarrant County; 2nd district (02-10-00297-CV, ___ SW3d ___, 08-04-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 10-0564 LIVE OAK ENERGY, INC. v. HUNT OIL COMPANY; from Dallas County; 5th district (05-07-01553-CV, 313 SW3d 384, 10-19-09)
- 11-0119 JON A. MARSHALL v. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 358; from Harris County; 1st district (01-07-00910-CV, ___ SW3d ___, 01-20-11)

- 11-0511 PAMELA RUST v. TEXAS FARMERS INSURANCE COMPANY; from Tarrant County; 8th district (08-10-00128-CV, 341 SW3d 541, 04-20-11)
- 11-0651 RICHARD A. DODD, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE A. DODD, DECEASED, LEOLA DODD, DORIS ANNETTE DODD, GLENN WAYNE DODD, LON MARCUS DODD AND KAREN DODD PAIR v. TORNADO TRUCKING, INC. AND JUAN LEAL, JR.; from Falls County; 10th district (10-10-00062-CV, ___ SW3d ___, 07-06-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0764 IN RE DAVID CEPEDA JONES; from Bexar County; 4th district (04-05-00931-CV, ___ SW3d ___, 02-01-06)
motion for judgment of acquittal and expungement of records denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 11-0948 IN RE VENUS FORD OF CUDAHY, INC., FORD MOTOR COMPANY AND FORD INTERNATIONAL CAPITAL LLC F/K/A FORD INVESTMENT ENTERPRISES CORP.; from Harris County; 14th district (14-11-00904-CV, ___ SW3d ___, 11-15-11)
motion to withdraw petition for writ of mandamus and request for emergency relief granted
motion to file certain documents under seal for in camera inspection granted in part

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

- 11-0955 IN RE STANLEY J. WILLIAMS, JR. AND DENA WILLIAMS; from Hidalgo County
motion for emergency stay granted in part
stay order issued for discovery orders dated August 17, 2011, October 11, 2011, and November 14, 2011
requested response due by January 9, 2012

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

(Justice Green not sitting)

THE SUPREME COURT OF TEXAS

Orders Pronounced December 16, 2011

ORDERS ON CAUSES

07-0288 CITY OF DALLAS v. DAVID S. MARTIN AND GEORGE G. PARKER, ET AL.;
from Rockwall County; 5th district (05-03-01310-CV, 214 SW3d 638, 12-21-06)
2 petitions

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

Justice Johnson delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Wainwright, Justice Medina, Justice Green, Justice Guzman, and Justice Lehrmann joined.

Justice Willett delivered a dissenting opinion.

07-1011 KEITH LOWELL, ET AL. v. CITY OF BAYTOWN, TEXAS; from Harris County;
1st district (01-04-00548-CV, 264 SW3d 31, 08-09-07)

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

10-0141 VERNON F. MINTON v. JERRY W. GUNN, INDIVIDUALLY, WILLIAMS SQUIRE & WREN, L.L.P., JAMES E. WREN, INDIVIDUALLY, SLUSSER & FROST, L.L.P., WILLIAM C. SLUSSER, INDIVIDUALLY, SLUSSER WILSON & PARTRIDGE, L.L.P., AND MICHAEL E. WILSON, INDIVIDUALLY; from Tarrant County; 2nd district (02-06-00443-CV, 301 SW3d 702, 10-08-09)

The Court reverses the court of appeals' judgment and dismisses the case.

Justice Green delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Wainwright, Justice Johnson, and Justice Lehrmann joined.

Justice Guzman delivered a dissenting opinion, in which Justice Medina and Justice Willett joined.

(Justice Hecht not sitting)

10-0155 IN RE SERVICE CORPORATION INTERNATIONAL AND SCI TEXAS FUNERAL SERVICES, INC. D/B/A MAGIC VALLEY MEMORIAL GARDENS; from Hidalgo County; 13th district (13-09-00681-CV, ___ SW3d ___, 02-17-10) stay order issued March 12, 2010, 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

10-0158 IN RE SERVICE CORPORATION INTERNATIONAL AND SCI TEXAS FUNERAL SERVICES, INC., JOINTLY D/B/A MONT META MEMORIAL GARDENS; from Cameron County; 13th district (13-10-00026-CV, ___ SW3d ___, 02-23-10)

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

10-0318 ETAN INDUSTRIES, INC. AND ETAN INDUSTRIES, INC., D/B/A CMA CABLEVISION AND/OR CMA COMMUNICATIONS v. RONALD LEHMANN AND DANA LEHMANN; from Lee County; 3rd district (03-07-00539-CV, 308 SW3d 489, 03-26-10)

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 renders judgment.

Per Curiam Opinion

10-0429 SHELL OIL COMPANY; SWEPI LP D/B/A SHELL WESTERN E&P, SUCCESSOR IN INTEREST TO SHELL WESTERN E&P, INC. v. RALPH ROSS; from Harris County; 1st district (01-08-00713-CV, ___ SW3d ___, 02-25-10)

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

Justice Lehrmann delivered the opinion of the Court.

10-0734 AMERICO LIFE, INC., AMERICO FINANCIAL LIFE AND ANNUITY INSURANCE COMPANY, GREAT SOUTHERN LIFE INSURANCE COMPANY, THE OHIO STATE LIFE INSURANCE COMPANY, AND NATIONAL FARMERS' UNION LIFE INSURANCE COMPANY v. ROBERT L. MYER AND STRIDER MARKETING GROUP, INC.; from Dallas County; 5th district (05-08-01053-CV, 315 SW3d 72, 10-22-09)

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 that court.

Per Curiam Opinion

10-0855 IN RE JEFFREY COOK; from Tarrant County; 2nd district (02-10-00068-CV, ___ SW3d ___, 06-08-10)

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

(Justice Lehrmann not sitting)

11-0189 RYLAND ENTERPRISE, INC. v. VICKIE WEATHERSPOON; from Harris County; 1st district (01-10-00715-CV, ___ SW3d ___, 01-27-11)

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 that court.

Per Curiam Opinion

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

10-0859 IN THE MATTER OF M.P.A.; from Bell County; 3rd district (03-08-00337-CV, ___ SW3d ___, 07-14-10)
motion for leave to divide time at oral argument granted

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

08-0833 ANGLO-DUTCH PETROLEUM INTERNATIONAL, INC. AND ANGLO-DUTCH (TENGE) L.L.C. v. GREENBERG PEDEN, P.C. AND GERARD J. SWONKE; from Harris County; 14th district (14-07-00343-CV, 267 SW3d 454, 08-26-08)

08-0890 THE HOUSTON EXPLORATION CO. AND OFFSHORE SPECIALTY FABRICATORS, INC. v. WELLINGTON UNDERWRITING AGENCIES, LTD., ET AL.; from Harris County; 14th district (14-07-00970-CV, 267 SW3d 277, 07-17-08)
2 motions for rehearing

09-0223 SHARYLAND WATER SUPPLY CORPORATION v. CITY OF ALTON, CARTER & BURGESS, INC., CRIS EQUIPMENT COMPANY, AND TURNER, COLLIE & BRADEN, INC.; from Hidalgo County; 13th district (13-06-00038-CV, 277 SW3d 132, 02-05-09)

09-0306 BETTY YVON LESLEY, ET AL. v. VETERANS LAND BOARD OF THE STATE OF TEXAS, ET AL.; from Erath County; 11th district (11-07-00034-CV, 281 SW3d 602, 01-22-09)

(Chief Justice Jefferson not sitting)

09-0558 MARSH USA INC. AND MARSH & MCLENNAN COMPANIES, INC. v. REX COOK; from Dallas County; 5th district (05-08-00685-CV, 287 SW3d 378, 05-26-09)

The Court's opinion of June 24, 2011 is withdrawn and the opinion of this date is substituted. The concurring opinion by Justice Willet, the dissenting opinion by Justice Green, and the judgment issued June 24, 2011, remain in place.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

10-0615 ASHFORD PARTNERS, LTD. v. ECO RESOURCES, INC.; from Fort Bend County; 1st district (01-09-00809-CV, ___ SW3d ___, 07-29-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 8, 2012.]

Time allotted to argue: 20/20 minutes

10-0781 U-HAUL INTERNATIONAL, INC. D/B/A U-HAUL, U-HAUL CO. OF TEXAS, INC. D/B/A U-HAUL OF DALLAS, AND EAST FORK ENTERPRISES, INC. D/B/A JOT 'EM DOWN, INC. v. TALMADGE WALDRIP, BERNICE WALDRIP, DINAH SIMINGTON AND ANNE WALDRIP-BOYD; from Dallas County; 5th district (05-08-01172-CV, 322 SW3d 821, 08-31-10)
2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., February 8, 2012.]

Time allotted to argue: 20/20 minutes

10-0927 RIO GRANDE REGIONAL HOSPITAL, INC. AND COLUMBIA RIO GRANDE HEALTHCARE, L.P. D/B/A RIO GRANDE REGIONAL HOSPITAL v. DIANA LOPEZ VILLARREAL, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF HERMES VILLARREAL, DECEASED, AND AS NEXT FRIEND OF SARAH VILLARREAL, LAUREN VILLARREAL, AND HERMES ALEJANDRO VILLARREAL, MINORS, AND HERMELINDA VILLARREAL, INDIVIDUALLY; from Hidalgo County; 13th district (13-08-00542-CV, 329 SW3d 594, 09-30-10)

[**Note:** Oral argument of this case will be conducted on Thursday, February 9, 2012 at 9:00 a.m. at The University of Texas, Austin, Texas. *See* TEX. CONST. ART. V, § 3(a).]

Time allotted to argue: 20/20 minutes

10-0928 RAUL ERNESTO LOAISIGA, M.D. AND RAUL ERNESTO LOAISIGA, M.D., P.A. v. GUADALUPE CERDA INDIVIDUALLY AND AS NEXT FRIEND OF MARISSA CERDA, A MINOR AND CINDY VELEZ; from Cameron County; 13th district (13-09-00666-CV, ___ SW3d ___, 08-05-10)

[**Note:** Oral argument of this case will be conducted on Wednesday, February 29, 2012 at 9:00 a.m. at Texas A&M International University, Laredo, Texas. *See* TEX. CONST. ART. V, § 3(a).]

Time allotted to argue: 20/20 minutes

10-0997 PARADIGM OIL, INC., PACIFIC OPERATORS, INC., PACIFIC OPERATORS OF TEXAS, INC. AND FINLEY OIL WELL SERVICE, INC. v. RETAMCO OPERATING, INC.; from Bexar County; 4th district (04-09-00230-CV, 330 SW3d 342, 08-31-10)

[**Note:** Oral argument of this case will be conducted on Thursday, February 9, 2012 at 9:00 a.m. at The University of Texas, Austin, Texas. *See* TEX. CONST. ART. V, § 3(a).]

Time allotted to argue: 20/20 minutes

(Justice Green not sitting)

11-0059 EL PASO MARKETING, L.P. v. WOLF HOLLOW I, L.P.; from Harris County; 14th district (14-09-00118-CV, 329 SW3d 628, 10-28-10)
3 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., February 8, 2012.]

Time allotted to argue: 20/20 minutes

11-0282 IN THE INTEREST OF E.R., ET AL., CHILDREN; from Dallas County; 5th district (05-09-01505-CV, 335 SW3d 816, 03-03-11)

[**Note:** Oral argument of this case will be conducted on Thursday, February 9, 2012 at 9:00 a.m. at The University of Texas, Austin, Texas. *See* TEX. CONST. ART. V, § 3(a).]

Time allotted to argue: 20/20 minutes

11-0332 ROBERT MASTERSON, MARK BROWN, GEORGE BUTLER, CHARLES WESTBROOK, RICHEY OLIVER, CRAIG PORTER, SHARON WEBER, JUNE SMITH, RITA BAKER, STEPHANIE PEDDY, BILLIE RUTH HODGES, DALLAS CHRISTIAN AND THE EPISCOPAL CHURCH OF THE GOOD SHEPHERD v. THE DIOCESE OF NORTHWEST TEXAS, THE REV. CELIA ELLERY, DON GRIFFIS AND MICHAEL RYAN; from Tom Green County; 3rd district (03-10-00015-CV, 335 SW3d 880, 03-16-11)
motion for leave to supplement the cases filed with petitioner's brief on the merits granted

[**Note:** Oral argument of this case will be conducted on Wednesday, February 29, 2012 at 9:00 a.m. at Texas A&M International University, Laredo, Texas. *See* TEX. CONST. ART. V, § 3(a).]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

10-0006 CAROL A. ERNST, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ROBERT CHARLES ERNST v. MERCK & CO., INC.; from Brazoria County; 14th district (14-06-00835-CV, 296 SW3d 81, 06-04-09)

(Justice Willett not sitting)

10-0149 VALERIE SMITH AND ROBERT SMITH v. CITY OF TYLER AND THE TEXAS DEPARTMENT OF TRANSPORTATION; from Smith County; 12th district (12-08-00159-CV, ___ SW3d ___, 12-14-09)

(Justice Guzman not sitting)

10-0368 NATIONAL OIL WELL, L.P., NATIONAL OIL WELL VARCO, L.P., NATIONAL OIL WELL NORWAY, A.S. AND HYDRALIFT, A.S.A. v. HARRISON VINSON; from Harris County; 1st district (01-08-00922-CV, 318 SW3d 34, 04-08-10)

10-0448 THE CITY OF HOUSTON AND MAYOR BILL WHITE v. BRUCE R. HOTZE; from Harris County; 1st district (01-08-00016-CV, ___ SW3d ___, 04-15-10)

(Justice Guzman not sitting)

10-0826 FLAGSHIP HOTEL, LTD. v. THE CITY OF GALVESTON AND TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 3rd district (03-10-00094-CV, 319 SW3d 948, 08-27-10)

10-0840 THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS v. DAVID S. CRAWFORD; from Harris County; 1st district (01-08-00681-CV, 322 SW3d 858, 08-31-10)

10-0938 STANLEY V. GRAFF v. 2920 PARK GROVE VENTURE, LTD., CAREY PLATT AND CEC REALTY; from Dallas County; 5th district (05-07-01607-CV, ___ SW3d ___, 10-13-09)

10-0985 TEXAS WORKFORCE COMMISSION v. BUSKE LINES, INC.; from Henderson County; 12th district (12-09-00364-CV, ___ SW3d ___, 10-27-10)

11-0021 SANDRA C. GRAVES v. MICHAEL TOMLINSON; from Galveston County; 14th district (14-08-00654-CV, 329 SW3d 128, 11-30-10)
2 petitions

- 11-0241 IN THE INTEREST OF C.E.M.-K., A MINOR; from Bexar County; 4th district (04-10-00385-CV, 341 SW3d 68, 02-16-11)
- 11-0330 LAURA JAAFAR AND LISA LEWIS v. U.S. RENAL CARE, INC.; from Bexar County; 4th district (04-09-00043-CV, 345 SW3d 600, 03-30-11)
- 11-0338 ROGER K. PARSONS, INDIVIDUALLY AND AS THE INDEPENDENT ADMINISTRATOR FOR THE ESTATE OF ESTHER ANN KARTSOTIS PARSONS v. RONALD WINDLE TURLEY; AND THE LAW OFFICES OF WINDLE TURLEY, P.C. A/K/A TURLEY LAW FIRM, P.C.; from Tarrant County; 2nd district (02-09-00381-CV, ___ SW3d ___, 12-23-10)
- 11-0339 GENERAL ELECTRIC CAPITAL CORPORATION v. SIMULIS, L.L.C; from Harris County; 14th district (14-09-01055-CV, ___ SW3d ___, 02-15-11)

(Justice Guzman not sitting)

- 11-0355 HARRIS COUNTY APPRAISAL DISTRICT v. RIVERWAY HOLDINGS, L.P., SOUTH POST OAK HOLDINGS, L.P. AND OVERLAND RIVERWAY, L.P.; from Harris County; 14th district (14-09-00786-CV, ___ SW3d ___, 02-15-11)
- 11-0359 MARK A. CARR v. MAIN CARR DEVELOPMENT, LLC; from Dallas County; 5th district (05-10-01346-CV, 337 SW3d 489, 03-31-11)
- 11-0405 THE HELEN JONES FOUNDATION, ET AL. v. OCCIDENTAL PERMIAN LTD., ET AL.; from Hockley County; 7th district (07-09-00059-CV, ___ SW3d ___, 05-31-11)
- 11-0412 BECKY MCGRAW-WALL, M.D. v. CARMINE GIARDINO; from Harris County; 14th district (14-10-00838-CV, ___ SW3d ___, 04-14-11)
- 11-0461 AHMAD EL NAGGAR AND EL NAGGAR FINE ARTS FURNITURE, INC. v. GENERAL AGENTS INSURANCE COMPANY OF AMERICA, INC.; from Harris County; 14th district (14-09-00641-CV, 340 SW3d 552, 05-03-11)
- 11-0494 HOMER MERRIMAN v. XTO ENERGY, INC.; from Limestone County; 10th district (10-09-00276-CV, ___ SW3d ___, 05-11-11)
- 11-0504 SOUTHWEST RESEARCH INSTITUTE v. PRESSURE SYSTEMS INTERNATIONAL, INC. AND EQUALAIRE SYSTEMS, INC.; from Bexar County; 4th district (04-10-00243-CV, 350 SW3d 212, 05-25-11)

- 11-0518 THE CITY OF SAN JUAN v. THE CITY OF PHARR; from Hidalgo County; 13th district (13-09-00422-CV, ___ SW3d ___, 05-28-11)
- 11-0521 CLEAR LAKE CITY WATER AUTHORITY v. KIRBY LAKE DEVELOPMENT, LTD., MITER DEVELOPMENT COMPANY AND TAYLOR LAKE, LTD. AND FRIENDSWOOD DEVELOPMENT COMPANY; from Harris County; 14th district (14-08-00013-CV, 344 SW3d 514, 06-02-11)
- 11-0523 ROBERT B. TAYLOR AND R.B.T. INVESTMENTS, INC. F/K/A GULF OXYGEN COMPANY, INC. v. ALLSTATE INSURANCE COMPANY AND ALLSTATE COUNTY MUTUAL INSURANCE COMPANY; from Harris County; 1st district (01-09-00457-CV, ___ SW3d ___, 03-31-11)
- 11-0524 RICHARD DARDENNE AND MARILYN DARDENNE v. ROGER BURT WILLIAMS AND MICHELLE S. WILLIAMS; from Harris County; 1st district (01-10-00492-CV, 345 SW3d 118, 05-19-11)
- 11-0533 ROBIN SINGH D/B/A TESTMASTERS v. DUANE MORRIS LLP AND RICHARD T. REDANO; from Harris County; 14th district (14-09-01073-CV, 338 SW3d 176, 03-31-11)
- 11-0544 WILLIE A. MILTON v. NATHANIEL QUARTERMAN, DIRECTOR TDCJ-CID AND MARY HANSFORD, ALLRED UNIT MAIL ROOM SUPERVISOR; from Wichita County; 2nd district (02-10-00103-CV, ___ SW3d ___, 01-27-11)
- 11-0565 GAMMA GROUP, INC. v. HOME STATE COUNTY MUTUAL INSURANCE CO.; from Dallas County; 5th district (05-10-00070-CV, 342 SW3d 762, 05-12-11)
- 11-0568 BOBBY G. BARHAM v. PATRICIA MCGRAW; from Navarro County; 7th district (07-10-00146-CV, 342 SW3d 716, 04-27-11)
- 11-0571 CHRISTUS HEALTH SYSTEMS D/B/A CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI - SHORELINE v. MADISON "MATT" RAY HARLIEN AND TAUNY L. HARLIEN; from Nueces County; 13th district (13-09-00446-CV, ___ SW3d ___, 06-09-11)
- 11-0572 WHITE LION HOLDINGS, L.L.C. v. SHARON TUBE CORPORATION D/B/A SHARON TUBE CO.; from Fort Bend County; 1st district (01-09-00102-CV, ___ SW3d ___, 04-21-11)
- 11-0574 JOYCE MARTIN v. CLINICAL PATHOLOGY LABORATORIES, INC.; from Dallas County; 5th district (05-09-01079-CV, 343 SW3d 885, 06-08-11)

- 11-0582 PAMELA DUNLOP-GATES, INDIVIDUALLY AND THOMPSON, COE, COUSINS & IRONS, LLP, A LIMITED LIABILITY CORPORATION AND BYRON L. WOOLLEY, INDIVIDUALLY v. WILLIAM ROWLAND EDWARDS, JR.; from Dallas County; 8th district (08-09-00040-CV, 344 SW3d 424, 04-28-11)
- 11-0594 BILL JOPLIN'S COMPRESSOR SERVICE, INC. v. ALBERTO ECHEVERRIA MENDEZ AND NOEHMI HERNANDEZ ECHEVERRIA, INDIVIDUALLY AND AS NEXT FRIENDS OF CARLOS ALBERTO ECHEVERRIA AND SANES NOEHMI ECHEVERRIA; from Dallas County; 5th district (05-09-01418-CV, ___ SW3d ___, 04-20-11)
- 11-0604 TOM WILLIAMS, INDEPENDENT EXECUTOR OF THE ESTATE OF DORA ERNESTINE LUCK BARNETT, DECEASED v. MARLEEN KOVALCHIK BARNETT; from Harris County; 1st district (01-10-00526-CV, ___ SW3d ___, 06-16-11)
- 11-0620 JAMES A. ELLIS, JR. v. DANIEL M. GOODENBERGER; from Dallas County; 5th district (05-10-00405-CV, 343 SW3d 536, 05-26-11)
- 11-0627 PATSY WHITEHEAD v. GAVIN MACKENZIE AND PATRICIA MACKENZIE; from Tarrant County; 2nd district (02-09-00383-CV, ___ SW3d ___, 07-14-11)
- 11-0656 DONALD L. WASHINGTON, JR., M.D. v. BULMARO ALVAREZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF SANDRA ALVAREZ, DECEASED AND AS NEXT FRIEND OF SARA ALVAREZ, AND MARIA ALVAREZ, MINORS, AND SANDY ALVAREZ, INDIVIDUALLY; from Tarrant County; 2nd district (02-10-00350-CV, ___ SW3d ___, 07-07-11)
expedited motion to stay discovery denied
- 11-0670 FIRST NATIONAL COLLECTION BUREAU, INC. v. DANIELE WALKER; from Dallas County; 5th district (05-10-00129-CV, 348 SW3d 329, 07-14-11)
- 11-0671 CENTRAL TEXAS SPINE INSTITUTE, L.L.P. & WILLIAM PEYTON TAYLOR, M.D. v. PHYLLIS R. BRINKLEY, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF ROBERT E. BRINKLEY; from Travis County; 3rd district (03-10-00753-CV, 344 SW3d 537, 06-08-11)
- 11-0673 TATUM, L.L.C. FORMERLY KNOWN AS TATUM CONTROLLER GROUP SOLUTIONS, L.L.C. v. STATON HOLDINGS, INC. D/B/A STATON WHOLESALE D/B/A STATON CORPORATE & CASUAL; from Dallas County; 5th district (05-10-00047-CV, 345 SW3d 729, 07-15-11)

- 11-0679 PAKAL ENTERPRISES, INC. AND RENE DOMINGUEZ v. LESAK ENTERPRISES LLC D/B/A PRO SURV AND TOBY P. COUCHMAN; from Harris County; 1st district (01-09-01038-CV, ___ SW3d ___, 04-28-11)
- 11-0696 BRIAN KEITH MACGILLIVRAY v. GEORGIA LEE MACGILLIVRAY; from Bexar County; 4th district (04-10-00109-CV, ___ SW3d ___, 06-01-11)
- 11-0714 HERTZ EQUIPMENT RENTAL CORPORATION v. KYLE BAROUSSE; from Harris County; 1st district (01-10-00949-CV, ___ SW3d ___, 07-28-11)
- 11-0762 BULLSEYE PS III, LP v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st district (01-09-01139-CV, ___ SW3d ___, 06-16-11)
- 11-0765 MARTHA MACIAS v. GOOD TIMES STORES, INC.; from El Paso County; 8th district (08-10-00047-CV, ___ SW3d ___, 06-08-11)
- 11-0816 PRSI TRADING COMPANY LP v. ASTRA OIL TRADING NV AND ASTRA OIL COMPANY LLC; from Harris County; 1st district (01-10-00517-CV, ___ SW3d ___, 08-25-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 11-0996 ROBERTA WEST v. SHERRY LAREE HAMILTON PROCTOR, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF CLIFFORD HAMILTON; from Lubbock County; 7th district (07-10-00484-CV, ___ SW3d ___, 10-24-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.2(k)(1)(C) and Misc. Docket No. 11-9152 - Electronic-Filing Rules and is struck. Petitioner is ordered to redraw; the petition is due to be filed by January 13, 2012."

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

- 11-0344 CLIFTON THOMAS, M.D. v. ARACELLY TORREZ, INDIVIDUALLY, AND AS REPRESENTATIVE OF THE ESTATE OF RICARDO TORREZ AND AS NEXT FRIEND OF RICARDO ISAAH TORREZ, MINOR CHILD; from Harris County; 14th district (14-10-00281-CV, ___ SW3d ___, 03-31-11)
abatement order issued September 2, 2011, lifted
petition reinstated
motion to dismiss appeal granted

11-0761 OCCIDENTAL CHEMICAL CORPORATION v. ETC NGL TRANSPORT, LLC;
from Harris County; 1st district (01-11-00536-CV, ___ SW3d ___, 07-20-11)
motion to dismiss granted

**THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF
JURISDICTION:**

11-0590 LACK'S VALLEY STORES, LTD. v. HIDALGO COUNTY APPRAISAL
DISTRICT; from Hidalgo County; 13th district (13-10-00500-CV, ___ SW3d ___, 06-
23-11)

11-0660 SHIRLEY M. RACKLEY v. KEVIN KURZ; from Kerr County; 4th district (04-10-
00844-CV, ___ SW3d ___, 08-03-11)

ORDERS ON MOTIONS FOR REHEARING

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

10-0982 ROCIO G. GUERRA, INDIVIDUALLY AND AS NEXT FRIEND OF HER MINOR
CHILDREN, VIDAL G. GUERRA III AND MAYELA A. GUERRA v. JOSEFINA
ALEXANDER GONZALEZ AND DELFINA ALEXANDER, INDIVIUDALLY
AND AS TRUSTEES OF THE DELFINA AND JOSEFINA ALEXANDER
FAMILY TRUST; from Webb County; 4th district (04-09-00004-CV, ___ SW3d ___,
05-26-10)

11-0697 CONCEPT GENERAL CONTRACTING, INC. D/B/A CONCEPT BUILDERS AND
CAPITOL INDEMNITY CORP. v. ASBESTOS MAINTENANCE SERVICES, INC.;;
from Deaf Smith County; 7th district (07-10-00332-CV, 346 SW3d 172, 07-18-11)

**THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF
MANDAMUS ARE DENIED:**

09-0823 IN RE LM INSURANCE CORPORATION, LIBERTY INSURANCE
CORPORATION, AND NATALEE BROOKE BELL KERR; from Dallas County;
5th district (05-09-01123-CV, ___ SW3d ___, 09-24-09)

11-0064 IN RE H.D.V.; from Dallas County; 5th district (05-11-00078-CV, ___ SW3d ___,
01-25-11)

11-0947 IN RE DARLA LEXINGTON O'QUINN; from Harris County; 1st district (01-11-00614-CV, ___ SW3d ___, 11-03-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

11-0177 IN RE DONALD W. DAVIS; from Denton County; 2nd district (02-11-00088-CV, ___ SW3d ___, 03-09-11)
motion to reinstate denied

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0084 IN RE ASTEC UNDERGROUND, INC.; from Hidalgo County; 13th district (13-11-00065-CV, ___ SW3d ___, 02-03-11)
stay order issued February 7, 2011, lifted
stay order issued October 28, 2011, lifted

11-0100 IN RE HCBECK, LTD.; from Dallas County; 5th district (05-11-00005-CV, ___ SW3d ___, 01-14-11)

(Justice Hecht not sitting)

11-0193 IN RE ADRIAN CASTRO; from Nueces County; 13th district (13-11-00025-CV, ___ SW3d ___, 02-09-11)

11-0297 IN RE WEST STAR TRANSPORTATION, INC.; from Lubbock County; 7th district (07-10-00515-CV, 335 SW3d 776, 02-23-11)
stay order issued April 29, 2011, lifted

11-0424 IN RE ALMA ROSA LUGO; from Robertson County; 10th district (10-11-00126-CV, ___ SW3d ___, 05-18-11)

11-0550 IN RE CHARLES ANTHONY ALLEN, SR.; from Dallas County; 5th district (05-11-00581-CV, ___ SW3d ___, 05-18-11)

11-0591 IN RE AUSTIN TRAVIS HOMES, INC.; from Travis County; 3rd district (03-11-00395-CV, ___ SW3d ___, 06-29-11)
as redrafted

- 11-0621 IN RE WHITE STALLION ENERGY CENTER, LLC; from Travis County; 3rd district (03-11-00430-CV, ___ SW3d ___, 07-29-11)
- 11-0622 IN RE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 3rd district (03-11-00431-CV, ___ SW3d ___, 07-29-11)
- 11-0674 IN RE RONALD DALE BENNETT; from Bexar County; 4th district (04-11-00607-CV, ___ SW3d ___, 08-23-11)
- 11-0828 IN RE PHILIPPE PADIEU; from Collin County; 5th district (05-11-00883-CV, ___ SW3d ___, 07-19-11)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 11-0919 IN RE STATE AUTO PROPERTY & CASUALTY INSURANCE COMPANY, BRENT OWEN, AND MICHELLE HICKS; from Dallas County; 5th district (05-11-00559-CV, 348 SW3d 499, 08-12-11)
joint motion to dismiss granted
motion for temporary relief dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 11-0246 IN RE SHARON PEEBLES; from Harris County; 14th district (14-10-00973-CV, ___ SW3d ___, 12-02-10)
stay order issued April 13, 2011, lifted

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

- 11-0479 IN RE RBC CAPITAL MARKETS, LLC; from Dallas County; 5th district (05-11-00545-CV, ___ SW3d ___, 05-31-11)
motion for sanctions denied
motion for temporary relief pending mandamus review granted
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced December 22, 2011

ORDERS ON CAUSES

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS DENIED:

10-0615 ASHFORD PARTNERS, LTD. v. ECO RESOURCES, INC.; from Fort Bend County; 1st district (01-09-00809-CV, ___ SW3d ___, 07-29-10)
motion to reset oral argument denied

Justice Medina and Justice Guzman would grant the motion to reset oral argument.

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS GRANTED:

11-0282 IN THE INTEREST OF E.R., ET AL., CHILDREN; from Dallas County; 5th district (05-09-01505-CV, 335 SW3d 816, 03-03-11)
motion to reset submission and oral argument date granted

[**Note:** This case has been reset for oral argument at 9:00 a.m., February 28, 2012.]

Time allotted to argue: 20/20 minutes

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0975 IN RE KRISTIN WILKINSON
motion for emergency temporary relief denied

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

11-1007 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.; from Bexar
County; 4th district (04-11-00708-CV, ___ SW3d ___, 10-12-11)
motion to stay granted
requested response due by January 23, 2012

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

THE SUPREME COURT OF TEXAS

Orders Pronounced December 28, 2011

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0959 IN RE CARLOS Y. BENAVIDES, JR. AND WIFE, LETICIA R. BENAVIDES; from Webb County; 4th district (04-11-00755-CV, ___ SW3d ___, 10-26-11) motion for emergency temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced January 6, 2012

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

- 10-0648 EL PASO FIELD SERVICES, L.P. AND GULFTERRA SOUTH TEXAS, L.P. F/K/A EL PASO SOUTH TEXAS, L.P. v. MASTEC NORTH AMERICA, INC. AND MASTEC, INC.; from Harris County; 1st district (01-07-00319-CV, 317 SW3d 431, 05-06-10)
unopposed motion to withdraw granted

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

- 11-0855 NESTLE USA, INC., SWITCHPLACE, LLC, AND NSBMA, LP v. SUSAN COMBS, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS AND GREG ABBOTT, TEXAS ATTORNEY GENERAL
unopposed motion for leave of Court for amicus curiae to share argument granted

Time allotted to argue: 25/30/5 minutes

ORDERS ON CASES GRANTED

PROBABLE JURISDICTION IS NOTED IN THE FOLLOWING DIRECT APPEAL:

- 11-0265 THE EPISCOPAL DIOCESE OF FORT WORTH, ET AL. v. THE EPISCOPAL CHURCH, ET AL.; from Tarrant County
motion for leave to file amended reply on statement of jurisdiction granted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0426 CYNTHIA GAIL A/K/A CYNTHIA MORRISON v. HAZEL BERRY, BERNADINE WILSON AND REBECCA ANN ROBINSON, INDEPENDENT EXECUTRIX OF THE ESTATE OF EVELYN MEBANE, DECEASED; from Scurry County; 11th district (11-09-00299-CV, 343 SW3d 520, 04-14-11)
as redrafted

- 11-0658 RICHARD M. KING, JR. v. MARVIN ANN PATTERSON, ET AL.; from Lamar County; 6th district (06-11-00044-CV, ___ SW3d ___, 07-26-11)
as supplemented
- 11-0692 KENNETH MONTGOMERY v. VALERUS COMPRESSION SERVICES, LP; from Brazoria County; 1st district (01-10-00716-CV, ___ SW3d ___, 07-28-11)
- 11-0736 WILLIAM K. MANNING, IND. EXEC., ET AL. v. ENBRIDGE PIPELINES (EAST TEXAS), L.P.; from Polk County; 9th district
(09-10-00205-CV, 345 SW3d 718, 07-14-11)
- 11-0769 WILLIAM B. ADAMS v. STAXXRING, INC. AND MOLLY LANGFORD; from Dallas County; 5th district (05-10-01142-CV, 344 SW3d 641, 07-07-11)
- 11-0777 BOBIE KENNETH TOWNSEND v. MONTGOMERY CENTRAL APPRAISAL DISTRICT, ET AL.; from Montgomery County; 9th district
(09-10-00394-CV, ___ SW3d ___, 07-28-11)
as redrafted
- 11-0821 JAVIER PEREZ, ET AL. v. ROBERTO RAMOS; from Hidalgo County; 13th district
(13-10-00350-CV, ___ SW3d ___, 08-11-11)
- 11-0827 GREGG WILLIAMS v. NATIONSTAR MORTGAGE, LLC; from Gregg County; 6th district (06-11-00012-CV, 349 SW3d 90, 09-01-11)
- 11-0857 DOROTHY CURRY BUIE v. RICHARD L. BAGUIO; from Dallas County; 5th district (05-09-01100-CV, ___ SW3d ___, 07-01-11)
- 11-0861 BOBIE KENNETH TOWNSEND v. APPRAISAL REVIEW BOARD OF MONTGOMERY COUNTY, TEXAS; from Montgomery County; 9th district
(09-11-00089-CV, ___ SW3d ___, 08-31-11)
- 11-0862 IN THE INTEREST OF H.M.S., A CHILD; from Collin County; 5th district
(05-09-01456-CV, ___ SW3d ___, 09-07-11)
as corrected
- 11-0863 IN THE INTEREST OF H.M.S., A CHILD; from Collin County; 5th district
(05-10-00061-CV, 349 SW3d 250, 09-07-11)
as corrected
- 11-0868 TAU KAPPA EPSILON AND ADAM WILSON FOMBY v. USA BUS CHARTER, INC.; from Travis County; 3rd district (03-10-00768-CV, ___ SW3d ___, 07-28-11)

- 11-0869 E.B.S. ENTERPRISES, INC. D/B/A GATEWAY NEWS AND VIDEO, VENUS VIDEO, EROS VIDEO AND A.V.W., LTD. D/B/A ADULT VIDEO WAREHOUSE v. THE CITY OF EL PASO; from El Paso County; 8th district (08-10-00088-CV, 347 SW3d 404, 08-10-11)
- 11-0890 ELAINE NOLTE v. MORGAN FLOURNOY; from Angelina County; 6th district (06-11-00038-CV, 348 SW3d 262, 08-16-11)
- 11-0929 JIMMY BROWN HUMPHRIES INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF MAMIE RUTH HUMPHRIES HENDERSON, DECEASED v. MARVIN WAYNE HUMPHRIES AND TOMMY M. HUMPHRIES; from Van Zandt County; 12th district (12-11-00106-CV, 349 SW3d 817, 08-31-11)
- 11-0937 RAY BRAXTON v. CHIN TUO CHEN; from Gregg County; 6th district (06-10-00134-CV, ___ SW3d ___, 09-13-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 11-0849 JORGE MONROY v. PERLA MONROY; from Travis County; 3rd district (03-10-00275-CV, ___ SW3d ___, 08-31-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 53.2(k), and Misc. Docket No. 11-9152 - Electronic-Filing Rule 5(d), (g) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by January 17, 2012."

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0163 REZA VAFAIYAN v. THE STATE OF TEXAS; from Wichita County; 2nd district (02-09-00098-CV, ___ SW3d ___, 08-31-10)
motion to amend motion for rehearing denied
- 11-0371 H. WAYNE MEACHUM v. JP MORGAN CHASE BANK, N.A., TRUSTEE, ET AL.; from Dallas County; 5th district (05-08-00318-CV, ___ SW3d ___, 02-11-11)
- 11-0579 IN THE INTEREST OF B.W.E. AND A.E.E., CHILDREN; from Galveston County; 14th district (14-10-01008-CV, ___ SW3d ___, 05-17-10)

- 11-0624 RALPH O. DOUGLAS v. LINDA PORTER AND MARCELYN CURRY; from Harris County; 14th district (14-10-00055-CV, ___ SW3d ___, 04-26-11)
- 11-0666 BRUCE M. CRIDER v. MARY H. CRIDER; from Galveston County; 1st district (01-10-00268-CV, ___ SW3d ___, 07-07-11)
- 11-0724 RICHARD M. OWEN AND MARSHA LONG OWEN v. OPTION ONE MORTGAGE CORPORATION AKA SAND CANYON CORPORATION; from Harris County; 1st district (01-10-00412-CV, ___ SW3d ___, 07-28-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0745 IN RE THE ALTA FAY AND EUGENE R. FANT CHILDREN'S TRUST OF 1978, NUMBER ONE; from Harris County; 1st district (01-11-00166-CV, ___ SW3d ___, 08-04-11)

MISCELLANEOUS

THE FOLLOWING DIRECT APPEAL IS DISMISSED:

- 11-0908 CHARLES ROSS v. 114TH DISTRICT COURT; from Smith County

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0833 IN RE TIMOTHY NORWOOD BAKER
- 11-0894 IN RE KEITH RUSSELL JUDD; from Travis County
- 11-0923 IN RE DAVID CEPEDA JONES; from Bexar County; 4th district (04-06-00026-CV, ___ SW3d ___, 02-08-06)
- 11-0926 IN RE DAVID CEPEDA JONES; from Bexar County; 4th district (04-05-00494-CV, ___ SW3d ___, 08-10-05)
- 11-0927 IN RE DAVID CEPEDA JONES; from Bexar County; 4th district (04-05-00377-CV, ___ SW3d ___, 06-22-05)
- 11-0956 IN RE REGINALD DONELL RICE

11-0961 IN RE BILLY ROSS SIMS

11-1036 IN RE TRACY BROWN; from Harris County; 1st district
(01-11-00676-CV, ___ SW3d ___, 08-29-11)
emergency motion to stay denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

11-0350 IN RE GECU; from El Paso County; 8th district
(08-11-00139-CV, ___ SW3d ___, 05-12-11)
motion to dismiss petition for writ of mandamus granted
stay order issued May 16, 2011, lifted
abatement order issued December 6, 2011, lifted

THE SUPREME COURT OF TEXAS

Orders Pronounced January 11, 2012

MISCELLANEOUS

THE MOTION IN THE FOLLOWING CASE IS DENIED:

11-1011 TRACY NIXON v. ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd district (03-11-00603-CV, ___ SW3d ___, 12-08-11)
motion for emergency stay denied

[**Note:** The petition for review remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced January 13, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0760 GENESIS CAPITAL PARTNERS, IX, ET AL. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st district (01-09-00998-CV, ___ SW3d ___, 06-16-11)
as redrafted
- 11-0784 JUAN JOSE RAMOS v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE-CORRECTIONAL INSTITUTIONS DIVISION AND L. CLAY; from Anderson County; 12th district (12-10-00397-CV, ___ SW3d ___, 07-29-11)
- 11-0813 ASHLEY BARRERA v. TRI-COUNTY JUVENILE PROBATION BOARD, DUVAL COUNTY, JIM HOGG COUNTY AND STARR COUNTY; from Duval County; 4th district (04-11-00071-CV, ___ SW3d ___, 08-10-11)
- 11-0819 MELTA E. BROOKS-CANNON v. HENRY BROOKS; from Nueces County; 13th district (13-09-00579-CV, ___ SW3d ___, 06-23-11)
as corrected
- 11-0825 CHESTER L. SLAY, JR. INDIVIDUALLY; UNION TEXAS LIMITED PARTNERSHIP; AND CHESTER L. SLAY, JR., TRUSTEE OF PECKHAM FAMILY TRUST v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 3rd district (03-10-00297-CV, 351 SW3d 532, 08-31-11)
- 11-0844 DONALD PARKER v. VALERUS COMPRESSION SERVICES, LP; from Brazoria County; 1st district (01-10-00916-CV, ___ SW3d ___, 08-25-11)
- 11-0866 IN THE MATTER OF A.C., A JUVENILE; from Brown County; 11th district (11-09-00164-CV, ___ SW3d ___, 09-08-11)
- 11-0872 KAREN WILSON v. BEXAR COUNTY SHERIFF'S CIVIL SERVICE COMMISSION, ROLAND TAFOLLA, SHERIFF, BEXAR COUNTY SHERIFF'S OFFICE AND BEXAR COUNTY, TEXAS; from Bexar County; 4th district (04-11-00592-CV, ___ SW3d ___, 09-14-11)

- 11-0887 RAY WOLBRECHT v. AUSTIN COMMUNITY COLLEGE DISTRICT PUBLIC FACILITY CORPORATION AND AUSTIN COMMUNITY COLLEGE DISTRICT; from Travis County; 3rd district (03-11-00135-CV, ___ SW3d ___, 07-27-11)
- 11-0946 IN THE ESTATE OF DORIS IRENE WARD, DECEASED; from Johnson County; 10th district (10-11-00003-CV, ___ SW3d ___, 08-24-11)
- 11-0951 BEN L. RICHARDSON, ET AL. v. MICHAEL LEE CRAWFORD; from McLennan County; 10th district (10-11-00089-CV, ___ SW3d ___, 10-12-11)
- 11-0964 IRENE HERRERA v. RENE A. ANZALDUA, ET AL.; from Hidalgo County; 13th district (13-11-00531-CV, ___ SW3d ___, 08-30-11)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

- 10-0880 THE GOODYEAR TIRE & RUBBER COMPANY v. VERYL L. PINK (DECEASED) AND CHARLCIE PINK, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF VERYL L. PINK; from Jefferson County; 9th district (09-09-00241-CV, 324 SW3d 290, 09-09-10)
motion to dismiss granted, as amended
- 11-0901 LAWRENCE EDWARD THOMPSON v. ALDINE INDEPENDENT SCHOOL DISTRICT; from Harris County; 14th district (14-09-00596-CV, ___ SW3d ___, 07-21-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0271 MICHAEL M. EULER v. MILES MARKS, TRUSTEE AND TEXAS DOW EMPLOYEES FEDERAL CREDIT UNION; from Montgomery County; 9th district (09-09-00344-CV, ___ SW3d ___, 02-03-11)
as supplemented
- 11-0791 JOSEPH R. WILLIE, II v. COMMISSION FOR LAWYER DISCIPLINE; from Harris County; 14th district (14-10-00900-CV, ___ SW3d ___, 07-26-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0978 IN RE NACHIAPPAN SUBBIAH MUTHUKUMAR; from Dallas County; 5th district (05-11-01029-CV, ___ SW3d ___, 08-16-11)
motion for emergency relief denied

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 12-0028 IN RE DEBRA CHRIS MONTGOMERY KROUPA WILLIAMS; from Dallas County; 5th district (05-11-01695-CV, ___ SW3d ___, 01-11-12)
petition for writ of mandamus, being treated as a petition for writ of habeas corpus, denied
motion for emergency stay denied

See TEX. R. APP. P. 52.3(k)(1)(D)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

- 11-0558 IN RE CYNTHIA ANN SCHENDEL NANKERVIS, RICHARD EARL SCHENDEL AND ROBERT EDWARD SCHENDEL; from Goliad County; 13th district (13-11-00400-CV, ___ SW3d ___, 06-30-11)
agreed motion to abate granted
abatement order issued

[**Note:** This case is removed from the Court's active docket until March 13, 2012, by which time the parties must file either a status report or a motion to dismiss.]

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

- 12-0006 IN RE DUCHMANDOLA, LTD. N/K/A DUCHMAN, LTD.; from Hays County; 3rd district (03-11-00816-CV, ___ SW3d ___, 01-04-12)
motion for temporary relief granted, as supplemented
stay order issued
requested response due by January 23, 2012

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

THE SUPREME COURT OF TEXAS

Orders Pronounced January 20, 2012

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS GRANTED:

10-0592 JOHN GANIM v. J. FAROUK (FRANK) ALATTAR; from Fort Bend County; 14th district (14-08-00756-CV, ___ SW3d ___, 02-18-10)

(Justice Guzman not sitting)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0726 CLIFFORD FAIRFAX v. SHERRI MILLIGAN, KATHLEEN O'NEAL, BRIAN GORDY AND CHRISTY HOISINGTON; from Anderson County; 12th district (12-10-00324-CV, ___ SW3d ___, 08-24-11)

11-0756 TROPICAL COMMODITIES v. ANGEL PEREZ ORTIZ, ALONSO RODRIGUEZ, NIKO ILUMINACION DE MEXICO, MANUEL CUEVAS, LORENA TOLEDO ORIHUELA, AND JACOBO CHAPA; from Hidalgo County; 13th district (13-09-00364-CV, ___ SW3d ___, 08-31-11)

11-0892 CHARLES A. HOWELL, JR., IND. EXEC. v. ASPECT RESOURCES, LLC; from Jefferson County; 9th district (09-10-00349-CV, ___ SW3d ___, 09-22-11)

11-0907 GEORGE OLIVAREZ v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE-CORRECTIONAL INSTITUTIONS DIVISION; from Brazoria County; 1st district (01-10-00363-CV, ___ SW3d ___, 11-10-10)

11-0911 ERNEST BELMAREZ, EDDIE GUAJARDO, WILLIAM PHILLIPS, CHRIS SHANNON, RAMICO RAMOS, AND NORMA MAYORGA v. FORMOSA PLASTICS CORPORATION, TEXAS, FORMOSA PLASTICS CORPORATION, U.S.A., ET AL.; from Calhoun County; 13th district (13-09-00536-CV, ___ SW3d ___, 09-30-11)

- 11-0922 DORIS IMOGENE BAKER, CAROL BECK, DANIEL BECK, PATRICIA BROOKS, ROBERT BROOKS, EVELYN ELLIOT, ET AL. v. ENERGY TRANSFER COMPANY, D/B/A ETC TEXAS PIPELINE, LTD., ET AL.; from Robertson County; 10th district (10-09-00214-CV, ___ SW3d ___, 09-28-11)
- 11-0928 LARRY BRUCE v. FREEMAN DECORATING SERVICES, INC. DBA FREEMAN; from Harris County; 14th district (14-10-00611-CV, ___ SW3d ___, 08-16-11)
- 11-0930 VALERIE THOMAS BAHAR, M.D. AND VALERIE THOMAS BAHAR, M.D., P.A. v. LYON FINANCIAL SERVICES, INC., A MINNESOTA CORPORATION D/B/A US BANCORP MANIFEST FUNDING SERVICES; from Travis County; 3rd district (03-09-00691-CV, ___ SW3d ___, 09-23-11)
- 11-0943 RALPH O. DOUGLAS v. ELISE S. INGERSOLL; from Harris County; 14th district (14-09-00752-CV, ___ SW3d ___, 08-25-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0843 WELDON MACKEY v. TEXAS DEPARTMENT OF TRANSPORTATION; from Wise County; 8th district (08-09-00209-CV, 345 SW3d 760, 07-20-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 12-0028 IN RE DEBRA CHRIS MONTGOMERY KROUPA WILLIAMS; from Dallas County; 5th district (05-11-01695-CV, ___ SW3d ___, 01-11-12)
second motion for emergency stay denied

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0959 IN RE CARLOS Y. BENAVIDES, JR. AND WIFE, LETICIA R. BENAVIDES; from Webb County; 4th district (04-11-00755-CV, ___ SW3d ___, 10-26-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced January 25, 2012

MISCELLANEOUS

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

12-0035 IN RE SPECIALTY RENTAL TOOLS & SUPPLY, LP AND COY FRANK
KUYKENDALL, JR.; from Webb County; 4th district
(04-11-00750-CV, ___ SW3d ___, 01-04-12)
motion for temporary relief granted
stay order issued
requested response due by February 9, 2012

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

THE SUPREME COURT OF TEXAS

Orders Pronounced January 27, 2012

ORDERS ON CAUSES

09-0506 JAYANTI PATEL v. CITY OF EVERMAN; from Tarrant County; 2nd district
(02-07-00303-CV, ___ SW3d ___, 04-02-09)

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

Per Curiam Opinion

10-0523 PORT ELEVATOR-BROWNSVILLE, L.L.C. v. ROGELIO CASADOS AND RAFAELA CASADOS, INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATE OF THEIR SON, RAFAEL CASADOS; from Cameron County; 13th district (13-08-00150-CV, 314 SW3d 529, 05-27-10)

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

Justice Guzman delivered the opinion of the Court.

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

11-0059 EL PASO MARKETING, L.P. v. WOLF HOLLOW I, L.P.; from Harris County; 14th district (14-09-00118-CV, 329 SW3d 628, 10-28-10)
motion to request additional time to argue granted

Time allotted to argue: 25/20 minutes

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

09-0257 CITY OF DALLAS v. HEATHER STEWART; from Dallas County; 5th district (05-07-01244-CV, ___ SW3d ___, 12-11-08)

Justice Guzman dissents to denial of the motion for rehearing.

The Court's opinion by Chief Justice Jefferson issued July 1, 2011 is withdrawn and the opinion of this date is substituted. The remaining opinions and the judgment, issued July 1, 2011, remain in place.

09-0377 AARON GLENN HAYGOOD v. MARGARITA GARZA DE ESCABEDO; from Angelina County; 12th district (12-07-00130-CV, 283 SW3d 3, 02-18-09)

10-0389 KOUROSH HEMYARI AND UNION VALLEY RANCH, L.P. v. GARY BEN STEPHENS, STEPHENS GROUP, L.P., AND STEPHENS GROUP II, L.P.; from Dallas County; 5th district (05-08-01492-CV, ___ SW3d ___, 04-20-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

10-0887 WENDELL REEDER v. WOOD COUNTY ENERGY, LLC; WOOD COUNTY OIL & GAS, LTD.; NELSON OPERATING, INC.; DEKRFOUR, INC.; BOBBY NOBLE; EXZENA OIL CORPORATION; DAVID FRY AND PATRICIA FRY; from Wood County; 12th district (12-08-00175-CV, 320 SW3d 433, 07-14-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 27, 2012.]

Time allotted to argue: 20/20 minutes

10-0950 ENBRIDGE PIPELINES (EAST TEXAS) L.P. v. AVINGER TIMBER, LLC; from Marion County; 6th district (06-09-00046-CV, 326 SW3d 390, 10-27-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 27, 2012.]

Time allotted to argue: 20/20 minutes

11-0261 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS v. ROARK AMUSEMENT AND VENDING, L.P.; from Travis County; 3rd district (03-10-00105-CV, ___ SW3d ___, 01-26-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 28, 2012.]

Time allotted to argue: 20/20 minutes

11-0367 CITY OF NORTH RICHLAND HILLS, TEXAS v. LAURA FRIEND, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SARAH FRIEND, DECEASED AND LUTHER FRIEND, INDIVIDUALLY; from Tarrant County; 2nd district (02-09-00166-CV, 337 SW3d 387, 02-24-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 28, 2012.]

Time allotted to argue: 20/20 minutes

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE SET FOR ORAL ARGUMENT:

11-0255 IN RE THE OFFICE OF THE ATTORNEY GENERAL; from Tarrant County; 2nd district (02-09-00464-CV, 336 SW3d 389, 03-09-11)
2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., February 27, 2012.]

Time allotted to argue: 20/20 minutes

11-0732 IN RE STEPHANIE LEE; from Harris County; 14th district (14-11-00714-CV, ___ SW3d ___, 09-13-11)
motion for temporary relief granted
stay order issued

[**Note:** The petition for writ of mandamus remains pending before this Court. The date and time for oral argument are yet to be determined.]

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 09-0324 VANTAGE SYSTEMS DESIGN, INC. v. RAYMONDVILLE INDEPENDENT SCHOOL DISTRICT; from Willacy County; 13th district (13-08-00311-CV, 290 SW3d 312, 04-09-09)
- 10-1015 IN RE COMMITMENT OF JOE EDWIN WILLIAMS; from Montgomery County; 9th district (09-09-00539-CV, ___ SW3d ___, 10-28-10)
- 10-1044 THE PETROLEUM SYNERGY GROUP, INC. v. OCCIDENTAL PERMIAN, LTD.; from Lamb County; 7th district (07-08-00376-CV, 331 SW3d 14, 10-05-10)
- 11-0010 BASIC ENERGY SERVICES GP, LLC AND BASIC ENERGY SERVICES, L.P. v. NELDA GOMEZ, DULY APPOINTED LEGAL GUARDIAN OF THE ESTATE OF K. D. L. (MINOR), AMADOR LAZO AND BRITTANY LAZO; from Duval County; 4th district (04-10-00128-CV, ___ SW3d ___, 11-24-10)
- 11-0069 TODD CUSTER v. JUDY FISCHER; from Montgomery County; 9th district (09-10-00392-CV, ___ SW3d ___, 12-16-10)
- 11-0078 HARRIS COUNTY APPRAISAL DISTRICT v. HOUSTON LAUREATE ASSOCIATES, LTD. AND LEVERING & COMPANY; from Harris County; 14th district (14-09-00380-CV, 329 SW3d 52, 08-26-10)
motion for sanctions denied
motion to seal record denied
- 11-0092 IN RE COMMITMENT OF CHARLES ANTHONY WILLIAMS; from Montgomery County; 9th district (09-09-00515-CV, ___ SW3d ___, 12-30-10)
- 11-0135 ROY THRELKELD v. GREGORY URECH; from Dallas County; 5th district (05-09-00631-CV, 329 SW3d 84, 11-17-10)
as redrafted
- 11-0146 DAVINDER SINGH BAINS AND PARMJIT K. BAINS v. STAGE RUN OWNERS ASSOCIATION, INC.; from Bexar County; 4th district (04-10-00195-CV, ___ SW3d ___, 11-24-10)
- 11-0171 IN THE INTEREST OF B.H.B., ET AL., CHILDREN; from Atascosa County; 4th district (04-10-00130-CV, 336 SW3d 303, 12-15-10)
as redrafted

- 11-0175 JOSEPH E. ULUH v. IJEOMA O. ULUH; from Fort Bend County; 14th district (14-09-00394-CV, ___ SW3d ___, 01-20-11)
- 11-0181 HARRIS COUNTY, TEXAS v. RAUL GARZA; from Harris County; 14th district (14-10-00764-CV, ___ SW3d ___, 02-01-11)
as amended
- 11-0232 BROOKSHIRE KATY DRAINAGE DISTRICT v. THE LILY GARDENS, LLC, RICHARD E. FLUECKIGER, KENNETH B. LUEDECKE; from Waller County; 1st district (01-07-00431-CV, 333 SW3d 301, 09-10-10)
- 11-0235 SCOTT RICHTER AND JEANNE RICHTER v. BRUCE J. MERY; from Kerr County; 4th district (04-10-00098-CV, ___ SW3d ___, 09-29-10)
as redrafted
- 11-0240 LIGHTHOUSE HOLDINGS, INC. v. PAT SIMMS; from Dallas County; 5th district (05-09-01216-CV, ___ SW3d ___, 02-28-11)
- 11-0274 SYLVIA AGUIRRE, INDIVIDUALLY AND AS NEXT FRIEND TO STACY AGUIRRE AND DYLAN AGUIRRE v. TOXICOLOGY ASSOCIATES, INC.; from Nueces County; 13th district (13-10-00392-CV, ___ SW3d ___, 01-31-11)
- 11-0299 MCAFEE, INC. v. KEVIN M. WEISS; from Dallas County; 5th district (05-09-01102-CV, 336 SW3d 840, 03-16-11)
- 11-0300 IN RE COMMITMENT OF ROBERT C. GRUNSFELD; from Montgomery County; 9th district (09-09-00279-CV, ___ SW3d ___, 02-24-11)
- 11-0302 IN RE COMMITMENT OF LARAY MALONE, JR.; from Montgomery County; 9th district (09-09-00504-CV, 336 SW3d 860, 03-31-11)
- 11-0318 CTL/THOMPSON TEXAS, LLC; MICHAEL L. LESTER, P.E.; CHE-HUNG TSAI, PHD, P.E.; AND SRIKANTH DINAKARAN, P.E. v. MORRISON HOMES AND SHEFFIELD DEVELOPMENT COMPANY, INC.; from Tarrant County; 2nd district (02-10-00259-CV, 337 SW3d 437, 03-03-11)
- 11-0321 JEFFREY M. STERN v. COMMISSION FOR LAWYER DISCIPLINE; from Harris County; 1st district (01-09-00910-CV, ___ SW3d ___, 03-17-11)
- 11-0382 DANIEL SATURN v. DOUBLE DIAMOND, INC. AND WHITE BLUFF PROPERTY OWNERS' ASSOCIATION, INC.; from Dallas County; 5th district (05-09-01073-CV, 339 SW3d 337, 04-05-11)

- 11-0456 JORGE DE LA GARZA, M.D. v. GARY E. SCHRUZ; from Hidalgo County; 13th district (13-10-00468-CV, ___ SW3d ___, 06-02-11)
- 11-0458 THOMAS PETROLEUM, INC. AND THOMAS FUELS, LUBRICANTS & CHEMICALS v. GREGORY MORRIS; from Harris County; 1st district (01-09-01065-CV, ___ SW3d ___, 03-03-11)
- 11-0478 THE CITY OF FORT WORTH v. MARTHA SULLIVAN AND DENNIS SULLIVAN; from Tarrant County; 2nd district (02-10-00223-CV, ___ SW3d ___, 05-19-11)
- 11-0480 WILLIAM C. ROBBINS v. MAXWELL-GMII, INC.; from Harris County; 1st district (01-10-00141-CV, ___ SW3d ___, 05-12-11)
- 11-0566 W.L. RANCH, INC. AND CARL FLENTGE v. JOE RICHARD POOL; from Burleson County; 10th district (10-09-00288-CV, ___ SW3d ___, 05-11-11)
- 11-0611 CYNTHIA FARIAS, AS NEXT FRIEND OF VIDAL DE JESUS FARIAS, A MINOR v. ALLSTATE INSURANCE COMPANY AND ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY; from Hidalgo County; 13th district (13-10-00071-CV, ___ SW3d ___, 06-02-11)
- 11-0615 DALLAS RACEWAY, INC. AND SURTEC INSURANCE COMPANY v. PAVECON, LTD.; from Kaufman County; 5th district (05-10-00712-CV, ___ SW3d ___, 05-05-11)
- 11-0675 IN THE INTEREST OF M.A.M., A MINOR CHILD; from Dallas County; 5th district (05-09-00396-CV, 346 SW3d 10, 04-15-11)
- 11-0685 GARRETT OPERATORS, INC. AND GEORGE THOMAS COX v. CITY OF HOUSTON; from Harris County; 1st district (01-09-00946-CV, ___ SW3d ___, 05-12-11)
- 11-0725 DENNIS VERNER v. NATIONAL OILWELL VARCO, F/K/A NATIONAL OILWELL, INC.; from Reeves County; 8th district (08-09-00244-CV, 346 SW3d 78, 06-22-11)
- 11-0759 BENCOR, INC. v. THE VARIABLE ANNUITY LIFE INSURANCE COMPANY; from Harris County; 1st district (01-09-00094-CV, ___ SW3d ___, 04-07-11)
- 11-0800 MACYOTI CORP., MACARENA TIJERINA AND YOLANDA TIJERINA v. SEA OATS INVESTMENTS IV, LP; from Cameron County; 13th district (13-10-00110-CV, ___ SW3d ___, 08-23-11)

- 11-0807 IN RE COMMITMENT OF NELTON EUGENE MYERS; from Montgomery County; 9th district (09-10-00507-CV, 350 SW3d 122, 08-25-11)
- 11-0808 IN RE COMMITMENT OF DARIUS DAMASCUS BRIGGS; from Montgomery County; 9th district (09-10-00316-CV, 350 SW3d 362, 08-25-11)
- 11-0884 GARLAND C. POOL, JR. AND DOLORES POOL HERRINGTON, SPA DOLORES HOPSON v. RIVER BEND RANCH, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND BOBBY WILLIAMS, INDIVIDUALLY AND AS A REPRESENTATIVE OF A.C.R.E., A COMMUNITY ORGANIZATION, INTERVENOR; from Henderson County; 12th district (12-09-00291-CV, 346 SW3d 853, 07-13-11)
- 11-0936 KAREN HALL v. CITY OF BRYAN; from Brazos County; 10th district (10-10-00403-CV, ___ SW3d ___, 10-05-11)
- 11-0952 AFFORDABLE MOTOR COMPANY, INC. AND CHARLES A. RAY v. LNA, LLC; from Dallas County; 5th district (05-10-00076-CV, 351 SW3d 515, 08-17-11)
- 11-0965 RAY A. BAILEY v. STANLEY G. SCHNEIDER; from Matagorda County; 13th district (13-11-00057-CV, ___ SW3d ___, 08-18-11)
- 11-0983 AMREX, INC. D/B/A FALCO PEST CONTROL v. PETER E. PRATT, JR., COURT APPOINTED RECEIVER AND SPECIAL MASTER ON BEHALF OF THE RECEIVERSHIP ESTATE OF CURTIS MUECKE; from Uvalde County; 4th district (04-11-00119-CV, ___ SW3d ___, 08-24-11)
- 11-1003 JAMES R. ALDERSON v. KAREN ALDERSON N/K/A KAREN HUBER; from Dallas County; 5th district (05-10-01394-CV, 352 SW3d 875, 10-27-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE
OF APPELLATE PROCEDURE 9.4(i):

12-0050 UNIT 82 JOINT VENTURE, FIVE STAR HOLDING COMPANY, INC., FIVE STAR HOLDING MANAGEMENT, L.L.C. AND 1320/1390 DON HASKINS, LTD. v. INTERNATIONAL COMMERCIAL BANK OF CHINA, LOS ANGELES BRANCH, MEDIACOPY TEXAS, INC., MAYNARDS INDUSTRIES (1991) INC., D/B/A MAYNARDS INDUSTRIES, LTD., AND ROBB EVANS, RECEIVER FOR MEDIACOPY TEXAS, INC.; from El Paso County; 8th district (08-10-00064-CV, ___ SW3d ___, 11-30-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5 and 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by February 6, 2012."

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF
JURISDICTION:

11-0786 ROBERT J. SCHLICHTING v. LEHMAN BROTHERS BANK FSB; from Dallas County; 5th district (05-10-00223-CV, 346 SW3d 196, 07-19-11)

11-0838 SOCORRO PUENTES AND JUAN PUENTES v. FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION; from El Paso County; 8th district (08-10-00137-CV, 350 SW3d 732, 08-31-11)

ORDERS ON MOTIONS FOR REHEARING

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

11-0143 CITY OF CORPUS CHRISTI v. SAN PATRICIO MUNICIPAL WATER DISTRICT AND SOUTH TEXAS WATER AUTHORITY; from Nueces County; 13th district (13-10-00272-CV, ___ SW3d ___, 01-13-11)

11-0159 MASS MARKETING, LTD. D/B/A SUPER S FOODS v. HOPE DURBIN; from Bexar County; 4th district (04-09-00697-CV, ___ SW3d ___, 10-20-10)

11-0303 IN THE INTEREST OF B.R.H., A CHILD; from Bexar County; 4th district (04-10-00750-CV, ___ SW3d ___, 02-09-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0197 IN RE BEXAR COUNTY HOSPITAL DISTRICT D/B/A UNIVERSITY HEALTH SYSTEM; from Bexar County; 4th district
(04-11-00145-CV, ___ SW3d ___, 03-02-11)
stay order issued March 25, 2011

11-0293 IN RE BILLY MERRILLE NICHOLS; from Stephens County; 11th district
(11-11-00072-CV, ___ SW3d ___, 03-31-11)

11-0305 IN RE THE ENCINITOS RANCH AND MCGILL RANCH, LTD.; from Starr County; 4th district (04-10-00766-CV, 340 SW3d 852, 03-23-11)

(Justice Lehrmann not sitting)

11-0306 IN RE MCGILL RANCH, LTD.; from Starr County; 4th district
(04-10-00748-CV, 341 SW3d 479, 03-30-11)

(Justice Lehrmann not sitting)

11-0407 IN RE M.L.; from Bexar County; 4th district
(04-11-00104-CV, ___ SW3d ___, 03-02-11)
as amended
motion to seal dismissed as moot

11-0641 IN RE KAY MOTLEY; from Collin County; 5th district
(05-11-01025-CV, ___ SW3d ___, 08-15-11)

11-1017 IN RE GARY L. DEROUIN

12-0076 IN RE OFFICE OF THE ATTORNEY GENERAL OF TEXAS; from Taylor County; 11th district (11-11-00364-CV, ___ SW3d ___, 01-05-12)
motion for temporary stay denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

11-0245 IN RE CARL BASS, PATRICIA GRUTZMACHER AND THOMAS BAUER; from
Travis County; 3rd district
abatement order issued

[**Note:** The petition is abated and the case is remanded to the trial court for findings of fact and conclusions of law. The trial court shall submit its findings to this Court no later than March 27, 2012.]

Per Curiam Opinion

THE SUPREME COURT OF TEXAS

Orders Pronounced February 3, 2012

ORDERS ON CAUSES

THE FOLLOWING CAUSE IS SET FOR SUBMISSION:

11-0732 IN RE STEPHANIE LEE; from Harris County; 14th district
(14-11-00714-CV, ___ SW3d ___, 09-13-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., February 28, 2012.]

Time allotted to argue: 20/20 minutes

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS GRANTED:

11-0261 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE
OF TEXAS, AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF
TEXAS v. ROARK AMUSEMENT AND VENDING, L.P.; from Travis County;
3rd district (03-10-00105-CV, ___ SW3d ___, 01-26-11)
unopposed motion to reset oral argument granted

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

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS DENIED:

11-0255 IN RE THE OFFICE OF THE ATTORNEY GENERAL; from Tarrant County; 2nd
district (02-09-00464-CV, 336 SW3d 389, 03-09-11)
motion to reset oral argument denied

[**Note:** This case remains set for oral argument at 9:00 a.m., February 27, 2012.]

Time allotted to argue: 20/20 minutes

THE MOTIONS IN THE FOLLOWING CAUSE ARE GRANTED:

- 10-0970 NICHOLAS TRAXLER v. ENTERGY GULF STATES, INC.; from Orange County; 9th district (09-09-00362-CV, 320 SW3d 553, 08-19-10)
petitioner's motion for leave to file post-submission brief granted
respondent's motion for leave to file post-submission brief granted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED AS MOOT:

- 11-0985 THEODIS DODSON v. ROBERT FORD, SEAN COLSTON, TARRANT COUNTY DIST. ATTY, AND THE STATE OF TEXAS; from Tarrant County; 2nd district (02-11-00252-CV, ___ SW3d ___, 08-18-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0461 AHMAD EL NAGGAR AND EL NAGGAR FINE ARTS FURNITURE, INC. v. GENERAL AGENTS INSURANCE COMPANY OF AMERICA, INC.; from Harris County; 14th district (14-09-00641-CV, 340 SW3d 552, 05-03-11)
- 11-0470 S.T.M. v. THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Tarrant County; 2nd district (02-10-00354-CV, ___ SW3d ___, 04-28-11)
- 11-0582 PAMELA DUNLOP-GATES, INDIVIDUALLY AND THOMPSON, COE, COUSINS & IRONS, LLP, A LIMITED LIABILITY CORPORATION AND BYRON L. WOOLLEY, INDIVIDUALLY v. WILLIAM ROWLAND EDWARDS, JR.; from Dallas County; 8th district (08-09-00040-CV, 344 SW3d 424, 04-28-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0294 IN RE BARRY DWAYNE MINNFEE; from Fort Bend County; 1st district (01-09-00506-CV, ___ SW3d ___, 07-21-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0831 IN RE CARY SCHULMAN AND THE CARY SCHULMAN LAW FIRM; from Dallas County
as redrafted
motion for emergency stay denied
- 11-1023 IN RE TOMMY CHARLES PEEBLES; from Grayson County; 5th district
(05-11-00911-CV, ___ SW3d ___, 07-27-11)
- 12-0079 IN THE INTEREST OF S.G.E.; from Montgomery County; 9th district
motion to stay denied
- 12-0095 IN RE N. BONACCI; from El Paso County; 8th district
(08-12-00008-CV, ___ SW3 ___, 01-18-12)
motion for temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 11-0558 IN RE CYNTHIA ANN SCHENDEL NANKERVIS, RICHARD EARL SCHENDEL AND ROBERT EDWARD SCHENDEL; from Goliad County; 13th district
(13-11-00400-CV, ___ SW3d ___, 06-30-11)
motion to dismiss granted
abatement order issued January 13, 2012, lifted

THE SUPREME COURT OF TEXAS

Orders Pronounced February 10, 2012

ORDERS ON CAUSES

11-0855 IN RE NESTLE USA, INC., SWITCHPLACE, LLC, AND NSBMA, LP
motion for leave to file relators' first amended petition granted

The Court dismisses the case for want of jurisdiction.

Justice Hecht delivered the opinion of the Court.

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

11-0265 THE EPISCOPAL DIOCESE OF FORT WORTH, ET AL. v. THE EPISCOPAL
CHURCH, ET AL.; from Tarrant County
joint motion to supplement and to designate official appellate record granted

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0835 LOURDES MARIA VARGAS DE DAMIAN, ET AL. v. BELL HELICOPTER
TEXTRON, INC.; from Tarrant County; 2nd district (02-08-00210-
CV, 352 SW3d 124, 08-31-11)
as redrafted

11-0846 ANTHONY RAY FREEMAN v. JOHN S. FRESHOUR AND CAROLYN RANDLE;
from Anderson County; 12th district (12-10-00236-CV, ___ SW3d ___, 08-10-11)
as reinstated
as amended

11-0932 BRUCE OLSON v. MICHAEL J. WESTERGREN; from Nueces County; 13th district
(13-10-00054-CV, ___ SW3d ___, 08-18-11)

11-0966 TOMMY BARBER v. GINA KEAS; from Denton County; 2nd district (02-11-00073-
CV, ___ SW3d ___, 10-20-11)

11-1000 KOJO W. NKANSAH v. UNIVERSITY OF TEXAS AT ARLINGTON (UTA), JAMES SPANIOLO, DANA DUNN, PHILIP COHEN, ROD HISSONG AND SHERMAN WYMAN; from Tarrant County; 2nd district (02-10-00322-CV, ___ SW3d ___, 10-13-11)

11-1004 JAMES H. OWEN v. PELTIER ENTERPRISES, INC. D/B/A PELTIER NISSAN; from Smith County; 12th district (12-11-00024-CV, ___ SW3d ___, 08-24-11)

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0975 IN RE KRISTIN WILKINSON

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0007 IN RE CLYDE T. MOORE, JR.; from Tarrant County; 2nd district (02-11-00399-CV, ___ SW3d ___, 11-10-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced February 17, 2012

ORDERS ON CAUSES

09-0715 MABON LIMITED v. AFRI-CARIB ENTERPRISES, INC.; from Harris County; 14th district (14-07-00650-CV, 287 SW3d 217, 03-31-09)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting Mabon Limited's petition for review and without hearing oral argument, the Court reverses the court of appeals' judgment and reinstates the trial court's judgment. The Court denies the petition for review filed on behalf of Afri-Carib Enterprises, Inc.

Per Curiam Opinion

(Justice Guzman not sitting)

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

10-0429 SHELL OIL COMPANY; SWEPI LP D/B/A SHELL WESTERN E&P, SUCCESSOR IN INTEREST TO SHELL WESTERN E&P, INC. v. RALPH ROSS; from Harris County; 1st district (01-08-00713-CV, ___ SW3d ___, 02-25-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0050 FPL ENERGY, LLC, FPL ENERGY PECOS WIND I, L.P., FPL ENERGY PECOS WIND II, L.P. AND INDIAN MESA WIND FARM, L.P. v. TXU PORTFOLIO MANAGEMENT COMPANY, L.P. N/K/A LUMINANT ENERGY COMPANY, LLC; from Dallas County; 5th district (05-08-01584-CV, 328 SW3d 580, 07-27-10)

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

11-0252 AARON FELTON v. BROCK LOVETT, D.C.; from Potter County; 7th district (07-10-00197-CV, 333 SW3d 389, 01-27-11)

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

(Justice Johnson not sitting)

11-0717 RODNEY KEN NEEDHAM v. CMC CITYSCAPE II, LTD., A TEXAS LIMITED PARTNERSHIP; from Van Zandt County; 12th district (12-11-00007-CV, ___ SW3d ___, 05-25-11)
agreed motion to dismiss granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition for review. Without hearing oral argument or considering the merits, the Court vacates the judgments of the court of appeals and trial court, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSE ARE GRANTED:

08-0751 TEXAS MUTUAL INSURANCE COMPANY v. TIMOTHY J. RUTTIGER; from Galveston County; 1st district (01-06-00897-CV, 265 SW3d 651, 07-31-08)
2 motions for rehearing

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

09-0715 MABON LIMITED v. AFRI-CARIB ENTERPRISES, INC.; from Harris County; 14th district (14-07-00650-CV, 287 SW3d 217, 03-31-09)
petition for review, on behalf of Afri-Carib Enterprises, Inc., denied

(Justice Guzman not sitting)

10-1012 CLEVELAND REGIONAL MEDICAL CENTER, L.P. v. CELTIC PROPERTIES, L.P.; from Liberty County; 9th district (09-08-00263-CV, 323 SW3d 322, 09-30-10)

11-0048 CARLOS J. VILLARREAL v. DAVID LLOYD ESAU; from Hidalgo County; 13th district (13-09-00243-CV, ___ SW3d ___, 08-19-10)

11-0164 MIKE LEACH v. TEXAS TECH UNIVERSITY; from Lubbock County; 7th district (07-10-00247-CV, 335 SW3d 386, 01-20-11)
2 petitions

(Justice Wainwright not sitting)

- 11-0322 TOWN OF NORTHLAKE v. SOMCHAI SARAMANEE AND ANDREW TERRELL BOGGESS; from Denton County; 2nd district (02-10-00152-CV, ___ SW3d ____, 03-17-11)
as redrafted
motion for leave to file sur-reply to reply brief on the merits denied
- 11-0471 SCORPION EXPLORATION & PRODUCTION, INC. v. MOHICAN OIL & GAS, LLC; from Nueces County; 13th district (13-09-00516-CV, 337 SW3d 310, 01-27-11)
- 11-0676 DANNY WILBURN GREEN v. LISA GREEN; from Montgomery County; 9th district (09-10-00364-CV, ___ SW3d ____, 05-26-11)
- 11-0698 J.C. PENNEY CORPORATION, INC. v. YOLANDA GONZALEZ-ALANIZ; from Cameron County; 13th district (13-09-00462-CV, ___ SW3d ____, 05-26-11)
- 11-0740 BUCKEYE AVIATION, L.L.C. AND COATS & EVANS, P.C. v. BARRETT PERFORMANCE AIRCRAFT, INC., BARRETT PRECISION ENGINES, INC. AND BURTON M. BARRETT; from Montgomery County; 9th district (09-10-00247-CV, ___ SW3d ____, 06-16-11)
- 11-0776 MEHRDAD MAZAHERI, M.D. v. NICHOLAS KOSTECHKO; from Dallas County; 5th district (05-10-00793-CV, ___ SW3d ____, 07-08-11)
- 11-0803 ROLANDO ARNOLDO SALINAS v. MARIA TERESA SALINAS; from Hidalgo County; 13th district (13-10-00279-CV, ___ SW3d ____, 08-30-11)
- 11-0829 JOHN MURRAY v. G. RICHARD GRAYUM; from Llano County; 3rd district (03-10-00165-CV, ___ SW3d ____, 06-24-11)
- 11-0854 ORIX FINANCE CORP. v. NEXBANK, SSB; from Dallas County; 5th district (05-10-00998-CV, ___ SW3d ____, 08-10-11)
- 11-0893 LARRY HUGHES AND GLENDA HUGHES v. CITY OF GATESVILLE, TEXAS; from Coryell County; 10th district (10-11-00030-CV, ___ SW3d ____, 08-17-11)
- 11-0935 SUNBLIK, INC. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 14th district (14-10-00198-CV, ___ SW3d ____, 06-02-11)
- 11-0990 SOLUM ENGINEERING, INC. v. PREIS & ROY, P.L.C.; from Harris County; 14th district (14-10-01054-CV, ___ SW3d ____, 09-29-11)

- 11-0994 MURRIAH S. MCMASTER v. JOHN W. SMALL, AISKEL ALVAREZ SMALL, ROBERT ALAN "BOB" SMALL, SMALL FAMILY INTERESTS, INC., SMALL INTERESTS LIMITED, STAR INSTRUMENTS, INC., IMPULSE INTERNATIONAL CORP., AND GENESIS HOLDING CORP; from Galveston County; 14th district (14-09-01080-CV, 352 SW3d 280, 10-20-11)
- 12-0017 NEUROLOGY AND NEUROPHYSIOLOGY ASSOCIATES, P.A. AND ROBERT LOWRY M.D. v. PETER A. TARBOX, M.D.; from Bexar County; 4th district (04-11-00394-CV, ___ SW3d ___, 10-26-11)

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

- 11-0962 CLAUDIA J. CALLEJAS AND ALL OTHER OCCUPANTS v. FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Harris County; 1st district (01-10-00932-CV, ___ SW3d ___, 07-21-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 10-0680 INNOVATIVE THERAPIES, INC. v. KINETIC CONCEPTS, INC., KCI LICENSING, INC. AND KCI USA, INC.; from Bexar County; 4th district (04-09-00285-CV, 04-09-00286-CV, 328 SW3d 545, 04-14-10)
- 10-0810 WINDLE TURLEY, SHIRLEY TURLEY, STEVE AARON, CAROL AARON, B.M. RANKIN, JR. AND ASHLEY RANKIN v. CITY OF DALLAS; from Dallas County; 5th district (05-09-00791-CV, ___ SW3d ___, 07-13-10)
- 11-0066 EUSTACE H. WINN, JR. AND BETTY LEE JONES WINN AND JOHN C. KISALUS, TRUSTEE OF THE EUSTACE H. WINN, JR. FAMILY TRUST v. EPG PARTNERS, LLC, MR EXPLORATION VENTURES, LLC, CDX TAPICITO, LLC AND CDX RIO, LLC; from Dallas County; 5th district (05-08-00716-CV, ___ SW3d ___, 12-21-10)
- 11-0280 HELEN MAY STEPHENSON, INDIVIDUALLY AND AS INDEPENDENT ADMINISTRATRIX OF THE ESTATE OF L.D. MAY, DECEASED, BARBARA MAY JERRY, DOROTHY MAY JOUBERT, PAUL MAY, PERCY MAY AND RUSSELL MAY v. WENDY MAY; from Jefferson County; 9th district (09-10-00024-CV, ___ SW3d ___, 02-10-11)

11-0544 WILLIE A. MILTON v. NATHANIEL QUARTERMAN, DIRECTOR TDCJ-CID AND MARY HANSFORD, ALLRED UNIT MAIL ROOM SUPERVISOR; from Wichita County; 2nd district (02-10-00103-CV, ___ SW3d ___, 01-27-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0583 IN RE UNITED BIOLOGICS, LLC D/B/A UNITED ALLERGY LABS; from Hidalgo County; 13th district (13-11-00306-CV, ___ SW3d ___, 06-08-11)
agreed motion to seal granted

11-0716 IN RE F.C. HOLDINGS, INC. ET AL.; from Houston County; 12th district (12-10-00424-CV, 349 SW3d 811, 08-31-11)
emergency motion for temporary relief denied

11-0768 IN RE JAIME JERRY MUÑOZ; from Cameron County; 13th district (13-11-00384-CV, ___ SW3d ___, 08-15-11)

11-0993 IN RE WANDA G. HUNTER

12-0005 IN RE ALEJANDRA SALAZAR; from Bexar County; 4th district (04-11-00834-CV, ___ SW3d ___, 12-14-11)

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

11-0859 IN RE CAMP MYSTIC, INC. AND RICHARD G. EASTLAND; from Kerr County; 4th district (04-11-00694-CV, ___ SW3d ___, 09-28-11)
motion for temporary relief to stay trial and trial-court proceedings granted
stay order issued

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

(Justice Hecht not sitting)

THE SUPREME COURT OF TEXAS

Orders Pronounced February 24, 2012

ORDERS ON CAUSES

08-0964 THE EDWARDS AQUIFER AUTHORITY AND THE STATE OF TEXAS v. BURRELL DAY AND JOEL MCDANIEL; from Atascosa County; 4th district (04-07-00103-CV, 274 SW3d 742, 08-29-08)
3 petitions

The Court affirms the court of appeals' judgment.

Justice Hecht delivered the opinion of the Court.

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

10-0950 ENBRIDGE PIPELINES (EAST TEXAS) L.P. v. AVINGER TIMBER, LLC; from Marion County; 6th district (06-09-00046-CV, 326 SW3d 390, 10-27-10)
joint motion for additional seating at counsel tables at oral argument granted

Time allotted to argue: 20/20 minutes

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

11-0367 CITY OF NORTH RICHLAND HILLS, TEXAS v. LAURA FRIEND, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SARAH FRIEND, DECEASED AND LUTHER FRIEND, INDIVIDUALLY; from Tarrant County; 2nd district (02-09-00166-CV, 337 SW3d 387, 02-24-11)
motion of amicus curiae The State of Texas to Participate in Oral Argument granted

Time allotted to argue: 15/20/5 minutes

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

12-0010 TOWN OF FLOWER MOUND, TEXAS v. MOCKINGBIRD PIPELINE, L.P.; from Denton County; 2nd district (02-10-00069-CV, 353 SW3d 230, 10-13-11) agreed motion to grant petition for review pursuant to TEX. R. APP. P. 56.3 granted in part and denied in part as follows:

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0584 GEORGE THOMAS v. SELECT PORTFOLIO SERVICING, INC., U.S. BANK NATIONAL ASSOCIATION TRUSTEE AND BALBOA INSURANCE GROUP AND ALL THOSE WHO WERE INVOLVED IN THE WRONGFUL EVICTION; from Polk County; 9th district (09-10-00083-CV, ___ SW3d ___, 07-14-11)
- 11-0897 DAVID JAMES v. METROPOLITAN TRANSIT AUTHORITY, MS. THERESA CHANG, ET AL.; from Harris County; 14th district (14-10-01055-CV, ___ SW3d ___, 09-22-11)
- 11-0899 KRISTOFER THOMAS KASTNER v. TEXAS BOARD OF LAW EXAMINERS; from Travis County; 3rd district (03-10-00167-CV, ___ SW3d ___, 08-31-11)
- 11-0917 SENOVIO FLORES v. THOMAS FLORES; from Bexar County; 4th district (04-10-00118-CV, ___ SW3d ___, 08-17-11)
- 11-0931 KARL A. STRONG, SR. v. ADA P. STRONG; from Dallas County; 5th district (05-09-01273-CV, 350 SW3d 759, 10-07-11)
- 11-0999 ROBERT P. BERG v. KRISTI WILSON; from Hopkins County; 6th district (06-10-00091-CV, 353 SW3d 166, 11-02-11)
- 11-1006 DONALD CONRAD LEMPAR v. STEPHEN A. NICHOLAS AND PHILLIP BOZZO, JR.; from Bexar County; 14th district (14-10-00311-CV, ___ SW3d ___, 08-16-11)

- 11-1010 IHSAN SHANTI, M.D. v. ALLSTATE INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY, ALLSTATE PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE COUNTY MUTUAL INSURANCE COMPANY AND ALLSTATE FIRE & CASUALTY INSURANCE COMPANY; from Harris County; 14th district (14-10-01126-CV; 14-10-01147-CV, ___ SW3d ___, 11-03-11)
- 11-1011 TRACY NIXON v. ATTORNEY GENERAL OF THE STATE OF TEXAS; from Travis County; 3rd district (03-11-00603-CV, ___ SW3d ___, 12-08-11)
request of time to file court reporter's transcript denied
- 11-1019 RANGER ABBOTT v. THE CITY OF PARIS AND KEVIN CARRUTH; from Lamar County; 6th district (06-11-00065-CV, ___ SW3d ___, 10-21-11)
- 11-1038 ALFRED LEE STONE v. DAVID L. GLEASON; from Potter County; 7th district (07-11-00301-CV, ___ SW3d ___, 10-26-11)
- 12-0012 JERRY, MARSHA AND JASON CHAMBERS v. KAUFMAN COUNTY; from Kaufman County; 5th district (05-11-00509-CV, ___ SW3d ___, 10-26-11)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 11-0910 URBANO ZEA, JR. A/K/A URBANO ZEA v. VALLEY FEED AND SUPPLY, INC., UNITED VALLEY PET FOODS, L.P. AND UNITED VALLEY PET FOOD MANAGEMENT, L.L.C.; from El Paso County; 8th district (08-10-00280-CV, 354 SW3d 873, 08-31-11)
motion to dismiss granted

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

- 12-0043 RUBEN VASQUEZ, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF RUBEN VASQUEZ, JR., DEC. AND ORALIA VASQUEZ, JOE JIMENEZ AND ROSA WARD v. SAN ANTONIO EXTENDED MEDICAL CARE, INC. D/B/A MED MART; from Bexar County; 4th district (04-10-00727-CV, ___ SW3d ___, 05-26-10)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0868 TAU KAPPA EPSILON AND ADAM WILSON FOMBY v. USA BUS CHARTER, INC.; from Travis County; 3rd district (03-10-00768-CV, ___ SW3d ___, 07-28-11)
- 11-0880 TOBY BOWEN v. SHELLEY BOWEN; from Tarrant County; 2nd district (02-10-00297-CV, ___ SW3d ___, 08-04-11)
- 11-0890 ELAINE NOLTE v. MORGAN FLOURNOY; from Angelina County; 6th district (06-11-00038-CV, 348 SW3d 262, 08-16-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 11-0978 IN RE NACHIAPPAN SUBBIAH MUTHUKUMAR; from Dallas County; 5th district (05-11-01029-CV, ___ SW3d ___, 08-16-11)

MISCELLANEOUS

THE FOLLOWING CASE IS REINSTATED:

- 11-0152 IN RE AMERIMEX DRILLING I, LTD.; from Howard County; 11th district (11-10-00245-CV, 331 SW3d 70, 11-12-10)
first amended motion to reinstate granted

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0823 IN RE ARROW FREIGHT MANAGEMENT, INC.; from El Paso County; 8th district (08-11-00271-CV, ___ SW3d ___, 09-28-11)
motion to stay proceedings denied
- 11-1033 IN RE CHARLES W. BISHOP, II; from Polk County; 9th district (09-11-00583-CV, ___ SW3d ___, 11-03-11)
- 12-0040 IN RE WILMA REYNOLDS; from Brazoria County; 14th district (14-11-01097-CV, ___ SW3d ___, 01-10-12)
motion for emergency stay denied
motion to compel trial court to produce documents for in camera review denied

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

- 08-0915 IN RE PAWEL BARAN, NINA BARAN, ELIZABETH GOOD, JOHN BARKER, CAROL ANN BARKER, MICHAEL ROWELL, JEANNETTE ROWELL, ROGER JACKSON, LINDA JACKSON AND RAYMOND FISHER, II; from Orange County; 9th district (09-08-00062-CV, ___ SW3d ___, 06-12-08)
abatement order issued January 30, 2009, lifted
petition reinstated
motion to dismiss granted
- 08-0922 IN RE JACK LOFTIN, GLENDA LOFTIN, JERRY DOWDY, SHIRLEY DOWDY, LEO SANDOVAL, BEATRICE SANDOVAL, GERALD DIAZ, DEBORAH DIAZ AND KAY MORRIS; from Orange County; 9th district
(09-08-00061-CV, ___ SW3d ___, 06-12-08)
abatement order issued January 30, 2009, lifted
petition reinstated
motion to dismiss granted

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

- 12-0121 IN RE TRACY NIXON; from Dallas County

THE SUPREME COURT OF TEXAS

Orders Pronounced February 27, 2012

ORDERS ON CAUSES

THE MOTION TO RESET ORAL ARGUMENT IN THE FOLLOWING CAUSE IS
GRANTED:

11-0332 ROBERT MASTERSON, MARK BROWN, GEORGE BUTLER, CHARLES WESTBROOK, RICHEY OLIVER, CRAIG PORTER, SHARON WEBER, JUNE SMITH, RITA BAKER, STEPHANIE PEDDY, BILLIE RUTH HODGES, DALLAS CHRISTIAN AND THE EPISCOPAL CHURCH OF THE GOOD SHEPHERD v. THE DIOCESE OF NORTHWEST TEXAS, THE REV. CELIA ELLERY, DON GRIFFIS AND MICHAEL RYAN; from Tom Green County; 3rd district (03-10-00015-CV, 335 SW3d 880, 03-16-11)
motion to re-set oral argument granted

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

THE SUPREME COURT OF TEXAS

Orders Pronounced March 2, 2012

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

09-0901 TEXAS RICE LAND PARTNERS, LTD. AND MIKE LATTA v. DENBURY GREEN PIPELINE-TEXAS, LLC; from Jefferson County; 9th district (09-09-00002-CV, 296 SW3d 877, 09-24-09)

The Court withdraws its opinion issued August 26, 2011 and issues a substituted opinion.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0938 YAKOV ELMAKISS v. HONORABLE RANDALL LEE ROGERS, SMITH COUNTY, RUTH M. ELMAKISS AND TYLER CSE UNIT; from Smith County; 12th district (12-09-00392-CV, ___ SW3d ___, 11-09-11)

11-0972 ERNEST DAYNE, INDIVIDUALLY AND AS FATHER AND NEXT FRIEND OF M.F.R.D., A MINOR FEMALE CHILD v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES, A TEXAS GOVERNMENTAL DEPARTMENT; from Nueces County; 13th district (13-10-00679-CV, ___ SW3d ___, 10-20-11)

11-1028 ORIX CAPITAL MARKETS, LLC v. TRANSCONTINENTAL REALTY INVESTORS, INC.; from Dallas County; 5th district (05-10-00655-CV, 353 SW3d 241, 10-19-11)

12-0042 GLENDA POSTERT v. CALHOUN COUNTY, TEXAS; from Calhoun County; 13th district (13-09-00576-CV, ___ SW3d ___, 10-27-11)

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING DISCIPLINARY APPEAL IS GRANTED:

10-0609 COMMISSION FOR LAWYER DISCIPLINE v. HEATHER SCHAEFER
motion for sanctions denied

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

11-0447 LEE C. RITCHIE, ET AL. v. ANN CALDWELL RUPE, AS TRUSTEE FOR THE DALLAS GORDON RUPE, III 1995 FAMILY TRUST; from Dallas County; 5th district (05-08-00615-CV, 339 SW3d 275, 03-28-11)
denial of petition for review on August 12, 2011, withdrawn
petition for review reinstated

[**Note:** The petition for review remains pending before this Court.]

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

11-0760 GENESIS CAPITAL PARTNERS, IX, ET AL. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st district (01-09-00998-CV, ___ SW3d ___, 06-16-11)

11-0813 ASHLEY BARRERA v. TRI-COUNTY JUVENILE PROBATION BOARD, DUVAL COUNTY, JIM HOGG COUNTY AND STARR COUNTY; from Duval County; 4th district (04-11-00071-CV, ___ SW3d ___, 08-10-11)

11-0872 KAREN WILSON v. BEXAR COUNTY SHERIFF'S CIVIL SERVICE COMMISSION, ROLAND TAFOLLA, SHERIFF, BEXAR COUNTY SHERIFF'S OFFICE AND BEXAR COUNTY, TEXAS; from Bexar County; 4th district (04-11-00592-CV, ___ SW3d ___, 09-14-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

11-0958 IN RE NORMA RISKIND; from Dallas County; 5th district (05-11-01421-CV, ___ SW3d ___, 11-09-11)
motion to dismiss original proceeding granted

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

12-0155 IN RE SIDDCO UNION, LTD. AND SOHAIL SIDDIQUI; from Harris County; 1st district (01-12-00004-CV, 01-12-00005-CV, ___ SW3d ___, 01-26-12)
motion to exceed page limit of petition denied
motion to exceed page limit of response denied

The Court strikes the petition for writ of mandamus with the following notation: "The petition violates Texas Rules of Appellate Procedure 52.6 and is struck."

THE SUPREME COURT OF TEXAS

Orders Pronounced March 6, 2012

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0173 IN RE SKY CAPITAL GROUP, LTD., D/B/A G5000, LTD.; from Dallas County; 5th district (05-12-00157-CV, ___ SW3d ___, 02-23-12)
2 petitions
motions for emergency temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced March 9, 2012

ORDERS ON CAUSES

08-0908 FEDERAL DEPOSIT INSURANCE CORP. AS RECEIVER FOR GUARANTY BANK v. CHRISTA C. LENK, ADMINISTRATOR OF THE ESTATE OF JOHN ALBERT THOMPSON; from Bexar County; 4th district (04-07-00503-CV, ___ SW3d ___, 07-02-08)
2 petitions

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

Justice Guzman delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Wainwright, Justice Medina, Justice Johnson, Justice Willett, and Justice Lehrmann joined.

Justice Hecht delivered a dissenting opinion, in which Justice Green joined.

10-0687 IN RE FRANK KENT MOTOR COMPANY D/B/A FRANK KENT CADILLAC; from Tarrant County; 2nd district (02-10-00298-CV, ___ SW3d ___, 08-30-10)

The Court conditionally grants the writ of mandamus.

Justice Lehrmann delivered the opinion of the Court.

10-0776 JACK EDWARD MILNER v. VICKI ANN MILNER; from Tarrant County; 2nd district (02-08-00442-CV, ___ SW3d ___, 06-03-10)

The Court affirms the court of appeals' judgment.

Justice Medina delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Wainwright, Justice Guzman, and Justice Lehrmann joined.

Justice Johnson delivered a dissenting opinion, in which Justice Green and Justice Willett joined.

10-0970 NICHOLAS TRAXLER v. ENTERGY GULF STATES, INC.; from Orange County; 9th district (09-09-00362-CV, 320 SW3d 553, 08-19-10)

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

Justice Willett delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

10-1020 TEXAS DEPARTMENT OF TRANSPORTATION AND CITY OF EDINBURG v. A.P.I. PIPE AND SUPPLY, L.L.C. AND PAISANO SERVICE CO., INC.; from Hidalgo County; 13th district (13-09-00159-CV, 328 SW3d 82, 08-26-10)

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

11-0104 KOPPLOW DEVELOPMENT, INC. v. THE CITY OF SAN ANTONIO; from Bexar County; 4th district (04-09-00403-CV, 335 SW3d 288, 11-03-10)

[**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:

10-0874 CRESSMAN TUBULAR PRODUCTS CORPORATION v. KURT WISEMAN OIL & GAS, LTD. AND ESCONDIDO PETROLEUM; from Harris County; 14th district (14-08-01039-CV, 322 SW3d 453, 09-23-10)
2 petitions

10-0877 SJW PROPERTY COMMERCE, INC. v. G.J. PALMER, JR.; from Hidalgo County; 13th district (13-08-00268-CV, 328 SW3d 121, 09-23-10)
2 petitions

(Justice Green not sitting)

- 10-1022 NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA AND INDUSTRIAL RISK INSURERS v. JOHN ZINK COMPANY; FISHER CONTROLS COMPANY, INC.; FISHER CONTROLS INTERNATIONAL, INC.; FISHER CONTROLS INSTALLATION AND SERVICE COMPANY; AND VALTEK, INC.; from Nueces County; 13th district (13-08-00589-CV, ___ SW3d ___, 11-10-10)
- 11-0038 TEXAS DEPARTMENT OF PUBLIC SAFETY v. JOSUE GARCIA; from Travis County; 3rd district (03-09-00394-CV, 327 SW3d 898, 12-07-10)
- 11-0155 ANN WOOD SHOOK v. DAVID GRAY; from Victoria County; 13th district (13-09-00255-CV, 329 SW3d 186, 11-30-10)
- 11-0354 EL PASO COMMUNITY COLLEGE DISTRICT v. DAVID D. CHASE; from El Paso County; 8th district (08-09-00100-CV, 355 SW3d 164, 05-04-11)
- 11-0459 DAVINA KELLY v. CHURCH OF GOD IN CHRIST, INC.; from Tarrant County; 2nd district (02-10-00047-CV, ___ SW3d ___, 05-12-11)
- 11-0595 GREG DANIELS v. EDITH FUNES; from Williamson County; 3rd district (03-10-00317-CV, 03-10-00558-CV, ___ SW3d ___, 06-17-11)
- 11-0798 ZAKARIA AND SHAGUFTA SIDDIQ v. LATROY AND ANITA HAWKINS; from Collin County; 5th district (05-09-00581-CV, ___ SW3d ___, 07-29-11)
- 11-0811 WAFFLE HOUSE, INC. v. CATHIE WILLIAMS; from Tarrant County; 2nd district (02-05-00373-CV, ___ SW3d ___, 08-25-11)
- 11-0822 CUSTOM SITE-PREP, INC. v. AUDUBON INDEMNITY COMPANY, AS SUBROGEE OF COMANCHE CONTRACTORS, INC.; from Fort Bend County; 1st district (01-10-00489-CV, ___ SW3d ___, 07-28-11)
- 11-0842 DANIEL E. MANLEY, D/B/A MR. QUIK LUBE, DANIEL'S AN INDIVIDUAL, AND THOMAS E. MANLEY, AN INDIVIDUAL v. WACHOVIA SMALL BUSINESS CAPITAL, AS SERVICING AGENT FOR WACHOVIA BANK, N.A., SUCCESSOR-BY-MERGER TO SOUTHTRUST BANK, F/K/A INDEPENDENT NATIONAL BANK; from Dallas County; 5th district (05-09-01228-CV, 349 SW3d 233, 08-31-11)
- 11-0864 IN RE COMMITMENT OF DOUGLAS RAY REESE; from Montgomery County; 9th district (09-10-00492-CV, ___ SW3d ___, 09-22-11)

- 11-0878 WILLIAM CHARLES BUNDREN AND KAREN P. BUNDREN, D/B/A C & K RESIDENTIAL PROPERTIES, NEW HOPE FOUNDATION AND HOPE HILL INVESTMENTS, INC. v. HOLLY OAKS TOWNHOMES ASSOCIATION, INC. AND THE WOODS ON PARK LANE HOMEOWNERS ASSOCIATION, ROYAL LANE HIGHLAND OWNERS ASSOCIATION, INC. AND DUTCH CREEK OWNERS ASSOCIATION; from Dallas County; 5th district (05-09-00788-CV, 347 SW3d 421, 08-11-11)
- 11-0918 CITY OF AUSTIN, TEXAS, AND GREG GUERNSEY, IN HIS CAPACITY AS DIRECTOR OF PLANNING AND DEVELOPMENT REVIEW DEPARTMENT OF THE CITY OF AUSTIN v. HARPER PARK TWO, L.P.; from Travis County; 3rd district (03-10-00506-CV, ___ SW3d ___, 08-18-11)
- 11-0925 RUFUS ODEM v. PADGETT & STRATEMANN & CO., L.L.P. AND SANTOS FRAGA; from Bexar County; 4th district (04-11-00041-CV, ___ SW3d ___, 09-14-11)
- 12-0001 NACHIAPPAN SUBBIAH MUTHUKUMAR v. GREGORY DESS, MIKE PENG AND LIVIA MARKOCZY; from Dallas County; 5th district (05-10-01324-CV, ___ SW3d ___, 10-26-11)
- 12-0078 SUNDANCE MINERALS, L.P. v. WANDA JO MOORE, ET AL.; from Hood County; 2nd district (02-10-00403-CV, 354 SW3d 507, 10-20-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 10-0420 TEXAS DEPARTMENT OF LICENSING AND REGULATION v. CAROLYN K. MCCOLLUM; from Harris County; 1st district (01-08-00414-CV, 321 SW3d 58, 04-22-10)
denial of petition for review on September 30, 2011, withdrawn
petition for review reinstated

[**Note:** The petition for review remains pending before this Court.]

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

- 11-0777 BOBIE KENNETH TOWNSEND v. MONTGOMERY CENTRAL APPRAISAL DISTRICT, ET AL.; from Montgomery County; 9th district (09-10-00394-CV, ___ SW3d ___, 07-28-11)
- 11-0819 MELTA E. BROOKS-CANNON v. HENRY BROOKS; from Nueces County; 13th district (13-09-00579-CV, ___ SW3d ___, 06-23-11)
- 11-0861 BOBIE KENNETH TOWNSEND v. APPRAISAL REVIEW BOARD OF MONTGOMERY COUNTY, TEXAS; from Montgomery County; 9th district (09-11-00089-CV, ___ SW3d ___, 08-31-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 10-0809 IN RE STANLEY J. WILLIAMS, JR. AND DENA WILLIAMS; from Hidalgo County; 13th district (13-10-00277-CV, 328 SW3d 103, 09-23-10)
stay order issued October 6, 2010, lifted

(Justice Green not sitting)

- 11-0540 IN RE TEXAS STANDARD OIL & GAS, L.P. AND GRIMES ENERGY CO.; from Harris County; 14th district
motion for emergency temporary relief dismissed as moot

- 11-0955 IN RE STANLEY J. WILLIAMS, JR. AND DENA WILLIAMS; from Hidalgo County
stay order issued December 9, 2011, lifted

(Justice Green not sitting)

- 11-1037 IN RE JOHN "TRACY" JOSEY; from Wise County; 2nd district (02-11-00465-CV, ___ SW3d ___, 12-09-11)

- 12-0009 IN RE GILBERTO VALLE; from Hidalgo County; 13th district (13-11-00609-CR, ___ SW3d ___, 10-05-11)

- 12-0058 IN RE DANNY MARTIN

12-0072 IN RE GLENN F. SMITH; from Galveston County; 1st district (01-11-00472-CV, ___ SW3d ___, 07-01-11)

12-0097 IN RE VINCENT MARTINEZ

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

11-0133 JOE MARR WILSON v. COMMISSION FOR LAWYER DISCIPLINE

THE SUPREME COURT OF TEXAS

Orders Pronounced March 16, 2012

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

- 11-0790 CEMEX CONSTRUCTION MATERIALS SOUTH, LLC v. THE STATE OF TEXAS; from El Paso County; 8th district (08-10-00082-CV, 350 SW3d 396, 08-31-11)
first and second amended agreed motions to dismiss petition for review granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without hearing oral argument or considering the merits, the Court grants the petition for review, vacates the court of appeals' judgment, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

(Chief Justice Jefferson not sitting)

SOLICITOR GENERAL INVITED TO FILE BRIEF:

- 11-0282 IN THE INTEREST OF E.R., ET AL., CHILDREN; from Dallas County; 5th district (05-09-01505-CV, 335 SW3d 816, 03-03-11)

The Solicitor General is invited to file a brief in this case expressing the views of the State.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0876 THERESA BARNETT v. DAVID S. CROCKETT AND DAVID S. CROCKETT & CO.; from Dallas County; 5th district (05-11-00515-CV, ___ SW3d ___, 09-08-11)
- 11-0883 IN THE INTEREST OF K.G., A CHILD; from Tarrant County; 2nd district (02-10-00257-CV, 350 SW3d 338, 07-28-11)
- 11-0900 IN THE INTEREST OF E.N.C., A MINOR CHILD; from Bexar County; 4th district (04-11-00049-CV, ___ SW3d ___, 09-28-11)

- 11-0977 R. NORVELL GRAHAM, JR., LAW OFFICES OF RALPH BROWN, P.C., RALPH BROWN AND DAVID W. ROSS v. BRENDA DOVE; from Bexar County; 4th district (04-10-00635-CV, ___ SW3d ___, 08-10-11)
- 11-0996 ROBERTA WEST v. SHERRY LAREE HAMILTON PROCTOR, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF CLIFFORD HAMILTON; from Lubbock County; 7th district (07-10-00484-CV, 353 SW3d 558, 10-24-11)
- 12-0022 JAY SANDON COOPER (TERESA WARD COOPER) v. JOHN D. COPELAND; from Dallas County; 5th district (05-09-01168-CV, ___ SW3d ___, 09-28-11)
- 12-0031 IN RE COMMITMENT OF OSIE DEES; from Montgomery County; 9th district (09-11-00036-CV, ___ SW3d ___, 12-15-11)

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

- 12-0119 JOHN KARL LACIS, JR., JASON WESLEY LACIS, MIRANDA LYNN SLATE AND CARISSA MUECK FERGUSON v. BETTY FRANCIS LACIS; from Brazoria County; 1st district (01-10-00118-CV, 355 SW3d 727, 06-30-11)
motion for extension of time to file petition for review denied

ORDERS ON MOTIONS FOR REHEARING

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

- 09-0324 VANTAGE SYSTEMS DESIGN, INC. v. RAYMONDVILLE INDEPENDENT SCHOOL DISTRICT; from Willacy County; 13th district (13-08-00311-CV, 290 SW3d 312, 04-09-09)
- 11-0560 JAMES ZIMMERHANZEL AND LINDA ZIMMERHANZEL v. JOHNNIE G. GREEN III AND STORMWATER RESEARCH GROUP; from Guadalupe County; 8th district (08-09-00116-CV, ___ SW3d ___, 04-27-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF
MANDAMUS IS DENIED:

11-1036 IN RE TRACY BROWN; from Harris County; 1st district
(01-11-00676-CV, ___ SW3d ___, 08-29-11)
request for facts and conclusions of law denied

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0087 IN RE CYNTHIA A. SULLIVAN D/B/A CSPI; from Harris County; 1st district
(01-11-00912-CV, ___ SW3d ___, 12-13-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced March 19, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0191 IN RE CHRISTINE S. WILLIE; from Harris County; 14th district (14-12-00109-CV,
___ SW3d ___, 02-14-12)
first amended motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced March 23, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0967 IN THE INTEREST OF A.M.M., A.N.M, E.S.M., A.E.E. AND B.T., CHILDREN; from Stephens County; 11th district (11-10-00331-CV, ___ SW3d ___, 11-03-11)
- 11-0991 IN THE INTEREST OF D.W.; from Lamar County; 6th district (06-11-00064-CV, 353 SW3d 188, 11-18-11)
- 11-0997 EDWIN-HORTON WITHERSPOON JUNIOR v. STATE OF TEXAS D/B/A TARRANT COUNTY, TEXAS; from Tarrant County; 2nd district (02-10-00174-CV, ___ SW3d ___, 11-10-11)
- 11-1009 J. A. "JAY" ASAFI, AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF ALOSIA SMITH RAUSCHER, DECEASED, AND TODD REAGAN SMITH v. MARTIN J. RAUSCHER; from Harris County; 14th district (14-10-00606-CV, ___ SW3d ___, 09-13-12)
- 12-0037 ERNESTO VILLATORO v. MAURICIO FUNES AND URSULA MARISOL FUNES; from Fort Bend County; 14th district (14-09-01023-CV, ___ SW3d ___, 09-22-11)
- 12-0054 KIM HOLLAND, INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA, IN HER CAPACITY AS RECEIVER OF PETROSURANCE CASUALTY COMPANY, IN LIQUIDATION, AND ON BEHALF OF INSURED AND CREDITORS v. CHARLES RAY LOVELACE, ROBERT CARLIN LEE, RICHARD WAYNE MILLER AND MURRELL, HALL, MCINTOSH & CO., PLLP.; from Dallas County; 5th district (05-09-00993-CV, ___ SW3d ___, 08-30-11)
- 12-0104 MELISSA A. AVDEEF v. NATIONAL AUTO FINANCE COMPANY; from Tarrant County; 2nd district (02-10-00344-CV, ___ SW3d ___, 12-15-11)
- 12-0189 IN THE INTEREST OF D.M., A.M., A.J. AND D.W., CHILDREN; from Johnson County; 10th district (10-11-00163-CV, ___ SW3d ___, 01-18-12)

THE MOTION IN THE FOLLOWING PETITION FOR REVIEW IS DENIED:

- 12-0193 TOM BROWN MINISTRIES, WORD OF LIFE CHURCH OF EL PASO, TOM BROWN, EL PASOANS FOR TRADITIONAL FAMILY VALUES, SALVADOR GOMEZ, BEN MENDOZA AND ELIZABETH BRANHAM v. JOHN F. COOK; from El Paso County; 8th district (08-11-00367-CV, ___ SW3d ___, 02-17-12)
motion to stay denied
respondent's request for damages denied

[**Note:** The petition for review remains pending before this Court.]

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0078 HARRIS COUNTY APPRAISAL DISTRICT v. HOUSTON LAUREATE ASSOCIATES, LTD. AND LEVERING & COMPANY; from Harris County; 14th district (14-09-00380-CV, 329 SW3d 52, 08-26-10)
- 11-0456 JORGE DE LA GARZA, M.D. v. GARY E. SCHRUZ; from Hidalgo County; 13th district (13-10-00468-CV, ___ SW3d ___, 06-02-11)
- 11-0825 CHESTER L. SLAY, JR. INDIVIDUALLY; UNION TEXAS LIMITED PARTNERSHIP; AND CHESTER L. SLAY, JR., TRUSTEE OF PECKHAM FAMILY TRUST v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 3rd district (03-10-00297-CV, 351 SW3d 532, 08-31-11)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0007 IN RE CLYDE T. MOORE, JR.; from Tarrant County; 2nd district (02-11-00399-CV, ___ SW3d ___, 11-10-11)
- 12-0095 IN RE N. BONACCI; from El Paso County; 8th district (08-12-00008-CV, ___ SW3 ___, 01-18-12)

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

- 11-0274 SYLVIA AGUIRRE, INDIVIDUALLY AND AS NEXT FRIEND TO STACY AGUIRRE AND DYLAN AGUIRRE v. TOXICOLOGY ASSOCIATES, INC.; from Nueces County; 13th district (13-10-00392-CV, ___ SW3d ___, 01-31-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0205 IN RE ILP, LLC, ERNESTO GONZALEZ AND MARIA DEL ROSARIO GONZALEZ; from Hidalgo County; 13th district (13-11-00320-CV, ___ SW3d ___, 02-29-12)
emergency motion for temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 11-0913 IN RE DOW AGROSCIENCES LLC AND THE DOW CHEMICAL COMPANY; from Harris County; 14th district (14-11-00796-CV, ___ SW3d ___, 10-04-11)
motion to dismiss granted

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS STRUCK PURSUANT TO
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 12-0222 IN RE CAROL WHITWORTH; from Harris County; 1st district (01-11-01007-CV, ___ SW3d ___, 01-26-12)

The Court strikes the petition for writ of mandamus with the following notation: "The petition violates Texas Rules of Appellate Procedure 52.6 and is struck."

THE MOTIONS IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0219 IN RE THE SMILE CENTER, P.A., SMILE CENTER DENTAL, P.A., STEPHEN SIMPTON, D.D.S. AND SONG H. HONG, D.D.S.; from Bexar County; 4th district (04-12-00122-CV, ___ SW3d ___, 03-07-12)
motion for emergency stay denied

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

12-0224 IN RE TOM BROWN, SALVADOR GOMEZ, BEN MENDOZA, ELIZABETH BRANHAM, WORD OF LIFE CHURCH OF EL PASO, TOM BROWN MINISTRIES AND EL PASOANS FOR TRADITIONAL FAMILY VALUES; from El Paso County; 8th district (08-11-00367-CV, ___ SW3d ___, 02-17-12)
motion to stay denied

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

THE SUPREME COURT OF TEXAS

Orders Pronounced March 28, 2012

ORDERS ON CAUSES

12-0208 IN RE REBECCA RAMIREZ PALOMO; 4th district (04-12-00085-CV, ___ SW3d ___, 03-09-12)

motion for temporary emergency relief dismissed as moot

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

The Interim Webb County Democratic Party Chair, Sylvia G. Palumbo, is directed to take all actions necessary under, or required by, the Texas Election Code to certify Rebecca Ramirez Palomo as a candidate for the 341st Judicial District Court and to place her name on the ballot for that office.

Opinion to follow

THE SUPREME COURT OF TEXAS

Orders Pronounced March 30, 2012

ORDERS ON CAUSES

09-0387 CAROL SEVERANCE v. JERRY PATTERSON, COMMISSIONER OF THE TEXAS GENERAL LAND OFFICE; GREG ABBOTT, ATTORNEY GENERAL FOR THE STATE OF TEXAS; AND KURT SISTRUNK, DISTRICT ATTORNEY FOR THE COUNTY OF GALVESTON, TEXAS

The Court's opinion issued November 5, 2010 is withdrawn and the opinion of this date is substituted. The dissenting opinion issued November 5, 2010 is withdrawn and the opinions of this date are substituted.

The Court answers the questions certified by the United States Court of Appeals for the Fifth Circuit.

Justice Wainwright delivered the opinion of the Court, in which Justice Hecht, Justice Green, Justice Johnson and Justice Willett joined.

Justice Willett delivered a concurring opinion.

Justice Medina delivered a dissenting opinion, in which Justice Lehrmann joined and Justice Guzman joined in part.

Justice Guzman delivered a dissenting opinion.

Justice Lehrmann delivered a dissenting opinion, in which Justice Medina joined.

(Chief Justice Jefferson not sitting)

10-0321 TEXAS DEPARTMENT OF PUBLIC SAFETY v. STEPHEN JOSEPH CARUANA; from Hays County; 3rd district
(03-08-00659-CV, ___ SW3d ___, 02-12-10)

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

Justice Hecht delivered the opinion of the Court, in which Justice Wainwright, Justice Medina, Justice Green, Justice Johnson, Justice Willett, and Justice Guzman joined.

Chief Justice Jefferson delivered a concurring opinion, in which Justice Lehrmann joined.

10-0592 JOHN GANIM v. J. FAROUK (FRANK) ALATTAR; from Fort Bend County; 14th district (14-08-00756-CV, 355 SW3d 1, 02-18-10)

The Court withdraws its per curiam opinion and judgment issued June 24, 2011, granting the petition for review, as the petition was improvidently granted. The petition for review is denied.

(Justice Guzman not sitting)

10-0953 FORD MOTOR COMPANY v. RICHARD H. GARCIA; from Hidalgo County; 13th district (13-09-00153-CV, ___ SW3d ___, 10-07-10)

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

Justice Johnson delivered the opinion of the Court.

11-0023 JUANA LORENA ARVIZU, INDIVIDUALLY AND A/N/F JONATHAN RENE ARVIZU, MONTGOMERY COUNTY AUTO AUCTION AND EDWARD CANTU v. THE ESTATE OF GEORGE PUCKETT D/B/A PUCKETT AUTO SALES; from Montgomery County; 9th district (09-09-00453-CV, ___ SW3d ___, 11-10-10)
2 petitions

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 MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

10-0318 ETAN INDUSTRIES, INC. AND ETAN INDUSTRIES, INC., D/B/A CMA CABLEVISION AND/OR CMA COMMUNICATIONS v. RONALD LEHMANN AND DANA LEHMANN; from Lee County; 3rd district (03-07-00539-CV, 308 SW3d 489, 03-26-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

10-0582 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS v. LARRY M. GENTILELLO, M.D.; from Dallas County; 5th district (05-07-00845-CV, 317 SW3d 865, 07-21-10)

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

11-0312 THE STATE OF TEXAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION v. NICO-WF1, L.L.C.; from Cameron County; 13th district (13-09-00315-CV, ___ SW3d ___, 12-16-10)

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

(Justice Johnson not sitting)

11-0517 CERTIFIED EMS, INC. D/B/A CPNS STAFFING v. CHERIE POTTS; from Harris County; 1st district (01-10-00106-CV, 355 SW3d 683, 05-19-11)

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

11-0554 CITY OF LORENA, TEXAS v. BMTP HOLDINGS, L.P.; from McLennan County; 10th district (10-09-00146-CV, ___ SW3d ___, 06-03-11)

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

11-0630 TTHR LIMITED PARTNERSHIP D/B/A PRESBYTERIAN HOSPITAL OF DENTON v. CLAUDIA MORENO, INDIVIDUALLY AND AS NEXT FRIEND OF F.C., A MINOR; from Denton County; 2nd district (02-10-00334-CV, ___ SW3d ___, 07-07-11)
as corrected

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

11-0713 IN THE INTEREST OF E.N.C., J.A.C., S.A.L., N.A.G. AND C.G.L.; from Lamar County; 6th district (06-10-00131-CV, ___ SW3d ___, 08-16-11)
motion for leave to file supplemental brief for respondent granted
petition for review, filed on behalf of Francisco Lopez, granted
petition for review, filed on behalf of Edna Melissa Lopez, denied

[**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:

- 11-0213 COINMACH CORP. F/K/A SOLON AUTOMATED SERVICES, INC. v. ASPENWOOD APARTMENT CORP.; from Harris County; 1st district (01-08-00636-CV, 349 SW3d 621, 02-10-11)
2 petitions
- 11-0227 IN THE MATTER OF A.M., A CHILD; from Erath County; 11th district (11-09-00304-CV, 333 SW3d 411, 02-11-11)
- 11-0263 JOSE B. DE LA CERDA v. SUZAN VAUGHN; from Anderson County; 12th district (12-10-00430-CV, ___ SW3d ___, 01-12-11)
- 11-0296 STATE OFFICE OF RISK MANAGEMENT v. MARIA L. BERDAN; from Bee County; 13th district (13-09-00602-CV, 335 SW3d 421, 02-03-11)
- 11-0329 COLUMBIA LLOYDS INSURANCE COMPANY v. ROBERT MAO AND VACHANA MAO; from Tarrant County; 2nd district (02-10-00063-CV, ___ SW3d ___, 03-24-11)
- 11-0341 SHAHROKH RAZI v. JOSE PEDRO GONZALEZ AND ESPERANZA GONZALEZ; from Harris County; 1st district (01-09-00585-CV, 338 SW3d 167, 03-24-11)
- 11-0356 BAYLOR UNIVERSITY MEDICAL CENTER, DR. EDMIUND SANCHEZ AND DR. SRINATH CHINNAKOTLA v. HAROLD BIGGS, ET AL.; from Dallas County; 5th district (05-09-00430-CV, 336 SW3d 854, 03-31-11)
- 11-0383 KURT TORSTER AND GEA GROUP AG v. PANDA ENERGY MANAGEMENT, L.P., PLC II; from Deaf Smith County; 7th district (07-10-00442-CV, ___ SW3d ___, 03-07-11)
- 11-0397 EDWARD & MARGARITA HUERTA, INDIVIDUALLY & AS NEXT FRIENDS OF HEATHER HUERTA, EDWARD HUERTA & DANARA HUERTA v. ALBERT GARCIA; from Duval County; 4th district (04-10-00688-CV, 340 SW3d 864, 03-30-11)
- 11-0490 JAMES M. WILLIAMS v. BAKER HUGHES OILFIELD OPERATIONS, INC.; from Harris County; 1st district (01-08-00762-CV, ___ SW3d ___, 03-10-11)

- 11-0557 GSF ENERGY, LLC v. HERLINDA PADRON, INDIVIDUALLY AND AS HEIR AT LAW OF ADAN PADRON, DECEASED AND A/N/F OF ADAM PADRON, FERNANDO PADRON, ARTURO PADRON AND HECTOR PADRON; from Harris County; 1st district (01-09-00622-CV, 355 SW3d 700, 06-02-11)
2 petitions
- 11-0672 CITY OF SAN ANTONIO v. JAMES CARUSO, ET AL.; from Bexar County; 4th district (04-10-00894-CV, 350 SW3d 247, 06-15-11)
- 11-0713 IN THE INTEREST OF E.N.C., J.A.C., S.A.L., N.A.G. AND C.G.L.; from Lamar County; 6th district (06-10-00131-CV, ___ SW3d ___, 08-16-11)
motion for leave to file supplemental brief for respondent granted
petition for review, filed on behalf of Edna Melissa Lopez, denied
- 11-0733 CARL R. PRUETT AND NATIONAL AMERICAN INSURANCE COMPANY v. HARRIS COUNTY BAIL BOND BOARD, ET AL.; from Harris County; 1st district (01-09-00384-CV, 356 SW3d 103, 04-07-11)
- 11-0748 JENNIFER HIGHTOWER, DALE HIGHTOWER, JENNIFER HIGHTOWER AS REPRESENTATIVE OF THE ESTATE OF JOSHUA HIGHTOWER v. BAYLOR UNIVERSITY MEDICAL CENTER, DR. EDMUND SANCHEZ, DR. SRINATH CHINNAKOTLA; from Dallas County; 5th district (05-10-00300-CV, 348 SW3d 512, 08-12-11)
- 11-0814 WEST HOUSTON AIRPORT, CORPORATION v. MILLENNIUM INSURANCE AGENCY, INC.; from Harris County; 14th district (14-10-00278-CV, 349 SW3d 748, 08-25-11)
- 11-0817 PAUL TAYLOR HOMES, LTD. & PAUL TAYLOR CORPORATION v. FORNEY 921 LOT DEVELOPMENT PARTNERS I, L.P.; from Dallas County; 5th district (05-09-01000-CV, 349 SW3d 258, 09-08-11)
- 11-0837 DRURY SOUTHWEST, INC. v. LOUIE LEDEAUX #1, INC.; from Bexar County; 4th district (04-10-00016-CV, 350 SW3d 287, 07-06-11)
- 11-0839 MICHAEL THOMAS ALEXANDER v. STATE OF TEXAS AND KELLY GRIGGS; from Wichita County; 2nd district (02-10-00302-CV, ___ SW3d ___, 08-31-11)
- 11-0898 MIGUEL HERNANDEZ, M.D. v. JULIOUS EBROM, RICHARD HUNNICUTT AND THE LAW OFFICES OF DAVID MCQUADE LEIBOWITZ, P.C.; from Hidalgo County; 13th district (13-10-00641-CV, ___ SW3d ___, 07-14-11)

- 11-0914 GLORIA LOPEZ-JUAREZ, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF ALEJANDRO JUAREZ, DECEASED AND AS NEXT FRIEND OF GLORIA ALEJANDRA JUAREZ v. HUEY KELLY D/B/A KELLY TOURS; from Gregg County; 6th district (06-10-00082-CV, 348 SW3d 10, 08-16-11)
- 11-0945 PAULA GAUGHAN AND DEAN SANDERS v. NATIONAL CUTTING HORSE ASSOCIATION; from Tarrant County; 2nd district (02-09-00450-CV, 351 SW3d 408, 07-28-11)
- 11-1008 AL GIBSON v. MARY HORN, HUGH COLEMAN, RON MARCHANT, BOBBIE J. MITCHELL, AND ANDY EADS, IN THEIR CAPACITIES AS DENTON COUNTY JUDGE AND COMMISSIONERS OF DENTON COUNTY, TEXAS AND ERIC D. STANLEY, INTERVENOR; from Denton County; 2nd district (02-10-00300-CV, 352 SW3d 511, 08-29-11)
- 12-0002 LILLIE PAYNE v. HILLCREST BAPTIST MEDICAL CENTER AND HILLCREST HEALTH SYSTEM, INC.; from McLennan County; 10th district (10-11-00191-CV, ___ SW3d ___, 11-16-11)
- 12-0014 GILBERT GOMEZ v. TEXAS EDUCATION AGENCY, EDUCATOR CERTIFICATION AND STANDARDS DIVISION; AND ROBERT SCOTT, COMMISSIONER OF EDUCATION, IN HIS OFFICIAL CAPACITY; from Travis County; 3rd district (03-10-00128-CV, 354 SW3d 905, 11-23-11)
- 12-0052 SHARON SWANK BACKHUS, BENJAMIN F. SWANK, III, SHANNON LEA WERCHAN PICKERING, SWANK TURNER BACKHUS, BENJAMIN FONTAINE SWANK, IV, CHRISTIAN HARRIS SWANK AND SUZANNE SWANK PORTER v. HAVEN LYNN WERCHAN WISNOSKI AND SHANE ALAN WERCHAN; from Grimes County; 14th district (14-09-00924-CV, ___ SW3d ___, 12-06-11)
- 12-0064 RICKY LIGHTFOOT v. HUGH KELLEY, KELLY KELLEY, KELLEY FAMILY INVESTMENTS, LTD. AND ALLIED ELECTRICAL CONTRACTORS OF BEAUMONT; from Jefferson County; 9th district (09-10-00508-CV, ___ SW3d ___, 11-03-11)
- 12-0071 MARY E. WHITE v. NEW JERSEY DEPARTMENT OF HUMAN SERVICES, ET AL.; from Bexar County; 3rd district (03-11-00548-CV, ___ SW3d ___, 12-07-11) as supplemented
- 12-0086 ALBERT ORTIZ v. THE JUNELL LAW FIRM; SANDERS & JUNELL P.C.; MARK JUNELL; AND BERGMAN ADR GROUP; from Harris County; 14th district (14-11-00805-CV, ___ SW3d ___, 11-15-11)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF
JURISDICTION:

- 11-1030 EDWARD MEKEEL AND/OR ALL OCCUPANTS v. U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE ON BEHALF OF THE HOLDERS OF THE CSFB MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2004-CT2; from El Paso County; 8th district (08-10-00122-CV, 355 SW3d 349, 08-24-11)
- 12-0056 BASIL BROWN AND YVONNE BROWN v. APEX REALTY; from Kaufman County; 5th district (05-09-01163-CV, ___ SW3d ___, 08-02-11)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

- 12-0190 MARY RIGGINS v. RONALD HILL AND LINDA HILL, ET AL.; from Brazoria County; 14th district (14-09-00495-CV, ___ SW3d ___, 11-03-11)
abatement order issued

[**Note:** The case is removed from the Court's active docket until further order of this Court.]

THE MOTIONS IN THE FOLLOWING PETITION FOR REVIEW ARE DENIED:

- 12-0151 NACHIAPPAN SUBBIAH MUTHUKUMAR v. NISSAN NORTH AMERICA; from Dallas County; 5th district (05-11-01059-CV, ___ SW3d ___, 02-14-12)
motion for emergency relief denied
motion to amend petition denied

[**Note:** The petition for review remains pending before this Court.]

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0146 DAVINDER SINGH BAINS AND PARMJIT K. BAINS v. STAGE RUN OWNERS ASSOCIATION, INC.; from Bexar County; 4th district
(04-10-00195-CV, ___ SW3d ___, 11-24-10)

- 11-0171 IN THE INTEREST OF B.H.B., ET AL., CHILDREN; from Atascosa County; 4th district (04-10-00130-CV, 336 SW3d 303, 12-15-10)
- 11-0656 DONALD L. WASHINGTON, JR., M.D. v. BULMARO ALVAREZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF SANDRA ALVAREZ, DECEASED AND AS NEXT FRIEND OF SARA ALVAREZ, AND MARIA ALVAREZ, MINORS, AND SANDY ALVAREZ, INDIVIDUALLY; from Tarrant County; 2nd district (02-10-00350-CV, ___ SW3d ___, 07-07-11)
- 11-0670 FIRST NATIONAL COLLECTION BUREAU, INC. v. DANIELE WALKER; from Dallas County; 5th district (05-10-00129-CV, 348 SW3d 329, 07-14-11)
- 11-0994 MURRIAH S. MCMASTER v. JOHN W. SMALL, AISKEL ALVAREZ SMALL, ROBERT ALAN "BOB" SMALL, SMALL FAMILY INTERESTS, INC., SMALL INTERESTS LIMITED, STAR INSTRUMENTS, INC., IMPULSE INTERNATIONAL CORP., AND GENESIS HOLDING CORP; from Galveston County; 14th district (14-09-01080-CV, 352 SW3d 280, 10-20-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0395 IN RE EDWARD & MARGARITA HUERTA, INDIVIDUALLY & AS NEXT FRIENDS OF HEATHER HUERTA, EDWARD HUERTA & DANARA HUERTA; from Duval County; 4th district (04-10-00688-CV, 340 SW3d 864, 03-30-11)
- 11-0552 IN RE JOHN WALTER COBB AND ELIZABETH COBB; from Polk County; 9th district (09-11-00266-CV, ___ SW3d ___, 06-30-11)
stay order issued October 14, 2011, lifted
- 12-0006 IN RE DUCHMANDOLA, LTD. N/K/A DUCHMAN, LTD.; from Hays County; 3rd district (03-11-00816-CV, ___ SW3d ___, 01-04-12)
stay order lifted January 13, 2012, lifted

(Justice Hecht not sitting)

- 12-0112 IN RE CHARLIE FLENTROY
- 12-0125 IN RE R. WAYNE JOHNSON; from Ellis County; 10th district (10-11-00340-CV, ___ SW3d ___, 09-21-11)
- 12-0127 IN RE BRADLEY BARTON; from Harris County

12-0223 IN RE ENERGY TRANSFER PARTNERS, L.P.; from Dallas County; 5th district
(05-12-00229-CV, ___ SW3d ___, 02-27-12)
motion for temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

12-0061 IN RE PETER H. EGGERT; from Erath County
emergency motion for temporary relief, being treated as petition for writ of habeas
corpus, denied

THE SUPREME COURT OF TEXAS

Orders Pronounced April 6, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-1002 RICHARD JAMES JOHNSON v. ALBERT J. CHARANZA, JR.; from Angelina County; 12th district (12-11-00349-CV, ___ SW3d ___, 11-23-11)
- 12-0013 THE ESTATE OF CHARLES ERIC WHITING, DECEASED; from Bexar County; 4th district (04-11-00011-CV, ___ SW3d ___, 10-12-11)
- 12-0092 LAWRENCE BLACK v. FRANKLIN SERVICE STATIONS, INC., D/B/A J & J TOWING AND 7-ELEVEN CONVENIENCE STORES; from Travis County; 3rd district (03-11-00069-CV, ___ SW3d ___, 09-30-11)
- 12-0100 MARK GRIFFIN MEYER v. TEXAS DEPARTMENT OF INSURANCE; from Travis County; 3rd district (03-10-00642-CV, ___ SW3d ___, 11-23-11)
- 12-0140 THOMAS D. SELGAS AND MICHELLE L. SELGAS v. THE HENDERSON COUNTY APPRAISAL DISTRICT; from Henderson County; 12th district (12-10-00021-CV; 12-10-00050-CV, ___ SW3d ___, 11-16-11)
- 12-0159 KENT MORRISON ADAMS v. JOANNE CATHERINE ADAMS; from Jefferson County; 9th district (09-11-00409-CV, ___ SW3d ___, 12-22-11)
- 12-0174 RALPH O. DOUGLAS v. AMERICAN TITLE COMPANY; from Harris County; 1st district (01-07-00358-CV, ___ SW3d ___, 10-13-11)
- 12-0225 GIBRILL AND AIDAH J. MUSTAPHA v. HSBC BANK U.S.A., ET AL.; from Harris County; 14th district (14-11-00112-CV, ___ SW3d ___, 01-31-12)
motion for immediate temporary relief and temporary order staying proceedings under writ of possession denied
motion to amend petition for review denied

(Justice Johnson not sitting)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

08-0671 PAWEL BARAN, NINA BARAN, ELIZABETH GOOD, JOHN BARKER, CAROL ANN BARKER, MICHAEL ROWELL, JEANNETTE ROWELL, ROGER JACKSON, LINDA JACKSON AND RAYMOND FISHER, II v. SHELL OIL COMPANY, ET AL.; from Orange County; 9th district (09-08-00062-CV, 258 SW3d 719, 06-12-08)
abatement order issued January 30, 2009, lifted
petition reinstated
motion to dismiss petition for review granted

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

12-0265 TODD-WARREN ALTSCHUL v. TDCJ - INMATE TRUST FUND DIVISION; from Walker County; 10th district (10-11-00084-CV, ___ SW3d ___, 03-14-12)
abatement order issued

[**Note:** The case is removed from the Court's active docket until further order of this Court.]

ORDERS ON MOTIONS FOR REHEARING

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

11-0232 BROOKSHIRE KATY DRAINAGE DISTRICT v. THE LILY GARDENS, LLC, RICHARD E. FLUECKIGER, KENNETH B. LUEDECKE; from Waller County; 1st district (01-07-00431-CV, 333 SW3d 301, 09-10-10)

11-0676 DANNY WILBURN GREEN v. LISA GREEN; from Montgomery County; 9th district (09-10-00364-CV, ___ SW3d ___, 05-26-11)

11-0759 BENCOR, INC. v. THE VARIABLE ANNUITY LIFE INSURANCE COMPANY; from Harris County; 1st district (01-09-00094-CV, ___ SW3d ___, 04-07-11)

(Justice Guzman not sitting)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0131 IN RE ELLOYD JOHNSON; from Dallas County; 5th district
(05-11-01686-CV, ___ SW3d ___, 01-05-12)

12-0168 IN RE MARY LYNN COLLARD; from Dallas County; 5th district

THE SUPREME COURT OF TEXAS

Orders Pronounced April 13, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0971 IN THE INTEREST OF A.H., A CHILD; from Van Zandt County; 12th district (12-10-00246-CV, ___ SW3d ___, 10-31-11)
motion for leave to withdraw as counsel denied, *see* Texas Family Code § 107.016(2)
- 11-1014 JOHN H. CARNEY & ASSOCIATES v. TEXAS PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION; from Travis County; 3rd district (03-10-00385-CV, 354 SW3d 843, 08-26-11)
- 12-0067 ADRIENNE GALLIEN v. HOUSTON INDEPENDENT SCHOOL DISTRICT; from Harris County; 1st district (01-10-00485-CV, ___ SW3d ___, 07-07-11)
- 12-0075 CHESTER WILLIAM INGRAM, JR. v. STATE OF TEXAS; from Polk County; 9th district (09-10-00346-CV, ___ SW3d ___, 11-03-11)
- 12-0091 JAMES ("JAY") R. HURT, JR. v. EOG ENERGY RESOURCES, INC.; from Hood County; 2nd district (02-11-00093-CV, 357 SW3d 144, 12-15-11)
- 12-0135 ULTRASOUND TECHNICAL SERVICES, INC. v. DALLAS CENTRAL APPRAISAL DISTRICT; from Dallas County; 5th district (05-10-00626-CV, 357 SW3d 174, 12-30-11)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 12-0263 NAFTA TRADERS, INC. v. MARGARET A. QUINN; from Dallas County; 5th district (05-07-00340-CV, ___ SW3d ___, 02-21-12)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 53.6 and is struck. Petitioner is ordered to redraw; the petition is due to be filed by April 23, 2012."

ORDERS ON MOTIONS FOR REHEARING

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

- 10-1012 CLEVELAND REGIONAL MEDICAL CENTER, L.P. v. CELTIC PROPERTIES, L.P.; from Liberty County; 9th district (09-08-00263-CV, 323 SW3d 322, 09-30-10)
- 11-0990 SOLUM ENGINEERING, INC. v. PREIS & ROY, P.L.C.; from Harris County; 14th district (14-10-01054-CV, ___ SW3d ___, 09-29-11)
- 12-0012 JERRY, MARSHA AND JASON CHAMBERS v. KAUFMAN COUNTY; from Kaufman County; 5th district (05-11-00509-CV, ___ SW3d ___, 10-26-11)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 11-0152 IN RE AMERIMEX DRILLING I, LTD.; from Howard County; 11th district (11-10-00245-CV, 331 SW3d 70, 11-12-10)
- 11-0823 IN RE ARROW FREIGHT MANAGEMENT, INC.; from El Paso County; 8th district (08-11-00271-CV, ___ SW3d ___, 09-28-11)

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

- 12-0190 MARY RIGGINS v. RONALD HILL AND LINDA HILL, ET AL.; from Brazoria County; 14th district (14-09-00495-CV, ___ SW3d ___, 11-03-11)
abatement order issued March 30, 2012, lifted
petition reinstated

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0188 IN RE AMF INCORPORATED; from Harris County; 14th district (14-11-01011-CV, ___ SW3d ___, 01-26-12)
as amended

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

11-0245 IN RE CARL BASS, PATRICIA GRUTZMACHER AND THOMAS BAUER; from
Travis County; 3rd district
abatement order issued January 27, 2012, lifted
petition reinstated
motion to dismiss petition for writ of mandamus granted
motion to strike affidavit dismissed as moot

THE SUPREME COURT OF TEXAS

Orders Pronounced April 20, 2012

ORDERS ON CAUSES

06-1084 BISON BUILDING MATERIALS, LTD. v. LLOYD K. ALDRIDGE; from Harris County; 1st district (01-05-00330-CV, 263 SW3d 69, 09-14-06)
motion to file post-submission brief dismissed as moot

The Court affirms the court of appeals' judgment and dismisses the case for want of jurisdiction.

Justice Wainwright delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Green, Justice Johnson, Justice Guzman, and Justice Lehrmann joined.

Justice Hecht delivered a dissenting opinion, in which Justice Medina and Justice Willett joined.

10-0426 SAFESHRED, INC. v. LOUIS MARTINEZ, III; from Travis County; 3rd district (03-08-00626-CV, 310 SW3d 649, 04-23-10)

The Court affirms in part and reverses in part the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court.

10-0609 COMMISSION FOR LAWYER DISCIPLINE v. HEATHER SCHAEFER

Accordingly, without hearing oral argument, the Court reverses the decision of the Board of Disciplinary Appeals and renders judgment.

Per Curiam Opinion

10-0615 ASHFORD PARTNERS, LTD. v. ECO RESOURCES, INC.; from Fort Bend County; 1st district (01-09-00809-CV, ___ SW3d ___, 07-29-10)

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

Justice Medina delivered the opinion of the Court.

10-0969 THE MANSIONS IN THE FOREST, L.P., AND THE ESTATES-WOODLAND, L.P. v. MONTGOMERY COUNTY, TEXAS; from Montgomery County; 9th district (09-09-00524-CV, ___ SW3d ___, 10-07-10)

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 that court.

Per Curiam Opinion

10-0995 DR. ERWIN CRUZ v. ANDREWS RESTORATION, INC. D/B/A PROTECH SERVICES AND RUDY MARTINEZ V. CHUBB LLOYDS INSURANCE COMPANY OF TEXAS; from Dallas County; 5th district (05-08-01099-CV, 323 SW3d 564, 08-20-10)
2 petitions

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

Chief Justice Jefferson delivered the opinion of the Court.

11-0131 MARIA ESTER SALINAS v. NORBERTO SALINAS; from Hidalgo County; 13th district (13-09-00421-CV, ___ SW3d ___, 01-06-11)
motion to grant review, reverse and vacate per curiam due to respondent's failure to file any response, denied

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 that court.

Per Curiam Opinion

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

07-0288 CITY OF DALLAS v. DAVID S. MARTIN AND GEORGE G. PARKER, ET AL.; from Rockwall County; 5th district (05-03-01310-CV, 214 SW3d 638, 12-21-06)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

11-0311 NELDA GONZALES v. SOUTHWEST OLSHAN FOUNDATION REPAIR COMPANY, LLC, D/B/A OLSHAN FOUNDATION REPAIR COMPANY; from Bexar County; 4th district (04-09-00232-CV, 345 SW3d 431, 01-19-11)

[**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:

11-0475 EDWARD A. COPLEY, AS INDEPENDENT EXECUTOR OF THE ESTATE OF BELTON KLEBERG JOHNSON, DECEASED, ET AL. v. SARA JOHNSON PITT, ET AL.; from Bexar County; 4th district (04-08-00079-CV, 340 SW3d 769, 02-16-11)
as redrafted

(Justice Hecht not sitting)

11-0532 YOLANDA HERNANDEZ, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF PEDRO FLORES, JUAN FLORES, SIGIFREDO FLORES, DESIDERIO FLORES AND DAVID FLORES, ET AL. v. EL PASO PRODUCTION COMPANY, ET AL.; from Hidalgo County; 13th district (13-09-00184-CV, ___ SW3d ___, 04-14-11)

11-0757 FREEMAN LATHAN AND FRIEDA JENKINS, SOLE HEIRS OF THE ESTATE OF EFFIE LATHAN, DECEASED v. THE CITY OF BEAUMONT, TEXAS; from Jefferson County; 9th district (09-11-00110-CV, 346 SW3d 870, 07-28-11)
as redrafted

11-0782 JOSLYN M. JOHNSON, INDIVIDUALLY AND AS EXECUTRIX FOR THE ESTATE OF RODNEY JOHNSON, DECEASED v. CITY OF HOUSTON; from Harris County; 14th district (14-10-01098-CV, 353 SW3d 499, 08-16-11)

11-0849 JORGE MONROY v. PERLA MONROY; from Travis County; 3rd district (03-10-00275-CV, ___ SW3d ___, 08-31-11)
as redrafted

- 11-0954 DALAL HIBRI MONROE v. DAVID ALLEN MONROE; from Bexar County; 4th district (04-10-00561-CV, 358 SW3d 711, 09-07-11)
- 11-0981 MICHAEL M. BLANCHARD v. BRAZOS FOREST PRODUCTS, L.P. AND TEXAS WORKFORCE COMMISSION; from Tarrant County; 2nd district (02-10-00419-CV, 353 SW3d 569, 10-27-11)
- 11-1001 JOEL MOLANO v. STATE OF TEXAS; from Hidalgo County; 13th district (13-10-00477-CV, ___ SW3d ___, 08-18-11)
- 11-1022 IN THE INTEREST OF T. L. H. AND N. E. T.; from Bell County; 3rd district (03-10-00480-CV, ___ SW3d ___, 11-10-11)
- 11-1035 ROBIN BRUCE v. FEDERAL NATIONAL MORTGAGE ASSOCIATION A/K/A FANNIE MAE; from Kaufman County; 5th district (05-10-01402-CV, 352 SW3d 891, 11-09-11)
- 11-1039 D.R. BEELER, BEVERLY ANN BEELER AND DONALD R. BEELER, JR. v. WILLIAM CRUSE FUQUA; from Hardin County; 8th district (08-10-00016-CV, 351 SW3d 428, 08-03-11)
- 12-0029 MAYUKO MARTIN v. TIMOTHY E. MARTIN; from Fort Bend County; 1st district (01-10-00966-CV, ___ SW3d ___, 12-01-11)
- 12-0044 PATRICIA DAVIS SKAFI D/B/A MASTER AUTO BODY SHOP AND D/B/A NORTH LOOP TOWING, AND DWIGHT CANNON D/B/A D.C. WRECKER v. WESTSIDE WRECKER SERVICE, INC.; from Harris County; 1st district (01-10-00668-CV, ___ SW3d ___, 11-17-11)
- 12-0080 HARRIS COUNTY FLOOD CONTROL DISTRICT v. GREAT AMERICAN INSURANCE COMPANY; from Harris County; 14th district (14-10-01040-CV, 359 SW3d 736, 12-15-11)
- 12-0105 EX PARTE DAVID FRANK BURRIS; from Dallas County
- 12-0153 JOHN LEEMAN ISAACS AND SUSAN GAIL ISAACS v. ROBERT G. SCHLEIER, JR. AND SCHLEIER & BROWN, P.C.; from Gregg County; 6th district (06-11-00050-CV, 356 SW3d 548, 12-07-11)

THE FOLLOWING PETITIONS FOR REVIEW ARE STRUCK PURSUANT TO TEXAS
RULE OF APPELLATE PROCEDURE 9.4(i):

11-0719 GEORGE MICHAEL HENDERSON v. ROBERTA LEE HENDERSON; from Blanco County; 3rd district (03-10-00531-CV, ___ SW3d ___, 07-13-11)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 9.4(a), (e), (f), (h), and 53.2(k)(1)(A) and (C) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by April 30, 2012."

12-0286 CAROLE BULLOCK v. AMERICAN HEART ASSOCIATION; from Dallas County; 5th district (05-10-00847-CV, 360 SW3d 661, 01-31-12)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 52.3(k), and Misc. Docket No. 11-9152 - Electronic-Filing Rules 1, 5(b) and (c) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by April 30, 2012."

ORDERS ON MOTIONS FOR REHEARING

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

11-0760 GENESIS CAPITAL PARTNERS, IX, ET AL. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st district (01-09-00998-CV, ___ SW3d ___, 06-16-11)
motion to consolidate denied

11-0762 BULLSEYE PS III, L.P. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 1st district (01-09-01139-CV, ___ SW3d ___, 06-16-11)

11-1000 KOJO W. NKANSAH v. UNIVERSITY OF TEXAS AT ARLINGTON (UTA), JAMES SPANIOLO, DANA DUNN, PHILIP COHEN, ROD HISSONG AND SHERMAN WYMAN; from Tarrant County; 2nd district (02-10-00322-CV, ___ SW3d ___, 10-13-11)

12-0042 GLENDA POSTERT v. CALHOUN COUNTY, TEXAS; from Calhoun County; 13th district (13-09-00576-CV, ___ SW3d ___, 10-27-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF
HABEAS CORPUS IS DENIED:

11-0246 IN RE SHARON PEEBLES; from Harris County; 14th district
(14-10-00973-CV, ___ SW3d ___, 12-02-10)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0062 IN RE SABRE INC., SABRE HOLDINGS CORP. AND SABRE TRAVEL
INTERNATIONAL LTD.; from Tarrant County; 2nd district
(02-11-00440-CV, ___ SW3d ___, 11-18-11)

12-0096 IN RE ROBERT B. MILES; from Harris County; 1st district
(01-11-00965-CR, ___ SW3d ___, 12-01-11)

12-0145 IN RE ALFRED LEE STONE; from Dallas County; 5th district
(05-11-01717-CV, ___ SW3d ___, 01-11-12)

12-0172 IN RE THOMAS STEWART; 7th district
(07-12-00023-CV, ___ SW3d ___, 02-10-12)

12-0246 IN RE N.A. BOMBACH; from El Paso County; 8th district
(08-12-00071-CV, ___ SW3d ___, 03-14-12)
motion for temporary stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced April 25, 2012

MISCELLANEOUS

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

12-0322 IN RE PETROHAWK PROPERTIES, LP; from Karnes County; 4th district
(04-12-00007-CV, ___ SW3d ___, 04-11-12)
emergency motion for immediate temporary relief granted
stay order issued
response requested due by May 7, 2012

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

THE SUPREME COURT OF TEXAS

Orders Pronounced April 26, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0323 IN RE TERESA THREET; from Dallas County; 5th district
(05-12-00467-CV, ___ SW3d ___, 04-18-12)
motion for temporary stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced April 27, 2012

ORDERS ON CAUSES

12-0208 IN RE REBECCA RAMIREZ PALOMO; 4th district
(04-12-00085-CV, ___ SW3d ___, 03-09-12)

(Order delivered March 28, 2012; opinion issued today)

Per Curiam Opinion

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0048 LYNDA W. TOMLINSON AND HUSBAND, DAVID TOMLINSON v. JOHN MCCOMAS, CYNTHIA "CISSY" WILSON, MARVIN JENSEN, TOM ROMAN AND MIKE ROBINIUS; from Hood County; 2nd district
(02-11-00175-CV, ___ SW3d ___, 11-17-11)

12-0151 NACHIAPPAN SUBBIAH MUTHUKUMAR v. NISSAN NORTH AMERICA; from Dallas County; 5th district (05-11-01059-CV, ___ SW3d ___, 02-14-12)

ORDERS ON MOTIONS FOR REHEARING

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

11-0907 GEORGE OLIVAREZ v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE-CORRECTIONAL INSTITUTIONS DIVISION; from Brazoria County; 1st district
(01-10-00363-CV, ___ SW3d ___, 11-10-10)

11-1038 ALFRED LEE STONE v. DAVID L. GLEASON; from Potter County; 7th district
(07-11-00301-CV, ___ SW3d ___, 10-26-11)

12-0001 NACHIAPPAN SUBBIAH MUTHUKUMAR v. GREGORY DESS, MIKE PENG AND LIVIA MARKOCZY; from Dallas County; 5th district
(05-10-01324-CV, ___ SW3d ___, 10-26-11)

MISCELLANEOUS

THE FOLLOWING MOTIONS TO CONSOLIDATE ARE GRANTED:

12-0231 BOBBY MCADAMS, ET AL. v. HATTIE JOHNSON, REBECCA LUCHAK, R.N., AND CYNTHIA HUNTER, R.N.; from Walker County; 10th district (10-11-00105-CV, ___ SW3d ___, 02-01-12)
motion to consolidate granted

consolidated with

12-0232 BOBBY MCADAMS v. HATTIE JOHNSON, REBECCA LUCHAK, R.N., AND CYNTHIA HUNTER, R.N.; from Walker County; 10th district (10-11-00106-CV, ___ SW3d ___, 02-01-12)
motion to consolidate granted

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

12-0265 TODD-WARREN ALTSCHUL v. TDCJ - INMATE TRUST FUND DIVISION ; from Walker County; 10th district (10-11-00084-CV, ___ SW3d ___, 03-14-12)
motion to lift abatement order granted
abatement order issued April 6, 2012, lifted
petition reinstated

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0234 IN RE CONNELL SPAIN, SR.; from Tarrant County; 2nd district (02-12-00017-CV, ___ SW3d ___, 02-01-12)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

12-0093 IN RE KOBAY SPARKS; from Dallas County; 5th district
(05-11-01479-CV; 05-11-01480-CV, ___ SW3d ___, 11-16-11)

See TEX. R. APP. P. 5.

12-0238 IN RE MORTON INTERNATIONAL, INC.; from Harris County; 14th district
(14-12-00106-CV, ___ SW3d ___, 03-20-12)
motion to dismiss granted
motion for emergency temporary relief dismissed as moot

THE SUPREME COURT OF TEXAS

Orders Pronounced April 30, 2012

MISCELLANEOUS

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

12-0329 IN RE LOUIS DORFMAN, K.I. HOLDINGS, LTD, SAM MYERS, J.M.D. RESOURCES, INC., BILLY COGDELL BOWDEN, BARBARA STANFIELD, STACEY DORFMAN-KIVOWITZ, JULIA DORFMAN, MARK DORFMAN, DAVID PHILLIP COOK, CHERYL KING COOK AND SAM Y. DORFMAN, JR.; from Karnes County; 4th district (04-12-00006-CV, ___ SW3d ___, 04-11-12) unopposed emergency motion for immediate temporary relief granted stay order issued response requested due by May 17, 2012

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

THE SUPREME COURT OF TEXAS

Orders Pronounced May 4, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0069 MARVIN RAY HAILE v. VERGIE LEE FELTON ET AL.; from Taylor County; 11th district (11-11-00194-CV, ___ SW3d ___, 12-01-11)
- 12-0084 DELL CULLUM v. DALENE WHITE; from Real County; 4th district (04-09-00695-CV, ___ SW3d ___, 12-14-11)
- 12-0098 KURT GOETTING, SR. v. J. TODD SOUTHERN, INDEPENDENT EXECUTOR OF THE ESTATE OF RAUL “DUDE” CROUSE, DECEASED; from El Paso County; 8th district (08-09-00306-CV, 353 SW3d 295, 11-09-11)
- 12-0162 MERCEDES MOSBY v. POST OAK BANK; from Harris County; 14th district (14-10-00203-CV, ___ SW3d ___, 12-22-11)
- 12-0171 DOMINIC MARROCCO v. MARK HILL; from Harris County; 14th district (14-10-01077-CV, ___ SW3d ___, 10-20-11)
- 12-0185 ASLAM VIRANI v. PAT CUNNINGHAM; from Galveston County; 14th district (14-11-00331-CV, ___ SW3d ___, 02-02-12)
- 12-0221 HOWARD L. STRAILY AND TOMMIE J. STRAILY v. LAWYERS TITLE INSURANCE CORPORATION; from Van Zandt County; 12th district (12-11-00121-CV, ___ SW3d ___, 12-21-11)
- 12-0285 IN THE INTEREST OF D.C. AND J.C.; from Galveston County; 1st district (01-11-00387-CV, ___ SW3d ___, 03-01-12)
- 12-0343 IN THE INTEREST OF G.P.C., ET. AL., MINOR CHILDREN; from Bexar County; 4th district (04-11-00837-CV, ___ SW3d ___, 04-18-12)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

- 11-0942 ASPRI INVESTMENTS, LLC v. MARYAM BEGUM AFEEF & ENM FOOD MART, INC.; from Bexar County; 4th district (04-10-00573-CV, ___ SW3d ___, 08-31-11)
agreed motion to dismiss petition for review granted
- 11-0957 CBI, INC. (IMPROPERLY SUED AS CHICAGO BRIDGE & IRON COMPANY), AND HOWE-BAKER ENGINEERS, LTD. v. EPCO HOLDINGS, INC. AND ENTERPRISE PRODUCTS OPERATING, LLC; from Harris County; 14th district (14-10-01226-CV, 352 SW3d 265, 10-18-11)
motion to dismiss granted
- 12-0195 LEVCO CONSTRUCTION, INC. v. CLEVELAND CONSTRUCTION, INC.; from Harris County; 1st district (01-11-00530-CV, 359 SW3d 843, 01-26-12)
agreed motion to dismiss appeal granted

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0846 ANTHONY RAY FREEMAN v. JOHN S. FRESHOUR AND CAROLYN RANDLE; from Anderson County; 12th district (12-10-00236-CV, ___ SW3d ___, 08-10-11)
- 11-0878 WILLIAM CHARLES BUNDREN AND KAREN P. BUNDREN, D/B/A C & K RESIDENTIAL PROPERTIES, NEW HOPE FOUNDATION AND HOPE HILL INVESTMENTS, INC. v. HOLLY OAKS TOWNHOMES ASSOCIATION, INC. AND THE WOODS ON PARK LANE HOMEOWNERS ASSOCIATION, ROYAL LANE HIGHLAND OWNERS ASSOCIATION, INC. AND DUTCH CREEK OWNERS ASSOCIATION; from Dallas County; 5th district (05-09-00788-CV, 347 SW3d 421, 08-11-11)
- 11-1019 RANGER ABBOTT v. THE CITY OF PARIS AND KEVIN CARRUTH; from Lamar County; 6th district (06-11-00065-CV, 360 SW3d 567, 10-21-11)
- 12-0078 SUNDANCE MINERALS, L.P. v. WANDA JO MOORE, ET AL.; from Hood County; 2nd district (02-10-00403-CV, 354 SW3d 507, 10-20-11)
- 12-0189 IN THE INTEREST OF D.M., A.M., A.J. AND D.W., CHILDREN; from Johnson County; 10th district (10-11-00163-CV, ___ SW3d ___, 01-18-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED WITHOUT PREJUDICE:

- 12-0099 IN RE ELAINE MCKEON AND EXXON MOBIL CORPORATION; from Dallas County; 5th district (05-11-01532-CV, ___ SW3d ___, 11-30-11)
unopposed motion to abate or alternatively to dismiss petition for writ of mandamus, granted in part

(Justice Lehrmann not sitting)

THE MOTIONS FOR TEMPORARY RELIEF IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0305 IN RE TOMÁS URESTI; from Bexar County
motion for emergency temporary relief denied

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

- 12-0308 IN RE JOHN W. COOK; MARC COOK; MARC BUMBERA; SUN DEVELOPMENT, L.L.P.; SD GP, L.L.C.; PETROLEUM WHOLESALE, L.P.; PWI GP, L.L.C.; AND J.C. CAPITAL, LP; from Travis County; 3rd district (03-12-00153-CV, ___ SW3d ___, 04-10-12)
motion for temporary relief denied

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

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0222 IN RE CAROL WHITWORTH; from Harris County; 1st district (01-11-01007-CV, ___ SW3d ___, 01-26-12)
as redrafted
- 12-0250 IN RE WALTER LEE HALL, JR., IN ALL NECESSARY CAPACITY; from Travis County
motion to compel clerk to file denied
- 12-0256 IN RE MICHAEL WAYNE BARTEE; from Hunt County; 5th district (05-11-01610-CV, ___ SW3d ___, 12-06-11)

THE SUPREME COURT OF TEXAS

Orders Pronounced May 7, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF PROHIBITION IS DENIED:

12-0347 IN RE DALLAS CITY LIMITS PROPERTY CO., L.P.; from Harris County; 5th district (05-12-00562-CV, ___ SW3d ___, 05-02-12)
request for emergency relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0318 IN RE FERNANDO CARLOS PAOLILLO TAPIA, ET AL.; from Harris County; 14th district (14-11-00923-CV, 359 SW3d 866, 01-31-12)
emergency request for stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced May 8, 2012

ORDERS ON PETITIONS FOR REVIEW

THE MOTION IN THE FOLLOWING PETITION FOR REVIEW IS DENIED:

12-0275 HARTFORD FINANCIAL SERVICES GROUP, INC. v. JOSE LUIS SANCHEZ,
ET. AL.; from Harris County; 14th district
(14-12-00134-CV, ___ SW3d ___, 04-03-12)
motion for temporary relief denied
response requested due by June 7, 2012

[**Note:** The petition for review remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced May 10, 2012

MISCELLANEOUS

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

12-0307 IN RE ERICA ANN PEREZ; from Bexar County; 4th district
(04-12-00184-CV, ___ SW3d ___, 04-04-12)
stay order issued
expedited briefing requested

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

THE SUPREME COURT OF TEXAS

Orders Pronounced May 11, 2012

ORDERS ON CAUSES

09-0079 VENKATESWARLU THOTA, M.D. AND NORTH TEXAS CARDIOLOGY CENTER v. MARGARET YOUNG, INDIVIDUALLY, AND AS REPRESENTATIVE OF THE ESTATE OF WILLIAM R. YOUNG; from Wichita County; 2nd district (02-05-00350-CV, 271 SW3d 822, 11-20-08)

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

Justice Green delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

11-0767 MICHAEL ROBERT TEDDER v. GARDNER ALDRICH, LLP; from Tarrant County; 2nd district (02-10-00115-CV, ___ SW3d ___, 08-11-11)

[**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:

11-0462 AMOCO D.T. COMPANY, AMOCO X.T. COMPANY, AMOCO Y.T. COMPANY, SWEPI LP, SHELL LAND & ENERGY COMPANY, SHELL ONSHORE VENTURES INC., SHELL K2, INC., AND SHELL EVEREST, INC. v. OCCIDENTAL PETROLEUM CORPORATION, OCCIDENTAL PERMIAN MANAGER, LLC, OCCIDENTAL PERMIAN LTD., AND OXY USA, INC.; from Harris County; 14th district (14-09-00651-CV, 343 SW3d 837, 05-17-11)

11-0484 JAMES G. STRACHAN v. FIA CARD SERVICES, A/K/A BANK OF AMERICA; from Fort Bend County; 14th district (14-09-01004-CV, ___ SW3d ___, 03-08-11)

(Justice Guzman not sitting)

- 11-0514 IN THE MATTER OF A.O., A JUVENILE; from Lubbock County; 7th district (07-10-00194-CV, 342 SW3d 236, 05-17-11)
- 11-0600 JAMES M. GERSON v. XENOS YUEN, SIEGEL YUEN & HONORE, PLLC, LAW OFFICE OF XENOS YUEN, P.C.; from Harris County; 14th district (14-09-00635-CV, 342 SW3d 824, 06-16-11)
- 11-0663 GEORGE GEIS D/B/A RIO ARCHITECTS v. COLINA DEL RIO, LP; from Bexar County; 4th district (04-09-00465-CV, 362 SW3d 100, 05-04-11)
- 11-0683 MICHAEL V. PISHKO AND N.K. ANAND v. DR. LALE YURTTAS; from Brazos County; 10th district (10-11-00124-CV, 10-11-00125-CV, ___ SW3d ___, 07-20-11) motion for leave to file surreply brief denied
- 11-0744 CHANDRASHEKHAR B. THANEDAR v. DONNA INDEPENDENT SCHOOL DISTRICT; from Hidalgo County; 13th district (13-09-00589-CV, ___ SW3d ___, 08-18-11)
- 11-0824 AEP TEXAS CENTRAL COMPANY v. CITY OF BROWNSVILLE, TEXAS, ACTING BY AND THROUGH ITS PUBLIC UTILITIES BOARD; from Dallas County; 5th district (05-09-00808-CV, 348 SW3d 348, 07-15-11)
- 11-0867 CARTER & BURGESS, INC. v. AUSTIN COMMERCIAL CONTRACTORS, INC.; from Dallas County; 5th district (05-10-01542-CV, 347 SW3d 897, 08-15-11) motion to administer case as original proceeding denied
- 11-0909 JANEEN BAILEY, ET AL. v. GALLAGHER, LEWIS DOWNEY & KIM, MICHAEL T. GALLAGHER, AND JOHN H. KIM; from Dallas County; 5th district (05-09-00868-CV, 348 SW3d 322, 07-14-11)
- 11-0944 DAVID SAVERSE v. THE CITY OF AUSTIN; from Travis County; 3rd district (03-11-00330-CV, ___ SW3d ___, 09-30-11)
- 11-0986 WILLIAM EARL NORRIS AND MARTHA SUE NORRIS v. ELEANOR FOX DAVIS AND BARNES DAVIS; from Wood County; 6th district (06-10-00093-CV, 352 SW3d 715, 10-25-11)
- 11-0992 CONSOLIDATED GASOLINE, INC., AND BILLY DELP III v. G4 TRUST, GROVER GIBSON, TRUSTEE; from Tarrant County; 2nd district (02-10-00404-CV, ___ SW3d ___, 08-31-11)

- 11-1005 SUZANNE ELISABETH HAAKSMAN AS BENEFICIARY OF ROBERT DUNCAN BURN QUINN AND THOMAS JOSEPH MCCARTNEY v. DIAMOND OFFSHORE (BERMUDA), LTD.; from Harris County; 14th district (14-10-01061-CV, 355 SW3d 842, 11-03-11)
- 11-1032 RUSSELL JAY REGER v. CRIMINAL DISTRICT ATTORNEY OF TARRANT COUNTY, TEXAS AND DETECTIVE JERRY S. VENNUM #803; from Tarrant County; 2nd district (02-09-00363-CV, ___ SW3d ___, 11-10-11)
- 12-0021 AGUSTIN ZURITA AND AZ RESTAURANT VENTURES, LLC v. SVH-1 PARTNERS, LTD.; from Travis County; 3rd district (03-10-00650-CV, ___ SW3d ___, 12-08-11)
- 12-0026 TRACE BRITTON ADAMS v. THE STATE OF TEXAS; from Calhoun County; 13th district (13-11-00174-CV, ___ SW3d ___, 10-13-11)
- 12-0077 DAVID R. MYERS v. CITY OF WEBSTER; from Harris County; 1st district (01-10-01015-CV, 360 SW3d 51, 10-27-11)
- 12-0196 IN RE THE COMMITMENT OF ROBERTO JOSE DELACRUZ; from Montgomery County; 9th district (09-11-00554-CV, ___ SW3d ___, 01-26-12)
- 12-0197 REVALEN DEVELOPMENT, LLC v. PRINCIPAL LIFE INSURANCE COMPANY; from Dallas County; 5th district (05-10-00680-CV, 358 SW3d 451, 01-23-12)
- 12-0264 BURNWOOD, INC. v. CRAIG TERRILL HALE & GRANTHAM, LLP, H. GRADY TERRILL AND ANDREW B. CURTIS; from Lubbock County; 7th district (07-10-00327-CV, ___ SW3d ___, 02-16-12)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED FOR WANT OF JURISDICTION:

- 12-0143 PEYTON YATES FREIMAN v. AAMES CAPITAL CORPORATION; from Travis County; 3rd district (03-10-00107-CV, ___ SW3d ___, 08-11-11)
- 12-0148 DONGSHENG HUANG v. PINEY CREEK RRG, ET AL.; from Harris County; 14th district (14-11-00009-CV, ___ SW3d ___, 12-01-11)

ORDERS ON MOTIONS FOR REHEARING

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

09-0875 LLOYD SNYDER v. CUNNINGHAM LINDSEY CLAIMS MANAGEMENT, INC. AND GLENDA HIGGINS; from Harris County; 14th district (14-07-00449-CV, 291 SW3d 472, 06-25-09)

(Justice Guzman not sitting)

10-0877 SJW PROPERTY COMMERCE, INC. v. G.J. PALMER, JR.; from Hidalgo County; 13th district (13-08-00268-CV, 328 SW3d 121, 09-23-10)
2 motions for rehearing

(Justice Green not sitting)

10-0985 TEXAS WORKFORCE COMMISSION v. BUSKE LINES, INC.; from Henderson County; 12th district (12-09-00364-CV, ___ SW3d ___, 10-27-10)

11-0321 JEFFREY M. STERN v. COMMISSION FOR LAWYER DISCIPLINE; from Harris County; 1st district (01-09-00910-CV, 355 SW3d 129, 03-17-11)

11-0458 THOMAS PETROLEUM, INC. AND THOMAS FUELS, LUBRICANTS & CHEMICALS, INC. v. GREGORY MORRIS; from Harris County; 1st district (01-09-01065-CV, 355 SW3d 94, 03-03-11)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

10-0809 IN RE STANLEY J. WILLIAMS, JR. AND DENA WILLIAMS; from Hidalgo County; 13th district (13-10-00277-CV, 328 SW3d 103, 09-23-10)

(Justice Green not sitting)

11-0955 IN RE STANLEY J. WILLIAMS, JR. AND DENA WILLIAMS; from Hidalgo County

(Justice Green not sitting)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0027 IN RE JIMMY DEWAYNE TERRY; from Bastrop County; 4th district (04-11-00671-CV, ___ SW3d ___, 12-07-11)

12-0155 IN RE SIDDCO UNION, LTD. AND SOHAIL SIDDIQUI; from Harris County; 1st district (01-12-00004-CV, 01-12-00005-CV, ___ SW3d ___, 01-26-12)
as redrafted

THE SUPREME COURT OF TEXAS

Orders Pronounced May 14, 2012

ORDERS ON PETITIONS FOR REVIEW

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

12-0357 CHCA WOMAN'S HOSPITAL, L.P. D/B/A THE WOMAN'S HOSPITAL OF TEXAS AND WOMAN'S HOSPITAL OF TEXAS, INC. v. SCOTT LIDJI AND ANGELA LIDJI, AS NEXT FRIENDS OF R.L., A MINOR; from Harris County; 1st district (01-11-00879-CV, ___ SW3d ___, 03-22-12)
emergency verified motion to stay discovery granted
stay order issued

[**Note:** The petition for review remains pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced May 16, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0004 IN RE THE HUFF ENERGY FUND, L.P., WRH ENERGY PARTNERS, LLC, W.R. HUFF ASSET MANAGEMENT CO., LLC, WILLIAM R. "BILL" HUFF, RICK D'ANGELO, ED DARTLEY, BRYAN BLOOM, AND RILEY-HUFF ENERGY GROUP, LLC; from Zavala County; 4th district (04-11-00883-CV, ___ SW3d ___, 12-21-11)
motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced May 18, 2012

ORDERS ON CAUSES

10-0374 TEXAS DEPARTMENT OF INSURANCE, HONORABLE MIKE GEESLIN, COMMISSIONER OF INSURANCE AND HONORABLE DANNY SAENZ, SENIOR ASSOCIATE COMMISSIONER v. AMERICAN NATIONAL INSURANCE COMPANY AND AMERICAN NATIONAL LIFE INSURANCE COMPANY OF TEXAS; from Travis County; 3rd district (03-08-00535-CV, ___ SW3d ___, 04-22-10)

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

Justice Medina delivered the opinion of the Court.

(Justice Hecht not sitting)

10-0859 IN THE MATTER OF M.P.A.; from Bell County; 3rd district (03-08-00337-CV, ___ SW3d ___, 07-14-10)

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

Justice Guzman delivered the opinion of the Court.

10-0886 IN RE BILLY FREDERICK ALLEN

The Court conditionally grants the writ of mandamus.

Justice Wainwright delivered the opinion of the Court.

11-0008 HONORABLE HOPE ANDRADE v. DON VENABLE; from Dallas County; 5th district (05-10-00303-CV, ___ SW3d ___, 11-15-10)
motion to dismiss for want of jurisdiction denied

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

Per Curiam Opinion

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

- 11-0023 JUANA LORENA ARVIZU, INDIVIDUALLY AND A/N/F JONATHAN RENE ARVIZU, MONTGOMERY COUNTY AUTO AUCTION AND EDWARD CANTU v. THE ESTATE OF GEORGE PUCKETT D/B/A PUCKETT AUTO SALES; from Montgomery County; 9th district (09-09-00453-CV, ___ SW3d ___, 11-10-10)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 10-0846 BROOKSHIRE BROTHERS, LTD. v. JERRY ALDRIDGE; from Angelina County; 12th district (12-08-00368-CV, ___ SW3d ___, 07-30-10)

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

- 11-0473 TRACFONE WIRELESS, INC. AND VIRGEN MOBILE USA, L.P. v. COMMISSION ON STATE EMERGENCY COMMUNICATIONS; from Travis County; 3rd district (03-10-00111-CV, 343 SW3d 233, 05-05-11)

[**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:

- 11-0441 IN RE MICHAEL N. BLAIR

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

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS GRANTED:

- 11-0297 IN RE WEST STAR TRANSPORTATION, INC.; from Lubbock County; 7th district (07-10-00515-CV, 335 SW3d 776, 02-23-11)
denial of petition for writ of mandamus on December 16, 2011, withdrawn
petition reinstated

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0645 PROFINANCE ASSOCIATES, INC. v. ROCHELLE COHEN-SAGI AND ANNETTE GOLDBERG; from Bexar County; 4th district (04-10-00242-CV, ___ SW3d ___, 06-01-11)
- 11-0749 GENEVA O. JOHNSON v. HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, ET AL.; from Hays County; 3rd district (03-10-00311-CV, ___ SW3d ___, 07-13-11)
- 11-0988 ALBERT JASIK v. ARTHUR MAURICIO AND BEATRICE MAURICIO; from Atascosa County; 4th district (04-10-00520-CV, ___ SW3d ___, 08-31-11)
- 11-1024 DAVID MCQUADE LEIBOWITZ AND DAVID MCQUADE LEIBOWITZ, P.C. v. COUNSEL FINANCIAL SERVICES, L.L.C.; from Hidalgo County; 13th district (13-10-00200-CV, ___ SW3d ___, 07-01-11)
- 12-0144 IN RE COMMITMENT OF JOHN H. HARTSHORN; from Montgomery County; 9th district (09-10-00382-CV, ___ SW3d ___, 12-15-11)
- 12-0147 TOM FRANKLIN v. U.S. BANK NATIONAL ASSOCIATION; from Tarrant County; 2nd district (02-11-00372-CV, ___ SW3d ___, 01-26-12)
- 12-0169 S.L.A. STUDIO LAND, INC. v. SRC CONSTRUCTION, INC. AND SALVATORE R. CARABETTA; from Harris County; 14th district (14-10-01129-CV, ___ SW3d ___, 10-27-11)
- 12-0170 HENRY WYATT GRIFFITH AND SYBLE GRIFFITH v. PATRICIA H. COGHILL; from Rusk County; 12th district (12-10-00346-CV, 358 SW3d 834, 01-18-12)
- 12-0210 TIMOTHY L. BARTON v. CADLES OF GRASSY MEADOWS II, LLC; from Dallas County; 5th district (05-10-00409-CV, ___ SW3d ___, 01-27-12)
- 12-0216 KEVA TOLAR LABETH AND MICHAEL LABETH v. PASADENA BAYSHORE HOSPITAL, INC. DBA BAYSHORE MEDICAL CENTER; from Galveston County; 14th district (14-10-01237-CV, ___ SW3d ___, 01-12-12)
- 12-0269 BENNIE F. L. WARD v. BAYLOR UNIVERSITY; from McLennan County; 10th district (10-11-00066-CV, ___ SW3d ___, 02-22-12)

12-0276 JUAN GARCIA v. AZZ INCORPORATED; from Harris County; 1st district
(01-11-00668-CV, ___ SW3d ___, 02-23-12)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

12-0384 GEORGE ATA v. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES,
ET AL.; from Harris County; 1st district
(01-11-00565-CV, ___ SW3d ___, 03-29-12)

[**Note:** The case is removed from the Court's active docket until further order of this
Court.]

ORDERS ON MOTIONS FOR REHEARING

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

11-0914 GLORIA LOPEZ-JUAREZ, INDIVIDUALLY AND AS EXECUTRIX OF THE
ESTATE OF ALEJANDRO JUAREZ, DECEASED AND AS NEXT FRIEND OF
GLORIA ALEJANDRA JUAREZ v. HUEY KELLY D/B/A KELLY TOURS; from
Gregg County; 6th district (06-10-00082-CV, 348 SW3d 10, 08-16-11)

11-0997 EDWIN-HORTON WITHERSPOON JUNIOR v. STATE OF TEXAS D/B/A
TARRANT COUNTY, TEXAS; from Tarrant County; 2nd district
(02-10-00174-CV, ___ SW3d ___, 11-10-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0391 IN RE THE HONORABLE J. KENT ADAMS
emergency motion for temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

12-0307 IN RE ERICA ANN PEREZ; from Bexar County; 4th district
(04-12-00184-CV, ___ SW3d ___, 04-04-12)
motion to withdraw/dismiss petition for writ of mandamus granted
stay order issued May 10, 2012, lifted

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

12-0377 IN RE HARRY SEWILL, RICHARD GABLE CHAPMAN, LHR ENTERPRISES,
TRANSGLOBAL INDEMNITY LTD. AND TRANSGLOBAL MORTGAGE, INC.;
from Andrews County; 8th district (08-11-00092-CV, ___ SW3d ___, 04-27-12)
motion for temporary relief granted in part
stay order issued
response requested due by May 29, 2012

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

THE SUPREME COURT OF TEXAS

Orders Pronounced May 24, 2012

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

10-0859 IN THE MATTER OF M.P.A.; from Bell County; 3rd district
(03-08-00337-CV, ___ SW3d ___, 07-14-10)
joint emergency motion for immediate mandate granted

MISCELLANEOUS

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

12-0049 IN RE PETER MARCUS JONTE; from Harris County; 14th district
(14-12-00021-CV, ___ SW3d ___, 01-13-12)
motion for emergency stay granted in part
request to rule on previously filed motion for emergency stay dismissed as moot
stay order issued

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

THE SUPREME COURT OF TEXAS

Orders Pronounced May 25, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0033 HERMELINDA GARZA v. RAFAEL CRUZ; from Bexar County; 4th district (04-11-00047-CV, ___ SW3d ___, 11-02-11)
- 12-0036 HERMELINDA GARZA v. BOBBY D. BARNES AND SHARON L. BARNES; from Bexar County; 4th district (04-11-00328-CV, ___ SW3d ___, 11-02-11)
- 12-0182 LI LI D/B/A VILLA RESIDENTIAL DESIGN STUDIO v. 1821 WEST MAIN DEVELOPMENT, LLC; from Harris County; 14th district (14-10-01227-CV, ___ SW3d ___, 11-29-11)
- 12-0207 CALLAGHAN RANCH, LTD. v. DAVID KILLAM, ET AL.; from Webb County; 4th district (04-10-00802-CV, ___ SW3d ___, 02-08-12)
- 12-0245 SANTOS MARTINEZ SALAZAR AND WIFE, MARIA G. MARTINEZ v. LESVIA AZUCENA RAMOS AND MAVERICK COUNTY INSURANCE AGENCY, INCORPORATED; from Maverick County; 8th district (08-10-00206-CV, 361 SW3d 739, 02-08-12)
- 12-0294 ALAN URESTI v. MELISSA VALLEJO; from Bexar County; 8th district (08-10-00182-CV, 361 SW3d 200, 01-25-12)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 12-0275 HARTFORD FINANCIAL SERVICES GROUP, INC. v. JOSE LUIS SANCHEZ, ET AL.; from Harris County; 14th district (14-12-00134-CV, ___ SW3d ___, 04-03-12) unopposed voluntary motion dismiss petition for review granted

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

- 12-0158 MARY LAVERNE SMITH v. DAVID DILLARD GRAYSON; from Travis County; 3rd district (03-10-00238-CV, ___ SW3d ___, 10-12-11)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0733 CARL R. PRUETT AND NATIONAL AMERICAN INSURANCE COMPANY v. HARRIS COUNTY BAIL BOND BOARD, ET AL.; from Harris County; 1st district (01-09-00384-CV, 356 SW3d 103, 04-07-11)
- 12-0056 BASIL BROWN AND YVONNE BROWN v. APEX REALTY; from Kaufman County; 5th district (05-09-01163-CV, ___ SW3d ___, 08-02-11)
- 12-0071 MARY E. WHITE v. NEW JERSEY DEPARTMENT OF HUMAN SERVICES, ET AL.; from Bexar County; 3rd district (03-11-00548-CV, ___ SW3d ___, 12-07-11)
- 12-0159 KENT MORRISON ADAMS v. JOANNE CATHERINE ADAMS; from Jefferson County; 9th district (09-11-00409-CV, ___ SW3d ___, 12-22-11)
- 12-0225 GIBRILL AND AIDAH J. MUSTAPHA v. HSBC BANK U.S.A., ET AL.; from Harris County; 14th district (14-11-00112-CV, ___ SW3d ___, 01-31-12)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0131 IN RE ELLOYD JOHNSON; from Dallas County; 5th district (05-11-01686-CV, ___ SW3d ___, 01-05-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0361 IN RE PECTEN ORIENT COMPANY F/K/A PECTEN ASH SHAM F/K/A
PECTEN SYRIA PETROLEUM COMPANY; from Harris County; 1st district
(01-12-00166-CV, ___ SW3d ___, 05-03-12)
emergency motion for temporary relief denied
- 12-0404 IN RE PECTEN ORIENT COMPANY F/K/A PECTEN ASH SHAM F/K/A
PECTEN SYRIA PETROLEUM COMPANY; from Harris County
emergency motion for temporary relief denied
- 12-0412 IN RE SVETLANA POPLIN; from Harris County; 14th district
(14-12-00390-CV, ___ SW3d ___, 05-10-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced May 29, 2012

MISCELLANEOUS

THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0049 IN RE PETER MARCUS JONTE; from Harris County; 14th district
(14-12-00021-CV, ___ SW3d ___, 01-13-12)
motion for emergency stay of temporary orders hearing denied
stay order issued May 24, 2012, remains in effect

[**Note:** The petition for writ of mandamus remains pending before this Court. Parties must file a status report and supplemental record due by June 8, 2012.]

THE SUPREME COURT OF TEXAS

Orders Pronounced May 31, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0367 IN RE CAMILLE WOODSIDE; from Midland County; 11th district
(11-12-00093-CV, ___ SW3d ___, 04-26-12)
motion for temporary stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced June 1, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-1026 WOODY K. LESIKAR SPECIAL TRUST AND WOODROW V. LESIKAR FAMILY TRUST, THROUGH THEIR TRUSTEE, WOODY K. LESIKAR, AND THE ESTATE OF WOODROW V. LESIKAR, DECEASED, THROUGH ITS EXECUTOR, WOODY K. LESIKAR v. CAROLYN ANN LESIKAR MOON, INDIVIDUALLY AND AS NAMED TRUSTEE OF THE CAROLYN ANN LESIKAR MOON SPECIAL TRUST; from Brazoria County; 14th district (14-10-00119-CV, ___ SW3d ___, 08-09-11)
2 petitions

(Justice Guzman not sitting)

12-0083 THOMAS J. SIBLEY, P.C. v. BRENTWOOD INVESTMENTS DEVELOPMENT CO., L.P.; from Jefferson County; 8th district (08-10-00033-CV, 356 SW3d 659, 09-07-11)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

12-0106 CHARLES DURIVAGE, P.E. v. LA ALHAMBRA CONDOMINIUM ASSOCIATION; from Cameron County; 13th district (13-11-00324-CV, ___ SW3d ___, 12-21-11)
unopposed voluntary motion to dismiss appeal granted

ORDERS ON MOTIONS FOR REHEARING

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

12-0091 JAMES ("JAY") R. HURT, JR. v. EOG ENERGY RESOURCES, INC.; from Hood County; 2nd district (02-11-00093-CV, 357 SW3d 144, 12-15-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

12-0165 IN RE JPMORGAN CHASE BANK, N.A., IN ITS CORPORATE CAPACITY AND AS TRUSTEE OF THE RED CREST TRUST U/T/A DATED MAY 9, 1985, AND PHILIP METTHAM; from De Witt County; 13th district (13-11-00707-CV, 361 SW3d 703, 12-05-11)
motion to dismiss petition for writ of mandamus for lack of jurisdiction granted

THE SUPREME COURT OF TEXAS

Orders Pronounced June 8, 2012

ORDERS ON CAUSES

10-0223 CENTOCOR, INC. v. PATRICIA HAMILTON AND THOMAS HAMILTON V. MICHAEL G. BULLEN, M.D.; from Nueces County; 13th district (13-07-00301-CV, 310 SW3d 476, 03-04-10)
2 petitions

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

Justice Green delivered the opinion of the Court.

10-0426 SAFESHRED, INC. v. LOUIS MARTINEZ, III; from Travis County; 3rd district (03-08-00626-CV, 310 SW3d 649, 04-23-10)

The Court's opinion issued April 20, 2012, is corrected.

10-0671 KERRY HECKMAN, ET AL., ON BEHALF OF THEMSELVES AND ALL OTHER PERSONS SIMILARLY SITUATED v. WILLIAMSON COUNTY, ET AL.; from Williamson County; 3rd district (03-06-00600-CV, ___ SW3d ___, 04-23-10)

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

Justice Willett delivered the opinion of the Court.

10-0683 AHF-ARBORS AT HUNTSVILLE I, LLC AND AHF-ARBORS AT HUNTSVILLE II, LLC v. WALKER COUNTY APPRAISAL DISTRICT; from Walker County; 10th district (10-08-00011-CV, ___ SW3d ___, 07-21-10) motion to consolidate granted

- consolidated with -

10-0714 AHF-ARBORS AT HUNTSVILLE I, LLC AND AHF-ARBORS AT HUNTSVILLE II, LLC v. WALKER COUNTY APPRAISAL DISTRICT; from Walker County; 10th district (10-08-00012-CV, ___ SW3d ___, 07-21-10) motion to consolidate granted

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

Justice Hecht delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Wainwright, Justice Medina, Justice Green, Justice Johnson, Justice Guzman, and Justice Lehrmann joined.

Justice Willett delivered a dissenting opinion.

10-0831 DIANA L. MORRIS A/K/A DIANA AGUILAR v. JUAN AGUILAR AND MARGARITA AGUILAR; from Travis County; 3rd district (03-08-00078-CV, ___ SW3d ___, 07-09-10)

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 that court.

Per Curiam Opinion

10-0983 TEXAS DEPARTMENT OF PUBLIC SAFETY v. LUKE THOMAS KASPAR; from Williamson County; 3rd district (03-10-00003-CV, ___ SW3d ___, 08-31-10)

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 that court.

Per Curiam Opinion

11-0316 THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS v. ANTHONY BURTON; from Tarrant County; 2nd district (02-09-00197-CV, 337 SW3d 413, 02-24-11)

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

11-0434 IN RE DAVID LOPEZ, SR., INDIVIDUALLY AND AS REPRESENTATIVE FOR THE ESTATE OF SAN JUANA LOPEZ, DECEASED, CLAUDIA GRIFALDO, CLARO LOPEZ, DALIA LOPEZ, RAUL LOPEZ, EDUARDO LOPEZ, ROLANDO LOPEZ, DAVID LOPEZ, JR.; from Victoria County; 13th district (13-11-00290-CV, ___ SW3d ___, 05-31-11)

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

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

08-0964 THE EDWARDS AQUIFER AUTHORITY AND THE STATE OF TEXAS v. BURRELL DAY AND JOEL MCDANIEL; from Atascosa County; 4th district (04-07-00103-CV, 274 SW3d 742, 08-29-08)
2 motions for rehearing

09-0715 MABON LIMITED v. AFRI-CARIB ENTERPRISES, INC.; from Harris County; 14th district (14-07-00650-CV, 287 SW3d 217, 03-31-09)

(Justice Guzman not sitting)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0394 LENNAR CORPORATION, LENNAR HOMES OF TEXAS SALES & MARKETING LTD. AND LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD. v. MARKEL AMERICAN INSURANCE COMPANY; from Harris County; 14th district (14-10-00008-CV, 342 SW3d 704, 04-19-11)

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

11-0549 GEOFFREY DUGGER v. MARY ANN ARREDONDO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF JOEL MARTINEZ, DECEASED; from Dallas County; 5th district (05-09-00625-CV, 347 SW3d 757, 05-31-11)

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

11-0708 HAL RACHAL, JR. v. JOHN W. REITZ; from Dallas County; 5th district (05-09-01422-CV, 347 SW3d 305, 07-22-11)

[**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:

11-0903 IN RE NALLE PLASTICS FAMILY LIMITED PARTNERSHIP; from Nueces County; 13th district (13-11-00525-CV, ___ SW3d ___, 10-19-11)

[**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:

- 11-0449 TEXAS-NEW MEXICO POWER COMPANY v. OFFICE OF PUBLIC UTILITY COUNSEL AND THE PUBLIC UTILITY COMMISSION OF TEXAS; from Travis County; 3rd district (03-10-00526-CV, 344 SW3d 446, 05-11-11)
- 11-0487 MCLENNAN COUNTY APPRAISAL DISTRICT v. AMERICAN HOUSING FOUNDATION, WACO PARKSIDE VILLAGE, LTD. AND WACO ROBINSON GARDEN, LTD.; from McLennan County; 10th district (10-08-00416-CV, 343 SW3d 509, 03-09-11)
- 11-0520 MARTHA ARANGO AND AMERICARE NURSING SERVICES, INC. v. ANDREA DAVILA; from Hidalgo County; 13th district (13-09-00470-CV, 13-09-00627-CV, ___ SW3d ___, 05-19-11)
2 petitions
- 11-0681 DORIS DICKERSON, ET AL. v. LAURA CAMPOS; from Hamilton County; 10th district (10-11-00071-CV, ___ SW3d ___, 08-03-11)
motion for leave to file surreply brief denied
- 12-0011 JAMES WILES, ET AL. v. FORD MOTOR COMPANY; from Dallas County; 5th district (05-09-01141-CV, 353 SW3d 198, 06-30-11)
- 12-0081 IN RE COMMITMENT OF JESUS DAVID HERNANDEZ; from Montgomery County; 9th district (09-11-00131-CV, ___ SW3d ___, 12-15-11)
- 12-0146 RONALD J. KORMANIK AND MICHAEL D. SYDOW v. VICTOR SEGHERS; from Harris County; 14th district (14-09-00815-CV, 362 SW3d 679, 06-14-11)
- 12-0332 IN RE C.M.H., A.H., J.G., AND K.G.; from Harris County; 1st district (01-11-00385-CV, ___ SW3d ___, 02-23-12)
- 12-0337 JOSEPH LEON MADDOX, PATTI LYNN MADDOX AND LINDA FAYE WEBER v. VANTAGE ENERGY, LLC AND THE CAFFEY GROUP, LLC; from Tarrant County; 2nd district (02-11-00210-CV, 361 SW3d 752, 02-09-12)
- 12-0371 IN RE C.M.H., A.H., J.G., AND K.G.; from Harris County; 1st district (01-11-00454-CV, ___ SW3d ___, 02-23-12)
- 12-0372 IN RE C.M.H., A.H., J.G., AND K.G.; from Harris County; 1st district (01-11-00455-CV, ___ SW3d ___, 02-23-12)

ORDERS ON MOTIONS FOR REHEARING

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

10-0592 JOHN GANIM v. J. FAROUK (FRANK) ALATTAR; from Fort Bend County; 14th district (14-08-00756-CV, 355 SW3d 1, 02-18-10)

(Justice Guzman not sitting)

11-0837 DRURY SOUTHWEST, INC. v. LOUIE LEDEAUX #1, INC.; from Bexar County; 4th district (04-10-00016-CV, 350 SW3d 287, 07-06-11)

11-1030 EDWARD MEKEEL AND/OR ALL OCCUPANTS v. U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE ON BEHALF OF THE HOLDERS OF THE CSFB MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2004-CT2; from El Paso County; 8th district (08-10-00122-CV, 355 SW3d 349, 08-24-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0145 IN RE ALFRED LEE STONE; from Dallas County; 5th district (05-11-01717-CV, ___ SW3d ___, 01-11-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0479 IN RE RBC CAPITAL MARKETS, LLC; from Dallas County; 5th district (05-11-00545-CV, ___ SW3d ___, 05-31-11)
stay order issued December 16, 2011, lifted

12-0059 IN RE CHARLES EDMUND STAGGS; from Webb County; 4th district (04-11-00801-CV, ___ SW3d ___, 12-07-11)

12-0454 IN RE ROBERT L. AND JULIA T. MCCULLOUGH; from Collin County; 5th district
amended emergency motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced June 15, 2012

ORDERS ON CAUSES

11-0059 EL PASO MARKETING, L.P. AND ENTERPRISE TEXAS PIPELINE LLC v. WOLF HOLLOW I, L.P.; from Harris County; 14th district (14-09-00118-CV, 329 SW3d 628, 10-28-10)

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

Justice Hecht delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0228 BYRON D. NEELY, INDIVIDUALLY AND BYRON D. NEELY, M.D., P.A. v. NANCI WILSON, CBS STATIONS GROUP OF TEXAS, L.P., D/B/A KEYE-TV AND VIACOM, INC.; from Travis County; 3rd district (03-08-00495-CV, 331 SW3d 900, 02-09-11)

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

(Justice Hecht not sitting)

11-0270 SOUTHERN CRUSHED CONCRETE, LLC v. CITY OF HOUSTON; from Harris County; 14th district (14-09-00873-CV, ___ SW3d ___, 11-17-10)

[**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:

11-0073 BARBARA J. DAVIS v. TARRANT COUNTY (SELF-INSURED) AND TARRANT COUNTY DISTRICT CLERK'S OFFICE; from Tarrant County; 2nd district (02-10-00331-CV, ___ SW3d ___, 12-23-10)

- 11-0653 CKS ASSET MANAGEMENT, INC. v. CITY OF DALLAS; from Dallas County; 5th district (05-10-01010-CV, 345 SW3d 199, 07-07-11)
- 12-0089 MELVIN EARL GOODSPEED v. THE STATE OF TEXAS; from Bowie County; 6th district (06-11-00087-CV, ___ SW3d ___, 10-12-11)
- 12-0190 MARY RIGGINS v. RONALD HILL AND LINDA C. HILL, ET AL.; from Brazoria County; 14th district (14-09-00495-CV, ___ SW3d ___, 11-03-11)
as reinstated
- 12-0279 JESUS RAMOS v. UNIVERSITY OF TEXAS AT BROWNSVILLE; from Cameron County; 13th district (13-11-00302-CV, ___ SW3d ___, 01-26-12)

THE FOLLOWING PETITION FOR REVIEW IS STRUCK PURSUANT TO TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

- 12-0376 IN THE INTEREST OF L.S., A.S. AND M.S., CHILDREN; from Denton County; 2nd district (02-12-00082-CV, ___ SW3d ___, 03-22-12)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 53.2(k)(1)(C), and Misc. Docket No. 11-9152 - Electronic-Filing Rule 5(c) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by June 25, 2012."

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0494 HOMER MERRIMAN v. XTO ENERGY, INC.; from Limestone County; 10th district (10-09-00276-CV, ___ SW3d ___, 05-11-11)
denial of petition for review on November 18, 2011, withdrawn
petition for review reinstated

[**Note:** The petition for review remains pending before this Court.]

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

11-1001 JOEL MOLANO v. STATE OF TEXAS; from Hidalgo County; 13th district
(13-10-00477-CV, ___ SW3d ___, 08-18-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0886 IN RE STEPHEN HEARD; from Matagorda County; 13th district
(13-11-00589-CV, ___ SW3d ___, 10-18-11)

12-0299 IN RE SHANNON LEE SIMON; 10th district
(10-12-00096-CV, ___ SW3d ___, 03-21-12)

12-0322 IN RE PETROHAWK PROPERTIES, LP; from Karnes County; 4th district
(04-12-00007-CV, ___ SW3d ___, 04-11-12)

12-0329 IN RE LOUIS DORFMAN, K.I. HOLDINGS, LTD, SAM MYERS, J.M.D.
RESOURCES, INC., BILLY COGDELL BOWDEN, BARBARA STANFIELD,
STACEY DORFMAN-KIVOWITZ, JULIA DORFMAN, MARK DORFMAN,
DAVID PHILLIP COOK, CHERYL KING COOK AND SAM Y. DORFMAN, JR.;
from Karnes County; 4th district (04-12-00006-CV, ___ SW3d ___, 04-11-12)

12-0362 IN RE SUSAN CORN; from Brazos County; 10th district
(10-10-00392-CV, ___ SW3d ___, 12-22-10)

12-0432 IN RE SULMA GONZALES

THE SUPREME COURT OF TEXAS

Orders Pronounced June 22, 2012

ORDERS ON CAUSES

08-0751 TEXAS MUTUAL INSURANCE COMPANY v. TIMOTHY J. RUTTIGER; from Galveston County; 1st district (01-06-00897-CV, 265 SW3d 651, 07-31-08)

The Court's opinion and judgment issued August 26, 2011 are withdrawn and the opinion issued this date is substituted. The concurring opinion and the dissenting opinion issued August 26, 2011 are withdrawn and the opinions of this date are substituted.

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

Justice Johnson delivered the opinion of the Court, in which Justice Hecht, Justice Wainwright, Justice Willett, and Justice Guzman joined.

Justice Willett delivered a concurring opinion.

Chief Justice Jefferson delivered a dissenting opinion, in which Justice Medina, Justice Green, and Justice Lehrmann joined.

09-0745 FREEDOM COMMUNICATIONS, INC., D/B/A THE BROWNSVILLE HERALD AND VALLEY MORNING STAR v. JUAN ANTONIO CORONADO, ET AL.; from Cameron County; 13th district (13-08-00628-CV, 296 SW3d 790, 08-14-09)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court vacates the court of appeals' judgment and remands the case to the trial court.

Per Curiam Opinion

10-0435 WEEKS MARINE, INC. v. MAXIMINO GARZA; from Starr County; 4th district
(04-08-00660-CV, ___ SW3d ___, 04-21-10)

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

Chief Justice Jefferson delivered the opinion of the Court, in which Justice Hecht, Justice Wainwright, Justice Green, Justice Johnson, and Justice Willett joined.

Justice Guzman delivered a dissenting opinion, in which Justice Medina and Justice Lehrmann joined.

10-0490 EL APPLE I, LTD. v. MYRIAM OLIVAS; from El Paso County; 8th district
(08-07-00257-CV, 324 SW3d 181, 04-21-10)

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

Justice Medina delivered the opinion of the Court.

Justice Hecht delivered a concurring opinion, in which Justice Wainwright and Justice Willett joined.

10-0997 PARADIGM OIL, INC., PACIFIC OPERATORS, INC., PACIFIC OPERATORS OF TEXAS, INC. AND FINLEY OIL WELL SERVICE, INC. v. RETAMCO OPERATING, INC.; from Bexar County; 4th district
(04-09-00230-CV, 330 SW3d 342, 08-31-10)

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

Justice Medina delivered the opinion of the Court.

(Justice Green not sitting)

11-0079 ONCOR ELECTRIC DELIVERY COMPANY LLC v. DALLAS AREA RAPID TRANSIT AND FORT WORTH TRANSPORTATION AUTHORITY; from Dallas County; 5th district (05-09-01500-CV, 331 SW3d 91, 12-22-10)
motion to withdraw as counsel granted

The Court vacates the opinion and judgment of the court of appeals and remands the case to the trial court.

Justice Hecht delivered the opinion of the Court.

THE FOLLOWING CAUSES ARE RESET FOR ORAL ARGUMENT:

- 11-0261 SUSAN COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, AND GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS v. ROARK AMUSEMENT AND VENDING, L.P.; from Travis County; 3rd district (03-10-00105-CV, ___ SW3d ___, 01-26-11)

[**Note:** This case has been reset for oral argument at 9:00 a.m., October 15, 2012.]

Time allotted to argue: 20/20 minutes

- 11-0332 ROBERT MASTERSON, MARK BROWN, GEORGE BUTLER, CHARLES WESTBROOK, RICHEY OLIVER, CRAIG PORTER, SHARON WEBER, JUNE SMITH, RITA BAKER, STEPHANIE PEDDY, BILLIE RUTH HODGES, DALLAS CHRISTIAN AND THE EPISCOPAL CHURCH OF THE GOOD SHEPHERD v. THE DIOCESE OF NORTHWEST TEXAS, THE REV. CELIA ELLERY, DON GRIFFIS AND MICHAEL RYAN; from Tom Green County; 3rd district (03-10-00015-CV, 335 SW3d 880, 03-16-11)

[**Note:** This case has been reset for oral argument at 9:00 a.m., October 16, 2012.]

Time allotted to argue: 20/20 minutes

THE FOLLOWING CAUSES ARE SET FOR SUBMISSION:

- 10-0582 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS v. LARRY M. GENTILELLO, M.D.; from Dallas County; 5th district (05-07-00845-CV, 317 SW3d 865, 07-21-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 12, 2012.]

Time allotted to argue: 20/20 minutes

- 10-0846 BROOKSHIRE BROTHERS, LTD. v. JERRY ALDRIDGE; from Angelina County; 12th district (12-08-00368-CV, ___ SW3d ___, 07-30-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 12, 2012.]

Time allotted to argue: 20/20 minutes

10-1020 TEXAS DEPARTMENT OF TRANSPORTATION AND CITY OF EDINBURG v. A.P.I. PIPE AND SUPPLY, L.L.C. AND PAISANO SERVICE CO., INC.; from Hidalgo County; 13th district (13-09-00159-CV, 328 SW3d 82, 08-26-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 12, 2012.]

Time allotted to argue: 20/20 minutes

11-0050 FPL ENERGY, LLC, FPL ENERGY PECOS WIND I, L.P., FPL ENERGY PECOS WIND II, L.P. AND INDIAN MESA WIND FARM, L.P. v. TXU PORTFOLIO MANAGEMENT COMPANY, L.P. N/K/A LUMINANT ENERGY COMPANY, LLC; from Dallas County; 5th district (05-08-01584-CV, 328 SW3d 580, 07-27-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 13, 2012.]

Time allotted to argue: 20/20 minutes

11-0104 KOPPLOW DEVELOPMENT, INC. v. THE CITY OF SAN ANTONIO; from Bexar County; 4th district (04-09-00403-CV, 335 SW3d 288, 11-03-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 13, 2012.]

Time allotted to argue: 20/20 minutes

11-0228 BYRON D. NEELY, INDIVIDUALLY AND BYRON D. NEELY, M.D., P.A. v. NANCI WILSON, CBS STATIONS GROUP OF TEXAS, L.P., D/B/A KEYE-TV AND VIACOM, INC.; from Travis County; 3rd district (03-08-00495-CV, 331 SW3d 900, 02-09-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 13, 2012.]

Time allotted to argue: 20/20 minutes

(Justice Hecht not sitting)

11-0252 AARON FELTON v. BROCK LOVETT, D.C.; from Potter County; 7th district (07-10-00197-CV, 333 SW3d 389, 01-27-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 13, 2012.]

Time allotted to argue: 20/20 minutes

(Justice Johnson not sitting)

11-0270 SOUTHERN CRUSHED CONCRETE, LLC v. CITY OF HOUSTON; from Harris County; 14th district (14-09-00873-CV, ___ SW3d ___, 11-17-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 15, 2012.]

Time allotted to argue: 20/20 minutes

11-0311 NELDA GONZALES v. SOUTHWEST OLSHAN FOUNDATION REPAIR COMPANY, LLC, D/B/A OLSHAN FOUNDATION REPAIR COMPANY; from Bexar County; 4th district (04-09-00232-CV, 345 SW3d 431, 01-19-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 15, 2012.]

Time allotted to argue: 20/20 minutes

11-0312 THE STATE OF TEXAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION v. NICO-WF1, L.L.C.; from Cameron County; 13th district (13-09-00315-CV, ___ SW3d ___, 12-16-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 16, 2012.]

Time allotted to argue: 20/20 minutes

(Justice Johnson not sitting)

11-0394 LENNAR CORPORATION, LENNAR HOMES OF TEXAS SALES & MARKETING LTD. AND LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD. v. MARKEL AMERICAN INSURANCE COMPANY; from Harris County; 14th district (14-10-00008-CV, 342 SW3d 704, 04-19-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 16, 2012.]

Time allotted to argue: 20/20 minutes

11-0441 IN RE MICHAEL N. BLAIR

[**Note:** This case has been set for oral argument at 9:00 a.m., October 17, 2012.]

Time allotted to argue: 20/20 minutes

11-0473 TRACFONE WIRELESS, INC. AND VIRGEN MOBILE USA, L.P. v. COMMISSION ON STATE EMERGENCY COMMUNICATIONS; from Travis County; 3rd district (03-10-00111-CV, 343 SW3d 233, 05-05-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 17, 2012.]

Time allotted to argue: 20/20 minutes

11-0517 CERTIFIED EMS, INC. D/B/A CPNS STAFFING v. CHERIE POTTS; from Harris County; 1st district (01-10-00106-CV, 355 SW3d 683, 05-19-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., October 17, 2012.]

Time allotted to argue: 20/20 minutes

11-0549 GEOFFREY DUGGER v. MARY ANN ARREDONDO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF JOEL MARTINEZ, DECEASED; from Dallas County; 5th district (05-09-00625-CV, 347 SW3d 757, 05-31-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 6, 2012.]

Time allotted to argue: 20/20 minutes

11-0554 CITY OF LORENA, TEXAS v. BMTP HOLDINGS, L.P.; from McLennan County; 10th district (10-09-00146-CV, 359 SW3d 239, 06-01-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 6, 2012.]

Time allotted to argue: 20/20 minutes

11-0630 TTHR LIMITED PARTNERSHIP D/B/A PRESBYTERIAN HOSPITAL OF DENTON v. CLAUDIA MORENO, INDIVIDUALLY AND AS NEXT FRIEND OF F.C., A MINOR; from Denton County; 2nd district (02-10-00334-CV, ___ SW3d ___, 07-07-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 6, 2012.]

Time allotted to argue: 20/20 minutes

11-0708 HAL RACHAL, JR. v. JOHN W. REITZ; from Dallas County; 5th district
(05-09-01422-CV, 347 SW3d 305, 07-22-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 7, 2012.]

Time allotted to argue: 20/20 minutes

11-0713 IN THE INTEREST OF E.N.C., J.A.C., S.A.L., N.A.G. AND C.G.L.; from Lamar
County; 6th district (06-10-00131-CV, ___ SW3d ___, 08-16-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., September 12, 2012.]

Time allotted to argue: 20/20 minutes

11-0767 MICHAEL ROBERT TEDDER v. GARDNER ALDRICH, LLP; from Tarrant
County; 2nd district (02-10-00115-CV, ___ SW3d ___, 08-11-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 7, 2012.]

Time allotted to argue: 20/20 minutes

11-0903 IN RE NALLE PLASTICS FAMILY LIMITED PARTNERSHIP; from Nueces
County; 13th district (13-11-00525-CV, ___ SW3d ___, 10-19-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 7, 2012.]

Time allotted to argue: 20/20 minutes

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0548 JIMMY GLEN RIEMER, RICHARD COON, JR., JUNE MEETZE COON TRUST, JOHNSON BORGER RANCH PARTNERSHIP AND W.R. EDWARDS, JR. D/B/A W.R. EDWARDS, JR. OIL AND GAS ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED v. THE STATE OF TEXAS AND JERRY PATTERSON, AS COMMISSIONER OF THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; from Hutchinson County; 7th district (07-10-00037-CV, 342 SW3d 809, 05-27-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 6, 2012.]

Time allotted to argue: 20/20 minutes

(Chief Justice Jefferson not sitting)

11-0642 THE STATE OF TEXAS v. NINETY THOUSAND TWO HUNDRED THIRTY-FIVE DOLLARS AND NO CENTS IN UNITED STATES CURRENCY (\$90,235) AND 2000 BLACK LINCOLN NAVIGATOR VIN: 5LMPU28A7YLJ10865; from El Paso County; 8th district (08-09-00151-CV, 346 SW3d 737, 05-27-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., November 7, 2012.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

10-1027 CHARLES MACHINE WORKS, INC. v. BUTLER RENTAL & SALES, INC.; from Nueces County; 13th district (13-09-00103-CV, 327 SW3d 779, 10-14-10)

11-0260 LORI COLLINS v. INDEMNITY INSURANCE COMPANY OF NORTH AMERICA; from Bexar County; 4th district (04-09-00671-CV, ___ SW3d ___, 04-27-11)

11-0815 MAERSK LINE, LIMITED v. MIGUEL RUIZ, JOHN CRONAN AND RICHARD E. HICKS; from Harris County; 1st district (01-10-00516-CV, 355 SW3d 387, 08-25-11)
stay order issued November 18, 2011, lifted

- 11-0895 NILDA RODRIGUEZ v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Bell County; 3rd district (03-10-00361-CV, ___ SW3d ___, 08-04-11)
- 11-0940 PATRICIA KALLENBERGER SINGLETON, ET AL. v. ERNESTINE NICHOLS AND TRAVIS AVENUE BAPTIST CHURCH; from Tarrant County; 2nd district (02-10-00060-CV, ___ SW3d ___, 08-18-11)
- 11-0953 CARL J. NICHOLS v. COUNTY OF DALLAS, ET AL.; from Dallas County; 5th district (05-09-01426-CV, ___ SW3d ___, 10-24-11)
- 12-0117 ROBERT E. INGLE v. H. JAY HASSELL, M.D.; from Bexar County; 4th district (04-11-00017-CV, ___ SW3d ___, 10-12-11)
- 12-0123 PENNY JEAN, INDIVIDUALLY AS WRONGFUL DEATH BENEFICIARY OF WILLIE ANN JEAN, DECEASED AND ON BEHALF OF THE ESTATE OF WILLIE ANN JEAN, DECEASED, AND ON BEHALF OF ALL WRONGFUL DEATH BENEFICIARIES OF WILLIE ANN JEAN, DECEASED v. VASUDEV SHENOY, M.D. AND DARIO ZUNIGA, M.D.; from Harris County; 1st district (01-10-01116-CV, ___ SW3d ___, 12-29-11)
- 12-0228 ANSELMO BENAVIDES, ANTONIO BENAVIDES, AND A.T. TRUCKING L.L.P. v. ARMANDO BENAVIDES; from Jim Wells County; 4th district (04-11-00252-CV, ___ SW3d ___, 11-09-11)
- 12-0309 JAMES R. KARNEI v. ROGER CAMACHO; from Goliad County; 13th district (13-11-00148-CV, ___ SW3d ___, 01-26-12)
- 12-0370 BILLIE LEON STRINGHAM v. CHASE HOME FINANCE, LLC; from Harris County; 14th district (14-11-01021-CV, ___ SW3d ___, 05-08-12)

ORDERS ON MOTIONS FOR REHEARING

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

11-0475 EDWARD A. COPLEY, AS INDEPENDENT EXECUTOR OF THE ESTATE OF BELTON KLEBERG JOHNSON, DECEASED, ET AL. v. SARA JOHNSON PITT, ET AL.; from Bexar County; 4th district
(04-08-00079-CV, 340 SW3d 769, 02-16-11)

(Justice Hecht not sitting)

11-0504 SOUTHWEST RESEARCH INSTITUTE v. PRESSURE SYSTEMS INTERNATIONAL, INC. AND EQUALAIRE SYSTEMS, INC.; from Bexar County; 4th district (04-10-00243-CV, 350 SW3d 212, 05-25-11)
as corrected

12-0048 LYNDA W. TOMLINSON AND HUSBAND, DAVID TOMLINSON v. JOHN MCCOMAS, CYNTHIA "CISSY" WILSON, MARVIN JENSEN, TOM ROMAN AND MIKE ROBINIUS; from Hood County; 2nd district
(02-11-00175-CV, ___ SW3d ___, 11-17-11)

12-0067 ADRIENNE GALLIEN v. HOUSTON INDEPENDENT SCHOOL DISTRICT; from Harris County; 1st district (01-10-00485-CV, ___ SW3d ___, 07-07-11)

12-0105 EX PARTE DAVID FRANK BURRIS; from Dallas County

12-0148 DONGSHENG HUANG v. PINEY CREEK RRG, ET AL.; from Harris County; 14th district (14-11-00009-CV, ___ SW3d ___, 12-01-11)

12-0151 NACHIAPPAN SUBBIAH MUTHUKUMAR v. NISSAN NORTH AMERICA; from Dallas County; 5th district (05-11-01059-CV, ___ SW3d ___, 02-14-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0403 IN RE WILLIAM HAYES WYTTENBACH; from Hidalgo County; 13th district
(13-12-00191-CV, ___ SW3d ___, 03-27-12)
- 12-0434 IN RE ROY A. MATA AND GILBERT E. GARCIA; from Harris County; 14th
district (14-12-00460-CV, ___ SW3d ___, 05-18-12)
immediate emergency relief denied

**THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS
IS DENIED:**

- 12-0260 IN RE COLLEEN MYERS; from McLennan County; 10th district
(10-12-00052-CV, ___ SW3d ___, 02-22-12)
motion to stay proceedings denied

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

**THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY
APPEALS IS DISMISSED:**

- 12-0350 COMMISSION FOR LAWYER DISCIPLINE v. LEONARD CARDENAS, III
motion to dismiss appeal granted

THE SUPREME COURT OF TEXAS

Orders Pronounced June 27, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0498 IN RE JOEL MALLORY; from Smith County; 12th district
(12-12-00195-CV, ___ SW3d ___, 06-25-12)
motion for emergency relief in the form of interim orders denied

THE SUPREME COURT OF TEXAS

Orders Pronounced June 29, 2012

ORDERS ON CAUSES

09-0905 LARRY YORK D/B/A YORK TANK TRUCKS v. STATE OF TEXAS AND WISE COUNTY, TEXAS; from Wise County; 2nd district (02-08-00118-CV, 298 SW3d 735, 09-24-09)
motion to strike dismissed as moot

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

Justice Hecht delivered the opinion of the Court.

10-0506 FORD MOTOR COMPANY v. PATRICIA CHACON, ET AL.; from El Paso County; 8th district (08-08-00173-CV, 321 SW3d 534, 05-19-10)

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 renders judgment.

Per Curiam Opinion

10-0554 AMERICAN ZURICH INSURANCE COMPANY v. DANIEL SAMUDIO; from Harris County; 1st district (01-08-00233-CV, 317 SW3d 336, 02-11-10)

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

Justice Lehrmann delivered the opinion of the Court.

10-0603 TEXAS WEST OAKS HOSPITAL, LP AND TEXAS HOSPITAL HOLDINGS, LLC v. FREDERICK WILLIAMS; from Harris County; 14th district (14-10-00091-CV, 322 SW3d 349, 06-24-10)

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

Justice Wainwright delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Green, Justice Johnson, and Justice Guzman joined.

Justice Lehrmann delivered a dissenting opinion, in which Justice Medina and Justice Willett joined.

10-0750 ROBERT SUTHERLAND, JESUS DE LA GARZA AND SOUTHERN CUSTOMS PAINT AND BODY v. ROBERT KEITH SPENCER; from Nueces County; 13th district (13-09-00198-CV, ___ SW3d ___, 08-12-10)

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 that court.

Justice Green delivered the opinion of the Court, in which Justice Hecht, Justice Wainwright, Justice Medina, Justice Johnson, Justice Guzman, and Justice Lehrmann joined.

Chief Justice Jefferson delivered a dissenting opinion, in which Justice Willett joined.

10-0802 MISSION CONSOLIDATED INDEPENDENT SCHOOL DISTRICT v. GLORIA GARCIA; from Hidalgo County; 13th district (13-09-00458-CV, ___ SW3d ___, 05-27-10)

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

Justice Willett delivered the opinion of the Court, in which Justice Hecht, Justice Wainwright, Justice Green, Justice Johnson, and Justice Guzman joined.

Chief Justice Jefferson delivered a dissenting opinion, in which Justice Medina and Justice Lehrmann joined.

10-0960 IN RE XL SPECIALTY INSURANCE COMPANY AND CAMBRIDGE
INTEGRATED SERVICES GROUP, INC.; from Dallas County; 5th district
(05-10-01067-CV, ___ SW3d ___, 10-27-10)
stay order issued December 17, 2010, lifted

The Court denies the petition for writ of mandamus.

Chief Justice Jefferson delivered the opinion of the Court, in which Justice Hecht,
Justice Wainwright, Justice Medina, Justice Green, Justice Johnson, Justice Guzman,
and Justice Lehrmann joined.

Justice Willett delivered a dissenting opinion.

11-0288 JERRY MCGINTY AND VILLAS BY DESIGN, INC. v. THOMAS J. HENNEN;
from Harris County; 14th district (14-08-00983-CV, 335 SW3d 642, 01-20-11)

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 renders judgment.

Per Curiam Opinion

11-0348 MICHAEL B. WANSEY, INDIVIDUALLY AND D/B/A RIO GRANDE
DEFENSIVE DRIVING SCHOOL v. CHERYL D. HOLE; from Hidalgo County;
13th district (13-09-00637-CV, ___ SW3d ___, 04-07-11)

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 renders judgment.

Per Curiam Opinion

11-0367 CITY OF NORTH RICHLAND HILLS, TEXAS v. LAURA FRIEND,
INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE
OF SARAH FRIEND, DECEASED AND LUTHER FRIEND, INDIVIDUALLY;
from Tarrant County; 2nd district (02-09-00166-CV, 337 SW3d 387, 02-24-11)

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

Justice Lehrmann delivered the opinion of the Court.

11-0400 REDDY PARTNERSHIP/5900 NORTH FREEWAY LP AND REDDY PARTNERSHIP, ET AL. v. HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 14th district (14-10-00064-CV, ___ SW3d ___, 01-13-11)

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

11-0519 EVANSTON INSURANCE COMPANY v. LEGACY OF LIFE, INC.

The Court answers the questions certified by the United States Court of Appeals for the Fifth Circuit.

Justice Guzman delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0425 PETROLEUM SOLUTIONS, INC. v. BILL HEAD D/B/A BILL HEAD ENTERPRISES AND TITFLEX CORPORATION; from Hidalgo County; 13th district (13-09-00204-CV, ___ SW3d ___, 04-29-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., December 4, 2012.]

Time allotted to argue: 20/20 minutes

11-0686 TEXAS ADJUTANT GENERAL'S OFFICE v. MICHELE NGAKOUE; from Travis County; 3rd district (03-09-00087-CV, ___ SW3d ___, 04-29-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., December 4, 2012.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0729 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. CITY OF WACO; from Travis County; 3rd district (03-09-00005-CV, 346 SW3d 781, 06-17-11)
- 11-0734 MIKE AND JANET GAINES, INDIVIDUALLY, AND AS NEXT FRIENDS FOR MARTHA MICHELLE GAINES, NON-COMPOS MENTIS v. JOSEPH P. PRITCHETT; from Anderson County; 12th district (12-10-00167-CV, ___ SW3d ___, 07-13-11)
- 11-0737 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. BOSQUE RIVER COALITION; from Travis County; 3rd district (03-10-00475-CV, 347 SW3d 366, 08-02-11)
- 11-0856 HOME FURNISHINGS, INC., GEORGE C. BURNETT, JR. AND MARIE E. BURNETT v. JPMORGAN CHASE BANK, N.A.; from Tarrant County; 7th district (07-10-00012-CV, ___ SW3d ___, 06-24-11)
- 12-0139 FRANK CASTRO AND TERRI CASTRO v. WESLEY CARL RETHERFORD, JR. D/B/A WHOLE HOUSE INSPECTION COMPANY; from Coryell County; 10th district (10-10-00298-CV, ___ SW3d ___, 01-04-12)
- 12-0167 CITY OF CHINA GROVE v. MAC S. MORRIS, JR.; from Bexar County; 4th district (04-10-00763-CV, ___ SW3d ___, 11-23-11)
- 12-0204 ASTON MEADOWS, LTD., A TEXAS LIMITED PARTNERSHIP, MONTCLAIRE CUSTOM HOMES, L.P., A TEXAS LIMITED PARTNERSHIP, PETER PAULSEN, STEVE PAULSEN, MIKE WELLS, KATHRYN LEBLANC, DONALD LEBLANC, NATALIE J. WARNICK, JAMES S. WARNICK AND KATHY IVEY v. DEVON ENERGY PRODUCTION COMPANY, L.P. AND DEVON ENERGY CORPORATION; from Tarrant County; 2nd district (02-10-00370-CV, 359 SW3d 856, 01-26-12)
- 12-0239 DEBRA SAVELL, INDEPENDENT EXECUTOR OF THE ESTATE OF FREDERICK D. HOYT, DECEASED v. FREDERICK L. HOYT AND PATRICIA HOYT; from Aransas County; 13th district (13-10-00490-CV, ___ SW3d ___, 12-01-11)
- 12-0325 BILLIE LEON STRINGHAM v. VICKI BUTLER, ET AL.; from Harris County; 1st district (01-10-01147-CV, ___ SW3d ___, 03-29-12)

12-0386 TOWN OF DOUBLE OAK, TEXAS v. MICHAEL MCDANIEL; from Denton County; 2nd district (02-10-00452-CV, ___ SW3d ___, 03-01-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

10-0934 IN RE SHEILA KENNEDY; from Harris County; 14th district
(14-10-00229-CV, ___ SW3d ___, 07-16-10)
stay order issued December 3, 2010, lifted

10-1050 IN RE ADRIAN HARDING; from Brazoria County; 14th district
(14-10-00104-CV, ___ SW3d ___, 07-26-10)
stay order issued January 14, 2011, lifted

12-0416 IN RE SHANNON LEE SIMON; 10th district
(10-12-00096-CV, ___ SW3d ___, 03-21-12)

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

10-0935 IN RE RICHARD STURGEON
agreed motion to dismiss mandamus granted

THE SUPREME COURT OF TEXAS

Orders Pronounced July 6, 2012

ORDERS ON CAUSES

11-0282 IN THE INTEREST OF E.R., J.B., E.G., AND C.L., CHILDREN; from Dallas County; 5th district (05-09-01505-CV 335 SW3d 816, 03-03-11)

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

Chief Justice Jefferson delivered the opinion of the Court.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0236 MCCLENNON COOK v. ROBIN M. MOUNTAIN AND TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKER'S COMPENSATION; from Tarrant County; 2nd district (02-10-00465-CV, ___ SW3d ___, 01-12-12)
motion for leave of an out-of-time appeal dismissed as moot

12-0247 LEOPOLD MALACHOWITSCH v. EXPO MOTORCARS, L.P., EXPO HOLDINGS, L.P., AND EXPO MOTORCARS, L.L.C.; from Harris County; 14th district (14-11-00486-CV, ___ SW3d ___, 01-10-12)

12-0286 CAROLE BULLOCK v. AMERICAN HEART ASSOCIATION; from Dallas County; 5th district (05-10-00847-CV, 360 SW3d 661, 01-31-12)
as redrafted

12-0310 JENNIFER BROWNE v. CITY OF SAN ANTONIO; from Bexar County; 4th district (04-11-00219-CV, ___ SW3d ___, 01-04-12)

12-0339 CAMMACK THE COOK, L.L.C., JASON CAMMACK, LAUREN CAMMACK AND MILTON CAMMACK v. MARTA BEYEN EASTBURN; from Gregg County; 6th district (06-11-00062-CV, ___ SW3d ___, 03-06-12)

12-0341 ELNORA MOSES v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Denton County; 2nd district (02-11-00426-CV, ___ SW3d ___, 03-15-12)
as corrected

- 12-0344 TIMOTHY W. BUCHANAN v. DANA COOLEY; from Borden County; 11th district
(11-11-00129-CV, ___ SW3d ___, 03-08-12)
- 12-0345 TIMOTHY WAYNE SPANN AND AMANDA SPANN v. JUDITH M.
HENDERSON; from Lubbock County; 7th district
(07-11-00133-CV, ___ SW3d ___, 02-22-12)
- 12-0387 SAROSH MANAGEMENT, LLC D/B/A A-Z FOOD MART A/K/A ZRS
MANAGEMENT, INC. v. EAST CENTRAL INDEPENDENT SCHOOL DISTRICT;
from Bexar County; 8th district (08-10-00201-CV, ___ SW3d ___, 02-22-12)
- 12-0393 NACHIAPPAN SUBBIAH MUTHUKUMAR v. SANTA ROSA APARTMENTS;
from Dallas County; 5th district (05-11-00151-CV, ___ SW3d ___, 04-25-12)
- 12-0422 IN THE INTEREST OF A.J.J.M., A CHILD; from Mitchell County; 11th district
(11-11-00202-CV, ___ SW3d ___, 04-12-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0944 DAVID SAVERSE v. THE CITY OF AUSTIN; from Travis County; 3rd district
(03-11-00330-CV, ___ SW3d ___, 09-30-11)
- 11-0988 ALBERT JASIK v. ARTHUR MAURICIO AND BEATRICE MAURICIO; from
Atascosa County; 4th district (04-10-00520-CV, ___ SW3d ___, 08-31-11)
- 11-0992 CONSOLIDATED GASOLINE, INC., AND BILLY DELP III v. G4 TRUST,
GROVER GIBSON, TRUSTEE; from Tarrant County; 2nd district
(02-10-00404-CV, ___ SW3d ___, 08-31-11)
- 12-0147 TOM FRANKLIN v. U.S. BANK NATIONAL ASSOCIATION; from Tarrant
County; 2nd district (02-11-00372-CV, ___ SW3d ___, 01-26-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0435 IN RE KEVIN LYNN REVELS; from Coryell County

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

11-0882 IN RE ENSCO INTERNATIONAL INCORPORATED; from Dallas County; 5th district (05-11-01292-CV, ___ SW3d ___, 10-10-11)
unopposed motion to dismiss mandamus granted

THE MOTION FOR STAY IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS
IS DENIED:

12-0219 IN RE THE SMILE CENTER, P.A., SMILE CENTER DENTAL, P.A., STEPHEN SIMPTON, D.D.S. AND SONG H. HONG, D.D.S.; from Bexar County; 4th district (04-12-00122-CV, ___ SW3d ___, 03-07-12)
second motion for emergency stay denied

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

THE SUPREME COURT OF TEXAS

Orders Pronounced July 13, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0278 PIOQUINTO RAMON DAVILA v. JUAN GERARDO OLIVA; from Webb County; 4th district (04-10-00566-CV, ___ SW3d ___, 12-14-11)
- 12-0373 TIMOTHY W. BUCHANAN v. BRENT MURPHY; from Borden County; 11th district (11-11-00058-CV, ___ SW3d ___, 03-08-12)
- 12-0423 IN THE INTEREST OF J.A.M., JR., A CHILD; from Uvalde County; 4th district (04-11-00165-CV, ___ SW3d ___, 05-09-12)
- 12-0430 M-E ENGINEERS, INC. AND ALLEN Y. TOCHIHARA v. CITY OF TEMPLE; from Bell County; 3rd district (03-11-00334-CV, 365 SW3d 497, 04-11-12)
- 12-0433 QI, LLC AND MICAH MORGAN v. ROBERT E. SWALLOW AND SHARON J. SWALLOW; from Harris County; 14th district (14-10-00859-CV, ___ SW3d ___, 03-20-12)

THE FOLLOWING PETITIONS FOR REVIEW ARE ABATED:

- 11-0541 DYNEGY INC. v. TERRY W. YATES, INDIVIDUALLY AND TERRY W. YATES, P.C.; from Harris County; 4th district (04-10-00041-CV, 345 SW3d 516, 02-23-11)
2 petitions
abatement order issued

[**Note:** Effective as of July 6, 2012, 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 and 8.3. The Court directs the parties to notify the Court of all events affecting the status of this case, and, in any event, to file a status report by January 14, 2013.]

(Justice Guzman not sitting)

12-0311 BARBARA MARINO, M.D. v. WENDY WILKINS; from Harris County; 1st district
(01-11-00835-CV, ___ SW3d ___, 03-08-12)
abatement order issued

[**Note:** Effective as of June 27, 2012, 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 and 8.3. The Court directs the parties to notify the Court of all events affecting the status of this case, and, in any event, to file a status report by January 14, 2013.]

ORDERS ON MOTIONS FOR REHEARING

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

12-0182 LI LI D/B/A VILLA RESIDENTIAL DESIGN STUDIO v. 1821 WEST MAIN
DEVELOPMENT, LLC; from Harris County; 14th district
(14-10-01227-CV, ___ SW3d ___, 11-29-11)

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

12-0021 AGUSTIN ZURITA AND AZ RESTAURANT VENTURES, LLC v. SVH-1
PARTNERS, LTD.; from Travis County; 3rd district
(03-10-00650-CV, ___ SW3d ___, 12-08-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0359 IN RE MATINEE MEDIA CORPORATION, MAGNOLIA RADIO
CORPORATION, RICK DEITRICK AND GREG SHAPIRO; from Starr County; 4th
district (04-12-00135-CV, ___ SW3d ___, 05-03-12)
emergency motion for temporary relief denied

12-0455 IN RE ROGER K. PARSONS; from Tarrant County; 2nd district
(02-10-00131-CV, ___ SW3d ___, 02-02-12)

12-0480 IN RE JOSEPH R. WILLIE, II AND SHALANDA D. MOORE; from Travis County;
3rd district (03-12-00150-CV, ___ SW3d ___, 03-23-12)

12-0482 IN RE ROBERT C. MORRIS

12-0535 IN RE TRACY BROWN; from Harris County; 1st district
emergency motion to stay denied

12-0555 IN RE JOSEPH R. WILLIE, II AND SHALANDA D. MOORE; from Travis County;
3rd district (03-12-00386-CV, ___ SW3d ___, 07-06-12)
motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced July 20, 2012

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

- 09-0745 FREEDOM COMMUNICATIONS, INC., D/B/A THE BROWNSVILLE HERALD AND VALLEY MORNING STAR v. JUAN ANTONIO CORONADO, ET AL.; from Cameron County; 13th district (13-08-00628-CV, 296 SW3d 790, 08-14-09) unopposed motion to Issue mandate granted

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

- 12-0293 RALPH KELLY v. FIRST STATE BANK CENTRAL TEXAS; from Bell County; 3rd district (03-10-00460-CV, ___ SW3d ___, 12-30-11) joint motion to dismiss petition for review granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without hearing oral argument or considering the merits, the Court sets aside the judgments of the court of appeals and the trial court, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 11-0804 EDWIN C. OLSEN IV v. COMMISSION FOR LAWYER DISCIPLINE; from Dallas County; 5th district (05-09-00945-CV, 347 SW3d 876, 08-09-11)
- 12-0265 TODD-WARREN ALTSCHUL v. TDCJ - INMATE TRUST FUND DIVISION; from Walker County; 10th district (10-11-00084-CV, ___ SW3d ___, 03-14-12) as reinstated

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0782 JOSLYN M. JOHNSON, INDIVIDUALLY AND AS EXECUTRIX FOR THE ESTATE OF RODNEY JOHNSON, DECEASED v. CITY OF HOUSTON; from Harris County; 14th district (14-10-01098-CV, 353 SW3d 499, 08-16-11)
- 12-0033 HERMELINDA GARZA v. RAFAEL CRUZ; from Bexar County; 4th district (04-11-00047-CV, ___ SW3d ___, 11-02-11)
- 12-0036 HERMELINDA GARZA v. BOBBY D. BARNES AND SHARON L. BARNES; from Bexar County; 4th district (04-11-00328-CV, ___ SW3d ___, 11-02-11)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

- 12-0498 IN RE JOEL MALLORY; from Smith County; 12th district (12-12-00195-CV, ___ SW3d ___, 06-25-12)
supplemental emergency motion for interim relief or alternatively, motion to reurge emergency motion for interim relief, denied

MISCELLANEOUS

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

- 12-0529 IN RE PETER MARCUS JONTE; from Harris County
motion for emergency stay granted
request to rule on previously filed motion for emergency stay dismissed as moot
stay order issued

[**Note:** The petitions for writ of mandamus in case nos. 12-0049 and 12-0529 remain pending before this Court.]

THE SUPREME COURT OF TEXAS

Orders Pronounced July 27, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0296 IN THE INTEREST OF E.A.G., Y.M.G., C.G.G., V.G.G., S.G., AND D.A.G., MINOR CHILDREN; from Webb County; 4th Court of Appeals District (04-11-00448-CV, ___ SW3d ___, 02-29-12)
2 petitions
- 12-0336 ROBERT NICHOLAS DONAHUE v. POLARIS INDUSTRIES, INC.; from Denton County; 2nd Court of Appeals District (02-11-00279-CV, ___ SW3d ___, 03-29-12)
- 12-0352 BEVERLY BECKETT AND BRIAN BECKETT, CO-TRUSTEE OF THE JERRY B. BECKETT TRUSTS v. TEXIE BECKETT CARSON NASH, INDIVIDUALLY AND AS TRUSTEE OF THE CLINTIS MURL BECKETT, III, TRUST, AND THE C.M. BECKETT, JR., TRUST, AND CLINTIS MURL BECKETT, III; from Harrison County; 6th Court of Appeals District (06-11-00025-CV, 365 SW3d 131, 03-23-12)
- 12-0420 CHRISTOPHER CASTLEBERRY v. NEW HAMPSHIRE INSURANCE COMPANY; from Morris County; 6th Court of Appeals District (06-11-00123-CV, ___ SW3d ___, 04-25-12)
- 12-0436 RONALD WAYNE BUNTON v. BENEFICIAL TEXAS, INC., ITS SUCCESSORS AND ASSIGNS; from Liberty County; 9th Court of Appeals District (09-11-00603-CV, ___ SW3d ___, 03-29-12)
- 12-0463 ZACHARIAH MANNING AND INTRAREALTY, INC. D/B/A INTRAREALTY v. LITTON LOAN SERVICING, LP; from Dallas County; 5th Court of Appeals District (05-10-00675-CV, 366 SW3d 837, 04-26-12)

- 12-0464 NATHAN P. PHILIPPELLO AND SHARI K. PHILIPPELLO v. BRETT G. TAYLOR, THE BILL W. CLEMENTS AND VELMA F. CLEMENTS REVOCABLE LIVING TRUST, BILLY R. CLEMENTS, AND LARRY B. CLEMENTS; from Robertson County; 10th Court of Appeals District (10-11-00014-CV, ___ SW3d ___, 04-25-12)
- 12-0492 APPLIED MACHINERY CORPORATION v. KROBAR DRILLING, L.L.C.; from Harris County; 1st Court of Appeals District (01-10-01016-CV, ___ SW3d ___, 05-03-12)
- 12-0503 KAREN B. DYER AND RUSSELL A. DYER v. ACCREDITED HOME LENDERS, INC.; from Denton County; 2nd Court of Appeals District (02-11-00046-CV, ___ SW3d ___, 02-02-12)
- 12-0562 IN THE INTEREST OF D.A.T., K.J.T., T.D.T. AND S.S.T.; from Tarrant County; 2nd Court of Appeals District (02-10-00335-CV, ___ SW3d ___, 05-31-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 11-0744 CHANDRASHEKHAR B. THANEDAR v. DONNA INDEPENDENT SCHOOL DISTRICT; from Hidalgo County; 13th Court of Appeals District (13-09-00589-CV, ___ SW3d ___, 08-18-11)
- 12-0011 JAMES WILES, ET AL. v. FORD MOTOR COMPANY; from Dallas County; 5th Court of Appeals District (05-09-01141-CV, 353 SW3d 198, 06-30-11)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 12-0448 IN RE WESLEY RAY GIBSON A/K/A WESLEY RAY ROGERS; from Hunt County; 5th Court of Appeals District (05-12-00556-CV, 05-12-00557-CV, ___ SW3d ___, 05-07-12)
- 12-0504 IN RE KRISTIN WILKINSON; from Harris County; 1st Court of Appeals District (01-11-00911-CV, ___ SW3d ___, 11-18-11)
- 12-0519 IN RE NATHANIEL JONES, III; from Harris County; 14th Court of Appeals District (14-10-00554-CV, ___ SW3d ___, 07-14-11)

THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY APPEALS IS DISMISSED:

- 11-0577 IN THE MATTER OF ANNETTE R. LOYD

THE SUPREME COURT OF TEXAS

Orders Pronounced August 3, 2012

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 12-0120 MARK T. WOMACK v. ARCADIO D. RODRIGUEZ; from Harris County; 14th Court of Appeals District (14-10-01213-CV, ___ SW3d ___, 01-05-12)
- 12-0426 PAUL OUZENNE v. CARNELL HAYNES; from Harris County; 1st Court of Appeals District (01-10-00112-CV, ___ SW3d ___, 04-12-12)
- 12-0439 JOHN L. TREGRE v. HARRIS COUNTY; from Harris County; 14th Court of Appeals District (14-10-01115-CV, ___ SW3d ___, 04-17-12)
- 12-0442 FRANKLIN L. COX v. JESUS J. ROJAS AND JESUS J. ROJAS, JR.; from Dallas County; 5th Court of Appeals District (05-10-01572-CV, ___ SW3d ___, 04-18-12)
- 12-0530 VICTORIA CARTER v. CITY OF ABILENE; from Taylor County; 11th Court of Appeals District (11-11-00137-CV, ___ SW3d ___, 05-03-12)
- 12-0603 IN THE INTEREST OF J.D.S, JR., K.L.S. AND D.A.S., CHILDREN; from Tarrant County; 2nd Court of Appeals District (02-11-00272-CV, ___ SW3d ___, 06-14-12)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0538 IN RE DARIUS LEMON

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

12-0206 IN RE FRANK E. FOSTER, JR. AND FEF FAMILY LIMITED PARTNERSHIP;
from Harris County; 1st Court of Appeals District (01-11-01081-CV, ___ SW3d ___,
02-23-12)

relators' unopposed motion to dismiss petition for writ of mandamus granted
motion for temporary relief and stay dismissed as moot

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

12-0636 IN RE MELISSA BLEVINS; from Somervell County; 10th Court of Appeals District
(10-12-00136-CV, ___ SW3d ___, 08-02-12)

motion for emergency relief granted
stay order issued
response requested due by August 13, 2012

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

**THE FOLLOWING APPEAL FROM A DECISION OF THE BOARD OF DISCIPLINARY
APPEALS IS DISMISSED:**

12-0149 DANIEL A. BASS v. COMMISSION FOR LAWYER DISCIPLINE

THE SUPREME COURT OF TEXAS

Orders Pronounced August 10, 2012

ORDERS ON CASES GRANTED

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

12-0626 GARY SAWYER; DOUG KEMPF; PETER BARNABA, SR.; GEOFF RORREV; TIM GREGORY; ET AL. v. E. I. DUPONT DE NEMOURS & CO.

[**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:

12-0284 MICHAEL L. MALONE v. THE STATE OF TEXAS; from Tarrant County; 2nd Court of Appeals District (02-10-00383-CV, ___ SW3d ___, 12-08-11)

12-0481 ELRIDGE VANDERHORST HILLS, JR. v. BELL COUNTY LAW ENFORCEMENT CENTER, ET AL.; from Bell County; 3rd Court of Appeals District (03-11-00482-CV, ___ SW3d ___, 03-15-12)

12-0533 GREGORY S. STRANGE v. SHANE ALLEN, ET AL.; from Collin County; 5th Court of Appeals District (05-11-00881-CV, ___ SW3d ___, 05-17-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 10-1027 CHARLES MACHINE WORKS, INC. v. BUTLER RENTAL & SALES, INC.; from Nueces County; 13th Court of Appeals District (13-09-00103-CV, 327 SW3d 779, 10-14-10)
- 11-1024 DAVID MCQUADE LEIBOWITZ AND DAVID MCQUADE LEIBOWITZ, P.C. v. COUNSEL FINANCIAL SERVICES, L.L.C.; from Hidalgo County; 13th Court of Appeals District (13-10-00200-CV, ___ SW3d ___, 07-01-11)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

- 12-0653 IN RE AMERICANOS, U.S.A., L.L.C., GREYHOUND LINES, INC. AND IRMA MORADO; from Cameron County; 13th Court of Appeals District (13-12-00499-CV, ___ SW3d ___, 08-09-12)
emergency motion for stay dismissed

THE SUPREME COURT OF TEXAS

Orders Pronounced August 17, 2012

ORDERS ON CAUSES

11-0596 CITY OF DENTON v. RACHEL PAPER; from Denton County; 2nd Court of Appeals District (02-10-00239-CV, ___ SW3d ___, 05-19-11)

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 renders judgment.

Per Curiam Opinion

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

10-0490 EL APPLE I, LTD. v. MYRIAM OLIVAS; from El Paso County; 8th Court of Appeals District (08-07-00257-CV, 324 SW3d 181, 04-21-10)

motion to modify judgment denied

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

06-1084 BISON BUILDING MATERIALS, LTD. v. LLOYD K. ALDRIDGE; from Harris County; 1st Court of Appeals District (01-05-00330-CV, 263 SW3d 69, 09-14-06)

The Court's opinion and judgment issued April 20, 2012 are withdrawn and the opinion issued this date is substituted. The dissenting opinion issued April 20, 2102 is withdrawn and the opinion of this date is substituted.

The Court affirms the court of appeals' judgment and dismisses the appeal for want of jurisdiction.

Justice Wainwright delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Green, Justice Johnson, Justice Guzman, and Justice Lehrmann joined.

Justice Hecht delivered a dissenting opinion, in which Justice Medina and Justice Willett joined.

09-0901 TEXAS RICE LAND PARTNERS, LTD. AND MIKE LATTA v. DENBURY GREEN PIPELINE-TEXAS, LLC; from Jefferson County; 9th Court of Appeals District (09-09-00002-CV, 296 SW3d 877, 09-24-09)

Justice Wainwright delivered a concurring opinion, in which Justice Johnson joined.

10-0223 CENTOCOR, INC. v. PATRICIA HAMILTON AND THOMAS HAMILTON v. MICHAEL G. BULLEN, M.D.; from Nueces County; 13th Court of Appeals District (13-07-00301-CV, 310 SW3d 476, 03-04-10)

motion for trial costs denied

10-0997 PARADIGM OIL, INC., PACIFIC OPERATORS, INC., PACIFIC OPERATORS OF TEXAS, INC. AND FINLEY OIL WELL SERVICE, INC. v. RETAMCO OPERATING, INC.; from Bexar County; 4th Court of Appeals District (04-09-00230-CV, 330 SW3d 342, 08-31-10)

(Justice Green not sitting)

11-0008 HONORABLE HOPE ANDRADE v. DON VENABLE; from Dallas County; 5th Court of Appeals District (05-10-00303-CV, 365 SW3d 359, 11-15-10)

respondent's motion to vacate judgment and request for stay, being treated as a motion for rehearing, denied

(Justice Hecht , Justice Medina, and Justice Willett not sitting)

11-0348 MICHAEL B. WANSEY, INDIVIDUALLY AND D/B/A RIO GRANDE DEFENSIVE DRIVING SCHOOL v. CHERYL D. HOLE; from Hidalgo County; 13th Court of Appeals District (13-09-00637-CV, ___ SW3d ___, 04-07-11)

11-0434 IN RE DAVID LOPEZ, SR., INDIVIDUALLY AND AS REPRESENTATIVE FOR THE ESTATE OF SAN JUANA LOPEZ, DECEASED, CLAUDIA GRIFALDO, CLARO LOPEZ, DALIA LOPEZ, RAUL LOPEZ, EDUARDO LOPEZ, ROLANDO LOPEZ, DAVID LOPEZ, JR.; from Victoria County; 13th Court of Appeals District (13-11-00290-CV, 366 SW3d 212, 05-31-11)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 11-0161 LARRY T. LONG, L. ALLAN LONG, AND B. VIRGINIA LONG, IN THEIR CAPACITIES AS TRUSTEES OF THE LAWRENCE ALLAN LONG TRUST, THE CHARLES EDWARD LONG TRUST, THE LARRY THOMAS LONG TRUST AND THE JOHN STEPHEN LONG TRUST D/B/A THE LONG TRUSTS v. CASTLE TEXAS PRODUCTION LIMITED PARTNERSHIP; from Rusk County; 12th Court of Appeals District (12-09-00189-CV, 330 SW3d 749, 12-30-10)
unopposed motion to reinstate appeal granted

[**Note:** This case has been set for oral argument at 9:00 a.m., December 6, 2012.]
Time allotted to argue: 20/20 minutes

- 11-0366 ENTERPRISE PRODUCTS PARTNERS, L.P. AND DIXIE PIPELINE COMPANY v. CATHERINE MITCHELL, ET AL.; from Harris County; 1st Court of Appeals District (01-09-00653-CV, 340 SW3d 476, 02-10-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., December 4, 2012.]
Time allotted to argue: 20/20 minutes

(Justice Guzman not sitting)

- 11-0438 JOSE L. ELIZONDO AND GUILLERMINA ELIZONDO v. RONALD D. KRIST, THE KRIST LAW FIRM, P.C., KEVIN D. KRIST AND WILLIAM T. WELLS; from Harris County; 14th Court of Appeals District (14-09-00267-CV, 338 SW3d 17, 12-14-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., December 5, 2012.]
Time allotted to argue: 20/20 minutes

(Justice Hecht not sitting)

11-0483 CHRISTUS HEALTH GULF COAST, CHRISTUS HEALTH SOUTHEAST TEXAS, GULF COAST DIVISION, INC., MEMORIAL HERMANN HOSPITAL SYSTEM AND BAPTIST HOSPITALS OF SOUTHEAST TEXAS v. AETNA, INC. AND AETNA HEALTH, INC.; from Harris County; 14th Court of Appeals District (14-09-01017-CV, 347 SW3d 726, 05-17-11)

Time allotted to argue: 20/20 minutes

[**Note:** This case has been set for oral argument at 9:00 a.m., December 5, 2012.]

11-0772 JOSEPH E. HANCOCK v. EASWARAN P. VARIYAM; from Lubbock County; 7th Court of Appeals District (07-09-00277-CV, 345 SW3d 157, 06-16-11)

Time allotted to argue: 20/20 minutes

[**Note:** This case has been set for oral argument at 9:00 a.m., December 5, 2012.]

11-0796 THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS v. RICHARD LYNN SCHOLER; from Clay County; 2nd Court of Appeals District (02-10-00159-CV, 352 SW3d 48, 06-02-11)

Time allotted to argue: 20/20 minutes

[**Note:** This case has been set for oral argument at 9:00 a.m., December 6, 2012.]

11-0934 LIBERTY MUTUAL INSURANCE COMPANY v. RICKY ADCOCK; from Tarrant County; 2nd Court of Appeals District (02-11-00059-CV, 353 SW3d 246, 10-20-11)

Time allotted to argue: 20/20 minutes

[**Note:** This case has been set for oral argument at 9:00 a.m., December 6, 2012.]

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

11-0317 REGION XIX SERVICE CENTER v. MARIA BANDA; from El Paso County; 8th Court of Appeals District (08-08-00232-CV, 343 SW3d 480, 02-09-11)

11-0546 EMPIRE EQUIPMENT INTERNATIONAL, INC. AND ROBERT RUSSELL v. PIPELINE MACHINERY INTERNATIONAL, L.P.; from Tarrant County; 2nd Court of Appeals District (02-09-00124-CV, ___ SW3d ___, 03-03-11)

11-0677 ANSELL HEALTHCARE PRODUCTS INC. v. UNITED MEDICAL; from Harris County; 1st Court of Appeals District (01-10-00541-CV, 355 SW3d 736, 07-14-11)

11-0682 DENISE SCHIPPERS AND SHARON COX-ESTEP v. MAZAK PROPERTIES, INC., ESTATE OF PAUL MAZAK, II, REBA Y. MAZAK, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PAUL MAZAK, II, DECEASED; from Duval County; 4th Court of Appeals District (04-10-00724-CV, 350 SW3d 294, 07-13-11)

11-0703 CYNTHIA BAZAN v. TEXAS FARM BUREAU MUTUAL INSURANCE COMPANY; from Kerr County; 4th Court of Appeals District (04-10-00546-CV, 351 SW3d 103, 07-27-11)

11-0758 STEVEN DEFTERIOS AND HENRY S. MILLER COMMERCIAL CO. v. DALLAS BAYOU BEND, LTD., ET AL.; from Dallas County; 5th Court of Appeals District (05-08-01726-CV, 350 SW3d 659, 08-19-11)

(Justice Willett not sitting)

11-0801 JANE DOE v. LOUIS A. MESSINA AND CHRISTINE FIELDS; from Harris County; 14th Court of Appeals District (14-10-00419-CV, 349 SW3d 797, 08-26-11)

(Justice Wainwright not sitting)

11-0847 LIFECARE MANAGEMENT SERVICES, L.L.C., AND LIFECARE HOSPITALS OF NORTH TEXAS, L.P., D/B/A LIFECARE HOSPITAL OF FORT WORTH v. CURTIS CHESSER, INDIVIDUALLY, AND THROUGH HIS SPOUSE AND POWER OF ATTORNEY, AVA CHESSER; from Tarrant County; 2nd Court of Appeals District (02-10-00291-CV, 356 SW3d 613, 08-31-11)

11-0851 U.S. LAWNS, INC. v. RODOLFO LUIS CASTILLO, JR. AND YADIRA IVETTE ARROYO; from Hidalgo County; 13th Court of Appeals District (13-10-00669-CV, 347 SW3d 844, 07-28-11)

- 11-0896 E-Z MART STORES, INC., ET AL. v. RONALD HOLLAND'S A-PLUS TRANSMISSION & AUTOMOTIVE, INC., ET AL.; from Bexar County; 4th Court of Appeals District (04-10-00192-CV, 358 SW3d 665, 08-03-11)
2 petitions
- 11-0902 ROBERT SMITH v. CITY OF LUBBOCK AND ST. PAUL FIRE & MARINE INSURANCE COMPANY; from Lubbock County; 7th Court of Appeals District (07-10-00466-CV, 351 SW3d 584, 09-26-11)
- 11-0921 JOHN POLITO v. GREATER SAN ANTONIO TRANSPORTATION COMPANY; from Bexar County; 4th Court of Appeals District (04-10-00330-CV, ___ SW3d ___, 07-20-11)
- 11-1027 MITCHELL ROBERT GOTTFRIED v. MARIE ANNETTE GOTTFRIED; from Waller County; 14th Court of Appeals District (14-10-00645-CV, ___ SW3d ___, 10-25-11)
- 12-0053 ABNER L. WASHINGTON v. SCHAMARIAN LAND, GLENN HOPSON, CODY GINSEL AND DEBORAH HURLEY; from Tyler County; 1st Court of Appeals District (01-10-00572-CV, ___ SW3d ___, 10-06-11)
- 12-0082 PHONG VAN METER v. BENNIE DALE MORRIS; from Johnson County; 10th Court of Appeals District (10-11-00083-CV, ___ SW3d ___, 12-14-11)
- 12-0107 BUDDY KINDLE v. UNITED STATES AUTOMOBILE ASSOCIATION, ET AL.; from Wood County; 6th Court of Appeals District (06-11-00130-CV, 357 SW3d 377, 12-21-11)
- 12-0180 JAMES G. GARTRELL, JR. v. JOSEPH WREN, ET UX.; from Galveston County; 1st Court of Appeals District (01-11-00586-CV, ___ SW3d ___, 12-08-11)

- 12-0184 LA VENTANA RANCH OWNERS' ASSOCIATION, INC. AND INTERIM LA VENTANA, L.L.C. v. WILLIAM D. DAVIS, HATTON REVOCABLE TRUST, JEFFREY L. BURNETT, JOHN AND JUDY CZOP, KENNETH R. AND MARIA L. HAMBURGER, MARK E. LICH, STEVEN MALONE, ROBERT H. AND KAY HUGHES, AND ALLEN AND CINDY BUTT, ET AL.; from Hays County; 3rd Court of Appeals District (03-09-00452-CV, 363 SW3d 632, 06-03-11)
2 petitions
- 12-0187 THOMAS C. BINZER, M.D. AND THOMAS C. BINZER, M.D., P.A. v. JOSEPH E. ALVEY, JR.; from Parker County; 2nd Court of Appeals District (02-11-00316-CV, 359 SW3d 364, 01-19-12)
- 12-0212 BORIS TWAIN CLEWIS v. SCOTT K. BOATES, TEMPORARY ADMINISTRATOR WITH ANNEXED OF THE ESTATE OF REDELL CLEWIS, SR., DECEASED; from Harris County; 14th Court of Appeals District (14-10-01206-CV, ___ SW3d ___, 01-10-12)
- 12-0237 IN RE COMMITMENT OF JAMES DANIEL RAIFORD; from Montgomery County; 9th Court of Appeals District (09-11-00021-CV, ___ SW3d ___, 02-16-12)
- 12-0244 JOSEPH AND JAMIE SCHWARTZOTT v. MARAVILLA OWNERS ASSOCIATION, INC.; from Galveston County; 14th Court of Appeals District (14-10-01151-CV, ___ SW3d ___, 01-05-12)
- 12-0254 CATHERINE DEBLIEUX, INDIVIDUALLY AND AS SUCCESSOR ADMINISTRATOR OF THE ESTATE OF ROBERT E. PINE, DECEASED v. JENNIFER PINE AND ROBIN PINE SIMS; from Brazoria County; 1st Court of Appeals District (01-10-00411-CV, 360 SW3d 45, 07-14-11)

- 12-0263 NAFTA TRADERS, INC. v. MARGARET A. QUINN; from Dallas County; 5th Court of Appeals District (05-07-00340-CV, 360 SW3d 713, 02-21-12)
as redrafted
- 12-0267 IN RE COMMITMENT OF MELVIN CROSBY; from Montgomery County; 9th Court of Appeals District (09-11-00371-CV, ___ SW3d ___, 03-22-12)
- 12-0268 IN RE COMMITMENT OF BILLY BOB COX; from Montgomery County; 9th Court of Appeals District (09-11-00100-CV, ___ SW3d ___, 03-08-12)
- 12-0290 TOWN OF FLOWER MOUND, TEXAS v. REMBERT ENTERPRISES, INC.; from Denton County; 2nd Court of Appeals District (02-10-00408-CV, 369 SW3d 465, 03-01-12)
- 12-0292 CHARLES AND JAMIE STOCKDALE, INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATE OF CHARLES WILLIAM STOCKDALE, III, JAMES AND TOREN DUKES, AS LEGAL GUARDIANS OF MINOR CHILDREN, A.L.S. AND C.W.S., IV v. RAJESWARI THIAGARA RAJAN, M.D.; from Harris County; 1st Court of Appeals District (01-11-00136-CV, ___ SW3d ___, 03-01-12)
- 12-0301 BROOKSHIRE GROCERY COMPANY v. MARSHA NORRIS; from Hunt County; 5th Court of Appeals District (05-11-00179-CV, 362 SW3d 226, 02-29-12)
- 12-0317 PETRO-HUNT, L.L.C v. WAPITI ENERGY, L.L.C.; from Harris County; 1st Court of Appeals District (01-10-01030-CV, ___ SW3d ___, 03-08-12)
- 12-0320 MATTHEW QUACKENBUSH v. TEXAS OFFICE OF THE ATTORNEY GENERAL; from Lubbock County; 7th Court of Appeals District (07-10-00377-CV, ___ SW3d ___, 03-08-12)

- 12-0321 EX PARTE M.R.L.; from Brazos County; 10th Court of Appeals District (10-11-00275-CV, ___ SW3d ___, 03-07-12)
- 12-0353 MULTI-COUNTY WATER SUPPLY CORPORATION, INC. v. CITY OF HAMILTON, TEXAS, WILLIAM "BILL" FUNDERBURK, BETTY JENKINS, GRANT LENGFELD, ROY RUMSEY, MIKE COLLETT, BRADLEY HAILE, CODY LEE, MARK DUDDING, AND HELEN TOWNSEND; from Hamilton County; 10th Court of Appeals District (10-11-00037-CV, ___ SW3d ___, 02-22-12)
- 12-0355 DEBORAH L. SPRAGUE v. ROBERT M. SPRAGUE; from Harris County; 14th Court of Appeals District (14-08-00700-CV, 363 SW3d 788, 02-14-12)
- 12-0368 CONSTABLE LUIS AGUILAR v. ALFONSO FRIAS; from El Paso County; 8th Court of Appeals District (08-11-00202-CV, 366 SW3d 271, 03-21-12)
- 12-0394 DAVID SCOT LYND v. STATE FAIR OF TEXAS AND THE CITY OF DALLAS; from Dallas County; 5th Court of Appeals District (05-10-00831-CV, ___ SW3d ___, 01-11-12)
- 12-0444 ARCADE JOSEPH COMEAUX, JR. v. SHERIFF TOMMY GAGE; from Montgomery County; 9th Court of Appeals District (09-11-00254-CV, ___ SW3d ___, 04-12-12)
- 12-0462 PORT FREEPORT FKA BRAZOS RIVER HARBOR NAVIGATION DISTRICT v. RLB CONTRACTING INC.; from Brazoria County; 1st Court of Appeals District (01-11-00778-CV, 369 SW3d 581, 04-26-12)
- 12-0486 CAROLYN MORRIS v. LIBERTY MUTUAL FIRE INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-10-01125-CV, ___ SW3d ___, 03-07-12)

12-0488 KENYON DEMAR HURD v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE; from Anderson County; 12th Court of Appeals District (12-11-00174-CV, ___ SW3d ___, 03-07-12)

12-0512 BROWN DISTRIBUTING COMPANY, LTD. v. MAURICE C. HUNSAKER; from La Salle County; 4th Court of Appeals District (04-11-00699-CV, ___ SW3d ___, 03-21-12)

(Justice Hecht not sitting)

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

12-0342 JAMES ALLEN MCGUIRE v. FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Tarrant County; 2nd Court of Appeals District (02-11-00312-CV, ___ SW3d ___, 03-22-12)

ORDERS ON MOTIONS FOR REHEARING

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

11-0681 DORIS DICKERSON, ET AL. v. LAURA CAMPOS; from Hamilton County; 10th Court of Appeals District (10-11-00071-CV, ___ SW3d ___, 08-03-11)

12-0162 MERCEDES MOSBY v. POST OAK BANK; from Harris County; 14th Court of Appeals District (14-10-00203-CV, ___ SW3d ___, 12-22-11)

12-0309 JAMES R. KARNEI v. ROGER CAMACHO; from Goliad County; 13th Court of Appeals District (13-11-00148-CV, ___ SW3d ___, 01-26-12)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

12-0432 IN RE SULMA GONZALES

12-0434 IN RE ROY A. MATA AND GILBERT E. GARCIA; from Harris County; 14th Court of Appeals District (14-12-00460-CV, ___ SW3d ___, 05-18-12)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

11-0754 IN RE WASTE MANAGEMENT OF TEXAS, INC., WASTE MANAGEMENT OF TEXAS, INC. D/B/A WASTE MANAGEMENT, PHARR, TEXAS AND JOHN MARTINEZ; from Hidalgo County; 13th Court of Appeals District (13-11-00197-CV, ___ SW3d ___, 08-31-11)

relators' motion for temporary relief dismissed as moot

11-0879 IN RE SIANA OIL & GAS CO., LLC.; from Dawson County; 11th Court of Appeals District (11-11-00199-CV, ___ SW3d ___, 09-15-11)

as redrafted

12-0039 IN RE JAMES RICE, JR.; from McLennan County; 10th Court of Appeals District (10-10-00021-CV, ___ SW3d ___, 08-10-11)

12-0215 IN RE PHILLIP W. WILSON; from Taylor County; 11th Court of Appeals District (11-12-00047-CV, ___ SW3d ___, 02-09-12)

12-0306 IN RE EL APPLE, INC. D/B/A APPLEBEE'S NEIGHBORHOOD BAR AND GRILL, EL APPLE, LLC AND VERLANDER ENTERPRISES, LLC; from El Paso County; 8th Court of Appeals District (08-11-00259-CV, 362 SW3d 154, 02-22-12)

12-0377 IN RE HARRY SEWILL, RICHARD GABLE CHAPMAN, LHR ENTERPRISES,
TRANSGLOBAL INDEMNITY LTD. AND TRANSGLOBAL MORTGAGE, INC.;
from Andrews County; 8th Court of Appeals District (08-11-00092-CV, ___ SW3d
___, 04-27-12)

stay order issued May 18, 2012, lifted

THE SUPREME COURT OF TEXAS

Orders Pronounced August 22, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0678 IN RE KIMBERLY DIANE PUCKETT SOLLEY; from Harris County; 14th Court
of Appeals District (14-12-00673-CV)

motion for emergency stay denied

THE SUPREME COURT OF TEXAS

Orders Pronounced August 23, 2012

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0682 IN RE DIANA HART; from Galveston County; 1st Court of Appeals District (01-12-00497-CV, ___ SW3d ___, 08-09-12)

motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced August 24, 2012

ORDERS ON CASES GRANTED

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

12-0661 EWING CONSTRUCTION COMPANY, INCORPORATED v. AMERISURE INSURANCE COMPANY

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

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

12-0491 IN RE C.T.C., A MINOR CHILD; from Dallas County; 5th Court of Appeals District (05-11-01133-CV, 365 SW3d 853, 04-30-12)

agreed Tex. R. App. P. 56.3 motion granted

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, sets aside the judgments of the court of appeals and trial court, and remands the case to the trial court for rendition of judgment pursuant to the parties' settlement agreement.

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

12-0518 IN RE NESTLE USA, INC.

[**Note:** This case has been set for oral argument at 9:00 a.m., September 18, 2012.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

12-0346 GERALD ALLEN PERRY v. GENE A. KROLL; from Travis County; 7th Court of Appeals District (07-11-00265-CV, ___ SW3d ___, 01-31-12)

- 12-0429 RICHARD A. MARTINI v. CITY OF PEARLAND; from Harris County; 14th Court of Appeals District (14-11-00111-CV, ___ SW3d ___, 04-17-12)
- 12-0521 FRANCISO MUÑIZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF MARGARITA MARISELA MUÑIZ, FRANCISCO MUÑIZ, JR., ALONDRA MUÑIZ, AND DIEGO MUÑIZ v. CAMERON COUNTY, TEXAS; from Cameron County; 13th Court of Appeals District (13-10-00689-CV, ___ SW3d ___, 05-10-12)
- 12-0556 JERRY, MARSHA AND JASON CHAMBERS v. TEXAS DEPARTMENT OF TRANSPORTATION; from Kaufman County; 5th Court of Appeals District (05-11-00519-CV, ___ SW3d ___, 05-16-12)
- 12-0557 CARLOS M. ZAFFIRINI, SR. v. UNITED WATER SERVICES, LLC; from Webb County; 4th Court of Appeals District (04-11-00544-CV, ___ SW3d ___, 04-18-12)
- 12-0560 ESTATE OF JESSE CARL MARLEY, DECEASED; from Crockett County; 8th Court of Appeals District (08-11-00084-CV, ___ SW3d ___, 05-16-12)

ORDERS ON MOTIONS FOR REHEARING

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

- 12-0247 LEOPOLD MALACHOWITSCH v. EXPO MOTORCARS, L.P., EXPO HOLDINGS, L.P., AND EXPO MOTORCARS, L.L.C.; from Harris County; 14th Court of Appeals District (14-11-00486-CV, ___ SW3d ___, 01-10-12)
- 12-0393 NACHIAPPAN SUBBIAH MUTHUKUMAR v. SANTA ROSA APARTMENTS; from Dallas County; 5th Court of Appeals District (05-11-00151-CV, ___ SW3d ___, 04-25-12)

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR WRIT OF
MANDAMUS IS DENIED:

12-0555 IN RE JOSEPH R. WILLIE, II AND SHALANDA D. MOORE; from Travis County;
3rd Court of Appeals District (03-12-00386-CV, ___ SW3d ___, 07-06-12)

as supplemented
motion for emergency stay denied

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0686 IN RE THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from
Comal County; 3rd Court of Appeals District (03-12-00551-CV, ___ SW3d ___, 08-
23-12)

THE SUPREME COURT OF TEXAS

Orders Pronounced August 29, 2012

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

12-0311 BARBARA MARINO, M.D. v. WENDY WILKINS; from Harris County; 1st Court of Appeals District (01-11-00835-CV, ___ SW3d ___, 03-08-12)

unopposed motion to reinstate granted
abatement order issued July 13, 2012, lifted
petition reinstated
response requested due by September 24, 2012

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

12-0450 IN RE SKY CAPITAL GROUP, LTD., D/B/A G5000, LTD.; from Dallas County; 5th Court of Appeals District (05-12-00615-CV, ___ SW3d ___, 05-10-12)

emergency motion for temporary relief denied

THE SUPREME COURT OF TEXAS

Orders Pronounced August 31, 2012

ORDERS ON CAUSES

10-0316 CITY OF AUSTIN v. HARRY M. WHITTINGTON, ET AL.; from Travis County;
3rd Court of Appeals District (03-07-00729-CV, ___ SW3d ___, 02-18-10)

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

Justice Guzman delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Wainwright, Justice Medina, Justice Green, Justice Johnson, and Justice Lehrmann joined.

Justice Hecht delivered an opinion concurring in part and dissenting in part, in which Justice Willett joined.

10-0353 PRAIRIE VIEW A&M UNIVERSITY v. DILJIT K. CHATHA; from Waller County;
1st Court of Appeals District (01-09-00840-CV, 317 SW3d 402, 04-01-10)

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

Justice Guzman delivered the opinion of the Court, in which Justice Hecht, Justice Wainwright, Justice Medina, Justice Green, Justice Johnson, and Justice Willett joined.

Chief Justice Jefferson delivered a dissenting opinion, in which Justice Lehrmann joined.

10-0491 HEARTS BLUFF GAME RANCH, INC. v. THE STATE OF TEXAS AND THE TEXAS WATER DEVELOPMENT BOARD; from Travis County; 3rd Court of Appeals District (03-09-00598-CV, 313 SW3d 479, 05-13-10)

The Court affirms the court of appeals' judgment.

Justice Wainwright delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Green, Justice Johnson, Justice Guzman, and Justice Lehrmann joined.

Justice Hecht delivered a dissenting opinion, in which Justice Medina and Justice Willett joined.

10-0513 MATTHEW W. WASSERMAN, M.D. v. CHRISTINA BERGERON GUGEL; from Harris County; 14th Court of Appeals District (14-09-00450-CV, ___ SW3d ___, 05-20-10)

The Court withdraws its order of April 1, 2011, granting the petition for review, as the petition was improvidently granted. The petition for review is denied.

10-0526 IN RE UNITED SCAFFOLDING, INC.; from Jefferson County; 9th Court of Appeals District (09-10-00172-CV, 315 SW3d 246, 06-24-10)

The Court conditionally grants in part and denies in part the petition for writ of mandamus.

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Medina, Justice Green, Justice Johnson, Justice Willett, and Justice Guzman joined.

Justice Wainwright delivered a concurring opinion.

10-0548 RUSK STATE HOSPITAL v. DENNIS BLACK AND PAM BLACK, INDIVIDUALLY AND AS REPRESENTATIVES OF THE ESTATE OF TRAVIS BONHAM BLACK, DECEASED; from Cherokee County; 12th Court of Appeals District (12-09-00206-CV, ___ SW3d ___, 06-23-10)

The court of appeals judgment is affirmed.

Justice Johnson delivered the opinion of the Court, in which Justice Hecht, Justice Wainwright, Justice Green, Justice Willett, and Justice Guzman joined.

Justice Hecht delivered a concurring opinion.

Justice Lehrmann delivered a concurring and dissenting opinion, in which Chief Justice Jefferson and Justice Medina joined.

10-0605 IN RE COMMITMENT OF MICHAEL BOHANNAN; from Montgomery County; 9th Court of Appeals District (09-09-00165-CV, ___ SW3d ___, 07-22-10)

The court of appeals judgment is affirmed.

Justice Hecht delivered the opinion of the Court.

10-0781 U-HAUL INTERNATIONAL, INC. D/B/A U-HAUL, U-HAUL CO. OF TEXAS, INC. D/B/A U-HAUL OF DALLAS, AND EAST FORK ENTERPRISES, INC. D/B/A JOT 'EM DOWN, INC. v. TALMADGE WALDRIP, BERNICE WALDRIP, DINAH SIMINGTON, AND ANNE WALDRIP-BOYD; from Dallas County; 5th Court of Appeals District (05-08-01172-CV, 322 SW3d 821, 08-31-10)

2 petitions

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

Justice Wainwright delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Medina, Justice Green, Justice Johnson, Justice Willett, and Justice Guzman joined.

Justice Lehrmann delivered a dissenting opinion.

10-0887 WENDELL REEDER v. WOOD COUNTY ENERGY, LLC; WOOD COUNTY OIL & GAS, LTD.; NELSON OPERATING, INC.; DEKRFOUR, INC.; BOBBY NOBLE; EXZENA OIL CORPORATION; DAVID FRY AND PATRICIA FRY; from Wood

County; 12th Court of Appeals District (12-08-00175-CV, 320 SW3d 433, 07-14-10)

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

Justice Wainwright delivered the opinion of the Court.

10-0928 RAUL ERNESTO LOAISIGA, M.D. AND RAUL ERNESTO LOAISIGA, M.D., P.A. v. GUADALUPE CERDA, INDIVIDUALLY AND AS NEXT FRIEND OF MARISSA CERDA, A MINOR, AND CINDY VELEZ; from Cameron County; 13th Court of Appeals District (13-09-00666-CV, ___ SW3d ___, 08-05-10)

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

Justice Johnson delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Wainwright, Justice Green, and Justice Guzman joined, and in Parts I through V.A. and VI.A. of which Justice Willett joined.

Justice Hecht delivered a concurring and dissenting opinion, in which Justice Medina joined.

Justice Willett delivered a concurring and dissenting opinion.

Justice Lehrmann delivered a concurring and dissenting opinion.

10-0950 ENBRIDGE PIPELINES (EAST TEXAS) L.P. v. AVINGER TIMBER, LLC; from Marion County; 6th Court of Appeals District (06-09-00046-CV, 326 SW3d 390, 10-27-10)

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

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Jefferson, Justice Hecht, Justice Wainwright, Justice Medina, and Justice Guzman joined.

Justice Johnson delivered a dissenting opinion, in which Justice Green and Justice Willett joined.

10-1028 PNS STORES, INC., D/B/A MACFRUGAL'S BARGAIN CLOSEOUTS D/B/A MACFRUGALS, INC. v. ANNA E. RIVERA AS NEXT FRIEND FOR RACHEL RIVERA; from Bexar County; 4th Court of Appeals District (04-09-00561-CV, 335 SW3d 265, 11-03-10)

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

Justice Guzman delivered the opinion of the Court.

11-0057 ROBERT V. BUCK AND QUEEN ISABELLA DEVELOPMENT JOINT VENTURE v. G. J. PALMER, JR.; from Hidalgo County; 13th Court of Appeals District (13-09-00192-CV, ___ SW3d ___, 12-21-10)

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 that court.

Per Curiam Opinion

11-0217 ROBB EVANS, RECEIVER FOR MEDIACOPY TEXAS, INC., AND INFODISC GLOBAL HOLDING, INC., AND MAYNARDS INDUSTRIES (1991) INC., AND INTERNATIONAL COMMERCIAL BANK OF CHINA, LOS ANGELES BRANCH v. UNIT 82 JOINT VENTURE, FIVE STAR HOLDING COMPANY, INC., FIVE STAR HOLDING MANAGEMENT, L.L.C., AND 1320/1390 DON HASKINS, LTD.; from El Paso County; 8th Court of Appeals District (08-08-00159-CV, 349 SW3d 42, 05-28-10)

2 petitions

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

11-0429 CHARLES MANBECK v. AUSTIN INDEPENDENT SCHOOL DISTRICT; from Travis County; 3rd Court of Appeals District (03-09-00682-CV, 338 SW3d 147, 03-23-11)

2 petitions
as amended

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

Per Curiam Opinion

11-0597 LEXINGTON INSURANCE COMPANY, AS SUBROGEE OF BURR COMPUTER ENVIRONMENTS, INC. AND J. SUPOR AND SONS TRUCKING AND RIGGING CO. v. DAYBREAK EXPRESS, INC.; from Harris County; 14th Court of Appeals District (14-09-01032-CV, 342 SW3d 795, 05-26-11)

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 renders judgment.

Per Curiam Opinion

11-0644 TEXAS COMMISSION ON HUMAN RIGHTS, TEXAS WORKFORCE COMMISSION, DAVID POWELL, AND ROBERT GOMEZ v. MARILOU MORRISON; from Travis County; 3rd Court of Appeals District (03-09-00726-CV, 346 SW3d 838, 07-08-11)

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

11-0888 CITY OF BEAUMONT v. YVONNE COMO; from Jefferson County; 9th Court of Appeals District (09-10-00192-CV, ___ SW3d ___, 06-02-11)

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

Per Curiam Opinion

12-0305 IN RE TOMÁS URESTI; from Bexar County

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

Per Curiam Opinion

THE FOLLOWING CAUSE IS SET FOR SUBMISSION:

11-0265 THE EPISCOPAL DIOCESE OF FORT WORTH, ET AL. v. THE EPISCOPAL CHURCH, ET AL.; from Tarrant County

2 direct appeals
motion to expedite oral argument granted

[**Note:** This cause has been set for oral argument at 9:00 a.m., October 16, 2012.]
Time allotted to argue: 20/20 minutes

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

10-0374 TEXAS DEPARTMENT OF INSURANCE, HONORABLE MIKE GEESLIN, COMMISSIONER OF INSURANCE AND HONORABLE DANNY SAENZ, SENIOR ASSOCIATE COMMISSIONER v. AMERICAN NATIONAL INSURANCE COMPANY AND AMERICAN NATIONAL LIFE INSURANCE COMPANY OF TEXAS; from Travis County; 3rd Court of Appeals District (03-08-00535-CV, 364 SW3d 299, 04-22-10)

(Justice Hecht not sitting)

10-0683 AHF-ARBORS AT HUNTSVILLE I, LLC AND AHF-ARBORS AT HUNTSVILLE II, LLC v. WALKER COUNTY APPRAISAL DISTRICT; from Walker County; 10th Court of Appeals District (10-08-00011-CV, 366 SW3d 715, 07-21-10)

11-0282 IN THE INTEREST OF E.R., J.B., E.G., AND C.L., CHILDREN; from Dallas County; 5th Court of Appeals District (05-09-01505-CV, 335 SW3d 816, 03-03-11)

Justice Lehrmann delivered a concurring opinion.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

11-0213 COINMACH CORP. F/K/A SOLON AUTOMATED SERVICES, INC. v. ASPENWOOD APARTMENT CORP.; from Harris County; 1st Court of Appeals District (01-08-00636-CV, 349 SW3d 621, 02-10-11)

2 motions for rehearing granted

denial of petitions for review on March 30, 2012, withdrawn

2 petitions for review reinstated

[**Note:** This case has been set for oral argument at 9:00 a.m., January 8, 2012.]

Time allotted to argue: 20/20 minutes

11-0826 MICHAEL A. ZANCHI, M.D., MICHAEL A. ZANCHI, M.D., P.A., AND PARIS REGIONAL ANESTHESIA, P.A. v. REGINALD KEITH LANE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JUAMEKA CYNARRA ROSS, DECEASED ET AL.; from Lamar County; 6th Court of Appeals District (06-11-00036-CV, 349 SW3d 97, 09-01-11)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 8, 2012.]

Time allotted to argue: 20/20 minutes

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE SET FOR ORAL ARGUMENT:

10-0933 IN RE TOYOTA MOTOR SALES, U.S.A., INC. AND VISCOUNT PROPERTIES II, L.P., D/B/A HOY FOX TOYOTA/LEXUS; from El Paso County; 8th Court of Appeals District (08-09-00293-CV, 327 SW3d 302, 09-29-10)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 8, 2012.]

Time allotted to argue: 20/20 minutes

12-0035 IN RE SPECIALTY RENTAL TOOLS & SUPPLY, LP AND COY FRANK KUYKENDALL, JR.; from Webb County; 4th Court of Appeals District (04-11-00750-CV, ___ SW3d ___, 01-04-12)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 9, 2012.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

10-0540 IN RE THE COMMITMENT OF DAVID DODSON; from Montgomery County; 9th Court of Appeals District (09-09-00053-CV, 311 SW3d 194, 04-22-10)

10-1029 GEORGE LUECK v. THE STATE OF TEXAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION; from Travis County; 3rd Court of Appeals District (03-07-00497-CV, 325 SW3d 752, 07-16-10)

11-0088 TAMARA VILLANUEVA v. TARRANT REGIONAL WATER DISTRICT; from Tarrant County; 2nd Court of Appeals District (02-10-00052-CV, 331 SW3d 125, 12-23-10)

11-0731 LOU ANN SMITH AND JIMMY JACKSON SMITH, INDIVIDUALLY AND AS NEXT FRIEND OF RACHEL AND GRAYSON SMITH v. BLACK+VERNOOY ARCHITECTS, J. SINCLAIR BLACK AND D. ANDREW VERNOOY; from Travis County; 3rd Court of Appeals District (03-09-00518-CV, 346 SW3d 877, 08-05-11)

11-0840 WESLEY LANDSFELD v. COMPTROLLER, STATE OF TEXAS; from Tarrant County; 2nd Court of Appeals District (02-10-00271-CV, 352 SW3d 171, 08-31-11)

11-0871 METRO A, LLC, SUN HOLDINGS, LLC, POP RESTAURANTS, LLC, GOLDEN RESTAURANTS, INC., FIREBRAND PROPERTIES, LP, CORRAL GROUP, LP, KANSAS CORRAL, LLC, SUNNY CORRAL MANAGEMENT, LLC, GUILLERMO PERALES, FRYS MANAGEMENT, LLC, TAG CORRAL, LLC AND INDIE CORRAL, LLC v. JESSICA POLLEY; from Tarrant County; 2nd Court of Appeals District (02-09-00025-CV, ___ SW3d ___, 09-22-11)

(Justice Willett not sitting)

11-0924 NATHANIEL JONES, III v. THE STATE OF TEXAS; from Harris County; 14th Court of Appeals District (14-10-00554-CV, ___ SW3d ___, 07-14-11)

motion to supplement record dismissed as moot

11-1031 EMERITUS CORPORATION v. LILLIAN BLANCO; from El Paso County; 8th Court of Appeals District (08-09-00007-CV, 355 SW3d 270, 07-06-11)

12-0050 UNIT 82 JOINT VENTURE, FIVE STAR HOLDING COMPANY, INC., FIVE STAR HOLDING MANAGEMENT, L.L.C. AND 1320/1390 DON HASKINS, LTD. v. INTERNATIONAL COMMERCIAL BANK OF CHINA, LOS ANGELES BRANCH, MEDIACOPY TEXAS, INC., MAYNARDS INDUSTRIES (1991) INC., D/B/A MAYNARDS INDUSTRIES, LTD., AND ROBB EVANS, RECEIVER FOR MEDIACOPY TEXAS, INC.; from El Paso County; 8th Court of Appeals District (08-10-00064-CV, 359 SW3d 267, 11-30-11)

as redrafted

12-0103 JOHN HELM v. ARTIE KINGSTON; from Nueces County; 13th Court of Appeals District (13-10-00224-CV, ___ SW3d ___, 12-21-11)

12-0181 ANA LOBERG AND JOHN LOBERG, INDIVIDUALLY, AND AS NEXT FRIEND OF C.L. v. HEB GROCERY CO., L.P. D/B/A HEB FOOD STORE; from Bexar County; 4th Court of Appeals District (04-10-00877-CV, ___ SW3d ___, 10-12-11)

12-0217 DONALD DAVIS v. AMERICAN CASUALTY COMPANY OF READING, PA; from Potter County; 7th Court of Appeals District (07-11-00256-CV, ___ SW3d ___, 01-27-12)

12-0295 MAHA KHALIFA AL-LAHIQ, M.D. v. ULYSSES L. ROSEMOND; from Harris County; 14th Court of Appeals District (14-08-00550-CV, 362 SW3d 830, 02-28-12)

(Justice Willett not sitting)

12-0300 A.E.R.O. AVIATION COMPANY, INC. v. ENGINE COMPONENTS, INC.; from Bexar County; 4th Court of Appeals District (04-10-00812-CV, ___ SW3d ___, 02-29-12)

12-0363 CRAIG E. MENDENHALL v. WARREN CLARK; from Potter County; 7th Court of Appeals District (07-11-00213-CV, ___ SW3d ___, 02-16-12)

12-0382 KENNETH BEVERLY v. ESSEX CRANE RENTAL CORP. AND VINCENT MORANO; from Harris County; 1st Court of Appeals District (01-11-00688-CV, ___ SW3d ___, 03-29-12)

12-0534 IN RE A PURPORTED LIEN OR CLAIM AGAINST ALVIE CAMPBELL AND JULIE CAMPBELL; from Williamson County; 3rd Court of Appeals District (03-11-00524-CV, ___ SW3d ___, 05-18-12)

12-0577 REFUGIO OYERVIDEZ v. RUPA KOTHARI; from Fort Bend County; 1st Court of Appeals District (01-11-00872-CV, ___ SW3d ___, 06-07-12)

12-0651 L.F. v. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Harris County; 1st Court of Appeals District (01-10-01148-CV&01-10-01149-CV, ___ SW3d ___, 05-03-12)

12-0652 IN THE INTEREST OF S.J.S., A CHILD; from Bexar County; 4th Court of Appeals District (04-12-00067-CV, ___ SW3d ___, 06-27-12)

ORDERS ON MOTIONS FOR REHEARING

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

11-0449 TEXAS-NEW MEXICO POWER COMPANY v. OFFICE OF PUBLIC UTILITY COUNSEL AND THE PUBLIC UTILITY COMMISSION OF TEXAS; from Travis County; 3rd Court of Appeals District (03-10-00526-CV, 344 SW3d 446, 05-11-11)

(Justice Hecht not sitting)

MISCELLANEOUS

THE FOLLOWING MOTIONS TO CONSOLIDATE ARE GRANTED:

12-0637 IN RE WOO YOUNG MEDICAL CO., LTD.; from Wise County; 2nd Court of Appeals District (02-12-00263-CV, ___ SW3d ___, 07-27-12)

unopposed motion to consolidate granted

consolidated with

12-0638 IN RE WOO YOUNG MEDICAL CO., LTD.; from Wise County; 2nd Court of Appeals District (02-12-00264-CV, ___ SW3d ___, 07-27-12)

unopposed motion to consolidate granted

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

11-0297 IN RE WEST STAR TRANSPORTATION, INC.; from Lubbock County; 7th Court of Appeals District (07-10-00515-CV, 335 SW3d 776, 02-23-11)

as reinstated

THE DECISIONS OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING
APPEALS ARE AFFIRMED:

11-0941 MUSTAFA ENGIN DERKUNT v. COMMISSION FOR LAWYER DISCIPLINE

12-0113 IN THE MATTER OF R. LEONADIS MCKINNEY STATE BAR CARD NO.
13723400

12-0130 KRISTIN WILKINSON v. COMMISSION FOR LAWYER DISCIPLINE

12-0166 BEATRICE E. OLIVER v. COMMISSION FOR LAWYER DISCIPLINE