



THE SUPREME COURT OF TEXAS

Orders Pronounced January 8, 2016

ORDERS ON CAUSES

13-0961 OCCIDENTAL CHEMICAL CORPORATION v. JASON JENKINS; from Harris County; 1st Court of Appeals District (01-09-01140-CV, 415 SW3d 14, 07-02-13)

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

Justice Devine delivered the opinion of the Court.

13-0977 RAY FISCHER AND CORPORATE TAX MANAGEMENT, INC. v. CTMI, L.L.C., MARK BOOZER, AND JERROD RAYMOND; from Dallas County; 5th Court of Appeals District (05-11-00970-CV, ___ SW3d ___, 08-20-13)

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

Justice Boyd delivered the opinion of the Court.

14-0574 J&D TOWING, LLC v. AMERICAN ALTERNATIVE INSURANCE CORPORATION; from Walker County; 10th Court of Appeals District (10-13-00275-CV, 446 SW3d 41, 06-26-14)

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

Justice Willett delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green, Justice Guzman, Justice Lehrmann, Justice Boyd, Justice Devine, and Justice Brown joined, and in Parts I, II.B, III.C, and IV of which Justice Johnson joined.

14-1015 ISABEL SLOAN v. LAW OFFICE OF OSCAR C. GONZALEZ, INC. AND OSCAR C. GONZALEZ; from Bexar County; 4th Court of Appeals District (04-13-00239-CV, 447 SW3d 98, 08-29-14)

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

14-1041 EUGENE BLAIR, III v. ATLANTIC INDUSTRIAL, INC., A/K/A ATLANTIC SCAFFOLDING CO., AND FAUSTINO MURILLO; from El Paso County; 8th Court of Appeals District (08-12-00093-CV, 457 SW3d 511, 08-28-14)

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

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 15-0667 MIKOB PROPERTIES, INC., ALLAN KLEIN, AND MITCHELL KOBERNICK v. DAVID JOACHIM AND INTERNATIONAL REALTY CONCEPTS, INC.; from Dallas County; 5th Court of Appeals District (05-13-01613-CV, 468 SW3d 587, 05-19-15)
- 15-0722 ADOLFO VELA v. JOSE CAMPOS AND CATLIN SPECIALTY INS. CO.; from Cameron County; 13th Court of Appeals District (13-13-00475-CV, ___ SW3d ___, 04-16-15)
- 15-0760 JAMIE HARVEL & THE AUSTIN POLICE ASSOCIATION v. TEXAS DEPARTMENT OF INSURANCE AND COMMISSIONER ROD BORDELON, IN HIS OFFICIAL CAPACITY; from Travis County; 13th Court of Appeals District (13-14-00095-CV, ___ SW3d ___, 06-11-15)
- 15-0801 ERIC KNIPP AND LAURA KNIPP, INDIVIDUALLY AND AS NEXT FRIEND OF THE MINOR, J.H.K. v. JERRY A. POWELL., M.D.; from Dallas County; 5th Court of Appeals District (05-14-00781-CV, ___ SW3d ___, 08-06-15)
- 15-0812 FRANCIS W.S. CHAN v. J. SHELBY SHARPE, HENRY CHANG, KAREN CHANG & THE LAW OFFICES OF J. SHELBY SHARPE, A PROFESSIONAL CORPORATION; from Tarrant County; 2nd Court of Appeals District (02-14-00286-CV, ___ SW3d ___, 08-26-15)
- 15-0826 LIONELL BREAUX AND L.J. BREAUX, L.L.C. v. WEST TEXAS PETERBILT (LUBBOCK) INC. D/B/A TEXAS PETERBILT (ODESSA); from Ector County; 11th Court of Appeals District (11-13-00190-CV, ___ SW3d ___, 08-13-15)
- 15-0828 H. ROBERT ROSE AND GAYNELL ROSE v. NICHOLAS AND DORIS BONVINO; from Collin County; 5th Court of Appeals District (05-14-00702-CV, ___ SW3d ___, 08-11-15)
- 15-0830 MICHAEL ANDERSON v. THOMAS SNODDY; from Upshur County; 6th Court of Appeals District (06-14-00096-CV, ___ SW3d ___, 09-25-15)

15-0841 MIKE E. DEUBLER v. THE BANK OF NEW YORK MELLON AS SUCCESSOR TRUSTEE UNDER NOVASTAR MORTGAGE FUNDING TRUST 2005-1, AND SAXON MORTGAGE SERVICES, INC.; from Tarrant County; 7th Court of Appeals District (07-13-00221-CV, ___ SW3d ___, 06-15-15)

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

15-0855 THE CITY OF GEORGETOWN, TEXAS, ET AL. v. STEPHANIE HOSKINS BROWN; from Williamson County; 3rd Court of Appeals District (03-14-00231-CV, ___ SW3d ___, 09-22-15)

15-0869 HARVELLA JONES v. MARC D. MARKEL, CLAYTON R. HEARN, AMY M. VANHOOSE, DAWN S. HOLIDAY, CLINTON FAVER BROWN, AND ROBERTS MARKEL WEINBERG BUTLER HAILEY, PC AKA ROBERTS MARKEL WEINBERG PC AKA ROBERTS MARKEL PC; from Fort Bend County; 14th Court of Appeals District (14-14-00216-CV, ___ SW3d ___, 06-23-15)

15-0885 IN RE COMMITMENT OF KENNETH WAYNE TERRY; from Montgomery County; 9th Court of Appeals District (09-15-00053-CV, ___ SW3d ___, 09-10-15)

15-0887 IN RE COMMITMENT OF BRUCE LUNA; from Montgomery County; 9th Court of Appeals District (09-14-00444-CV, ___ SW3d ___. 10-15-15)

15-0890 IN THE INTEREST OF J.F.B., ET AL., CHILDREN; from Wilson County; 4th Court of Appeals District (04-15-00234-CV, ___ SW3d ___, 11-19-15)

15-0900 A.H. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Kaufman County; 5th Court of Appeals District (05-15-00501-CV, ___ SW3d ___, 10-08-15)

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

15-0936 IN THE INTEREST OF L.D.L.H. AND C.A.L., CHILDREN; from Bexar County; 4th Court of Appeals District (04-15-00146-CV, ___ SW3d ___, 10-28-15)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 5, 9.4(h), (j)-(k), and Misc. Docket No. 11-9152 - Electronic-Filing Rule 4(a) and is struck. Petitioner is ordered to redraw; the petition is due to be filed by January 19, 2016."

ORDERS ON MOTIONS FOR REHEARING

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

14-0763 THE HEIRS OF ANDRES GARCIA, FRANCESCA MENCHACA, AND CAROLINA ALLEN SAENZ v. ATLEE M. PARR, RANCH ENTERPRISES LLC, LOS ORCONES RANCH LTD. AND LOS ORCONES RANCH MANAGEMENT LLC; from Duval County; 4th Court of Appeals District (04-12-00767-CV, ___ SW3d ___, 08-13-14)

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

- 15-0016 JIMMY GLEN RIEMER, ET AL. v. THE STATE OF TEXAS, ET AL.; from Hutchinson County; 7th Court of Appeals District (07-10-00037-CV, 452 SW3d 491, 11-26-14)
- 15-0043 WUXI TAIHU TRACTOR COMPANY, LTD. v. THE YORK GROUP, INC.; from Harris County; 1st Court of Appeals District (01-13-00016-CV, ___ SW3d ___, 12-02-14)
- 15-0131 FOREX CAPITAL MARKETS, LLC v. KELLY M. CRAWFORD, RECEIVER; from Collin County; 5th Court of Appeals District (05-14-00341-CV, ___ SW3d ___, 12-31-14)
- 15-0224 WILLIAM CULLEN CHAMPION v. MARILYN ESTLOW; from Travis County; 3rd Court of Appeals District (03-14-00016-CV, 456 SW3d 363, 02-04-15)
- 15-0389 KRISTA LYNNE GARDNER, INDEPENDENT EXECUTRIX OF THE ESTATE OF LARRY RAY TINER v. PENNY HEDDIN TINER; from Wood County; 6th Court of Appeals District (06-14-00062-CV, ___ SW3d ___, 03-17-15)
- 15-0543 WEIZHONG ZHENG v. VACATION NETWORK, INC. AND LINH C. DINH JOINTLY AND SEVERALLY; from Harris County; 14th Court of Appeals District (14-13-01136-CV, 468 SW3d 180, 05-28-15)
- 15-0617 GREG PERKINS AND JESSICA PERKINS v. D&J REAL ESTATE SERVICES, INC. D/B/A RE/MAX PREMIER GROUP AND STELLA BITNER; from Collin County; 5th Court of Appeals District (05-13-01670-CV, ___ SW3d ___, 06-04-15)
- 15-0659 WAHID YAMMINE, INDIVIDUALLY AND D/B/A YAM YAM TRADING v. HDH FINANCIAL, LLC; from Tarrant County; 7th Court of Appeals District (07-14-00169-CV, ___ SW3d ___, 06-12-15)
- 15-0715 IN THE INTEREST OF A.T., AT., X.T., M.T., AND F.T., CHILDREN; from Bexar County; 4th Court of Appeals District (04-15-00121-CV, ___ SW3d ___, 08-05-15)
- 15-0765 LEE ANN CHOLOPISA v. ROY WILLIAM CHOLOPISA; from Limestone County; 13th Court of Appeals District (13-14-00042-CV, ___ SW3d ___, 06-04-15)

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

- 15-0128 IN RE FOREX CAPITAL MARKETS, LLC.; from Collin County; 5th Court of Appeals District (05-14-00341-CV, ___ SW3d ___, 12-31-14)

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

15-0665 IN RE B.U.; from Denton County; 2nd Court of Appeals District (02-15-00246-CV, ___ SW3d ___, 07-31-15)

THE MOTION FOR REHEARING IN THE FOLLOWING PETITION FOR REVIEW IS STRUCK:

15-0129 BALDASAR D. CRUZ v. JAMES VAN SICKLE, KARL-THOMAS MUSSELMAN D/B/A BURNT ORANGE REPORT AND KATHERINE HAENSCHEN; from Dallas County; 5th Court of Appeals District (05-13-00191-CV, 452 SW3d 503, 12-03-14)
emergency motion for leave to file motion for rehearing in excess of word count limit, denied

The Court strikes the motion for rehearing with the following notations: "The motion violates Texas Rule of Appellate Procedure 9.4(i)(2)(D) and is struck. Petitioner is ordered to redraw; the redrawn rehearing is due to be filed by January 19, 2016."

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

15-0771 IN RE TED LAWRENCE ROBERTSON; from Harris County; 14th Court of Appeals District (14-15-00603-CV, ___ SW3d ___, 07-21-15)
relator's motion for court to rule on mandamus, dismissed as moot

15-0846 IN RE TRACEY MURPHY; from Bee County; 13th Court of Appeals District (13-13-00480-CV, ___ SW3d ___, 07-30-15)

15-0850 IN RE EDWARD R. NEWSOME; from Harris County; 14th Court of Appeals District (14-14-00119-CV, ___ SW3d ___, 02-13-14)

15-0866 IN RE EDWARD R. NEWSOME; from Harris County; 1st Court of Appeals District (01-14-00012-CV, ___ SW3d ___, 02-11-14)

15-0941 IN RE KEVIN ALAIMO; from Denton County; 2nd Court of Appeals District (02-15-00321-CV, ___ SW3d ___, 11-12-15)
relator's emergency motion to stay denied

STAY ORDERS ARE ISSUED IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS:

15-0903 IN RE STATE FARM LLOYDS; from Hidalgo County; 13th Court of Appeals District (13-14-00616-CV, ___ SW3d ___, 10-28-15)

relator's motion for stay granted
stay order issued
response requested due by January 25, 2016

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

STAY ORDERS ARE ISSUED IN THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS:

15-0905 IN RE STATE FARM LLOYDS; from Hidalgo County; 13th Court of Appeals District (13-14-00651-CV, ___ SW3d ___, 10-28-15)

relator's motion for stay granted, as amended
stay order issued
response requested due by January 25, 2016

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

15-1007 IN RE RED DOT BUILDING SYSTEM, INC.; from Hidalgo County; 13th Court of Appeals District (13-15-00608-CV, ___ SW3d ___, 12-29-15)

real party in interest's emergency motion to stay granted
stay order issued

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