



THE SUPREME COURT OF TEXAS

Orders Pronounced February 19, 2016

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS GRANTED:

- 13-0303 HARRIS COUNTY FLOOD CONTROL DISTRICT AND HARRIS COUNTY, TEXAS v. EDWARD A. AND NORMA KERR, ET AL.; from Harris County; 1st Court of Appeals District (01-11-00014-CV, 445 SW3d 242, 03-07-13)

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

- 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)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 15-0005 ONCOR ELECTRIC DELIVERY COMPANY LLC, ET AL. v. PUBLIC UTILITY COMMISSION OF TEXAS, ET AL.; from Travis County; 3rd Court of Appeals District (03-11-00072-CV, 450 SW3d 615, 12-04-14)
3 petitions

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

- 15-0056 WADE BRADY v. LEANNE KLENTZMAN AND CARTER PUBLICATIONS, INC. D/B/A THE WEST FORT BEND STAR, INC.; from Fort Bend County; 1st Court of Appeals District (01-11-00765-CV, 456 SW3d 239, 12-18-14)
2 petitions

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

- 15-0073 KEN PAXTON, ATTORNEY GENERAL OF TEXAS v. CITY OF DALLAS; from Travis County; 3rd Court of Appeals District (03-13-00686-CV & 13-13-00397-CV, 453 SW3d 580, 12-23-14)

[**Note:** On October 2, 2015, case number 15-0238 was consolidated and redocketed in case number 15-0073. The date and time for oral argument is yet to be determined.]

15-0404 B.C. v. STEAK N SHAKE OPERATIONS, INC.; from Collin County; 5th Court of Appeals District (05-14-00649-CV, ___ SW3d ___, 04-13-15)

[**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:

14-0849 GUERRA & MOORE, LLP, ET AL. v. MARK A. CANTU; from Webb County; 4th Court of Appeals District (04-13-00213-CV, 448 SW3d 485, 06-25-14)

15-0042 BRENDA PONCE AND RICCO GONZALEZ, AS NATURAL PARENTS, NEXT FRIENDS AND LEGAL GUARDIANS OF E.G., A MINOR v. MEMORIAL HERMANN HEALTH SYSTEM D/B/A MEMORIAL HERMANN MEMORIAL CITY HOSPITAL; from Harris County; 14th Court of Appeals District (14-14-00136-CV, ___ SW3d ___, 11-04-14)

15-0209 TEXAS DEPARTMENT OF PUBLIC SAFETY v. RAQUEL IBARRA; from Victoria County; 13th Court of Appeals District (13-13-00656-CV, ___ SW3d ___, 09-02-14)

15-0321 STEVE BUMPAS CUSTOM HOMES, INC. v. CHRIS WALLACE AND DEBORAH WALLACE; from Johnson County; 10th Court of Appeals District (10-15-00046-CV, ___ SW3d ___, 04-23-15)

15-0359 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. TEXAS FARM BUREAU, FRANK VOLLEMAN, FRANK DESTEFANO, DAVID AND MARY BALLEW, RON AND SHERIE BURNETTE, SAM JONES, THEODORE AND MARY KALLUS, GLEN MARECEK, JOHN GAULDING, AND CHARLES AND KATHERINE HARLESS; from Travis County; 13th Court of Appeals District (13-13-00415-CV, 460 SW3d 264, 04-02-15)

(Justice Guzman not sitting)

15-0450 TEXAS HEALTH HARRIS METHODIST HOSPITAL FORT WORTH v. GREG FRAUSTO, INDIVIDUALLY AND AS HEIR TO THE ESTATE OF DIANE RIMERT, DECEASED, AND GLEN FRAUSTO, INDIVIDUALLY AND AS HEIR TO THE ESTATE OF DIANE RIMERT, DECEASED, AND JAMIE SNOW, INDIVIDUALLY AND AS HEIR TO THE ESTATE OF DIANE RIMERT, DECEASED; from Dallas County; 5th Court of Appeals District (05-14-00895-CV, ___ SW3d ___, 04-30-15)

15-0487 IN THE MATTER OF C.Z.S.; from Montgomery County; 9th Court of Appeals District (09-14-00480-CV, ___ SW3d ___, 05-28-15)

15-0552 HENRY RAHMANI AND RAHMANI MANAGEMENT, LLC v. DAN BANET; from Tarrant County; 2nd Court of Appeals District (02-14-00240-CV, ___ SW3d ___, 05-07-15)

- 15-0565 FRED MYLES v. ST. LUKE'S EPISCOPAL HOSPITAL; from Harris County; 14th Court of Appeals District (14-13-01148-CV, 468 SW3d 207, 06-02-15)
- 15-0583 MEDINA INTERESTS, LTD. v. WILLIAM PAUL TRIAL, CHARLES BALLARD TRIAL, ET AL.; from Karnes County; 4th Court of Appeals District (04-14-00521-CV, 469 SW3d 619, 06-24-15)
- 15-0587 DRUCILLA BAIN v. CAPITAL SENIOR LIVING COPRORATION A/K/A CAPITAL SENIOR LIVING CORPORATION OF DELAWARE D/B/A AZALEA TRAILS ASSISTED LIVING & MEMORY CARE; CSL S TYLER, LLC A/K/A AZALEA TRAILS ASSISTED LIVING AND MEMORY CARE; FRED FRAZIER, ET AL.; from Dallas County; 5th Court of Appeals District (05-14-00255-CV, ___ SW3d ___, 06-30-15)
- 15-0638 PLEASANT HILL COMMUNITY DEVELOPMENT CORPORATION v. THE APPRAISAL REVIEW BOARD OF HARRIS COUNTY APPRAISAL DISTRICT AND HARRIS COUNTY APPRAISAL DISTRICT; from Harris County; 14th Court of Appeals District (14-13-01101-CV, ___ SW3d ___, 05-14-15)
- 15-0645 ANNA MARIA SALINAS SAENZ, ET AL. v. THORP PETROLEUM CORP., ET AL.; from Starr County; 4th Court of Appeals District (04-14-00527-CV, ___ SW3d ___, 07-15-15)
3 petitions
- 15-0648 JENNIFER FRISBIE AND DIEP LE v. SAR WESTERN CENTER PLAZA, L.P.; from Tarrant County; 7th Court of Appeals District (07-14-00077-CV, ___ SW3d ___, 05-26-15)
- 15-0718 GERARD CORTES v. THE CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-14-00301-CV, 468 SW3d 580, 04-29-15)
- 15-0753 CHARLES HARRIS MCMORDIE, IN HIS CAPACITY AS CO-TRUSTEE OF THE HOBART B. MCMORDIE, II ASSET MANAGEMENT TRUST v. MAGDALENA MCMORDIE, IN HER CAPACITY AS BENEFICIARY AND CO-TRUSTEE OF THE HOBART B. MCMORDIE, II ASSET MANAGEMENT TRUST; from Randall County; 7th Court of Appeals District (07-14-00393-CV, ___ SW3d ___, 07-24-15)
- 15-0761 PHARMACY HEALTHCARE SOLUTIONS, LTD. D/B/A ADVOCATE RX SOLUTIONS v. ERNEST JASON PEÑA, INDIVIDUALLY, AS NEXT FRIEND OF A.P., A MINOR, AS NEXT FRIEND OF J.P., A MINOR, AND ON BEHALF OF THE ESTATE OF DINA PEÑA, DECEASED; from Ector County; 11th Court of Appeals District (11-14-00176-CV, ___ SW3d ___, 08-21-15)

- 15-0889 JODY WEIDERMAN v. THE CITY OF ARLINGTON, TEXAS AND ROBERT CLUCK, MAYOR; from Tarrant County; 2nd Court of Appeals District (02-15-00120-CV, ___ SW3d ___, 09-17-15)
- 15-0914 PAUL EDWARD HUDSON v. DALLAS COUNTY, ET AL.; from Dallas County; 7th Court of Appeals District (07-14-00444-CV, ___ SW3d ___, 10-14-15)
- 15-0924 DANER LEE CHESHIRE AND LYNDON CHARLES CHESHIRE v. HECTOR ESTRADA, ISELA ESTRADA, MARIA MARTINEZ AND JORGE GONZALES; from Harris County; 1st Court of Appeals District (01-14-00014-CV, 470 SW3d 109, 07-07-15)
- 15-0953 EMORY POWITZKY, JR. v. TILSON CUSTOM HOMES, A/K/A TILSON HOME CORPORATION; from Victoria County; 13th Court of Appeals District (13-15-00137-CV, ___ SW3d ___, 10-29-15)
- 15-0964 IN THE INTEREST OF A.D. AND I.W., CHILDREN; from Bexar County; 4th Court of Appeals District (04-15-00326-CV, ___ SW3d ___, 11-04-15)
- 15-0967 TRENT LINDIG v. PLEASANT HILL ROCKY COMMUNITY CLUB; from Blanco County; 3rd Court of Appeals District (03-15-00051-CV, ___ SW3d ___, 08-28-15)

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

- 16-0037 MICHAEL DWAYNE WILSON v. THE BLUFFS AT PARADISE CREEK APARTMENTS; from Tarrant County; 2nd Court of Appeals District (02-14-00196-CV, ___ SW3d ___, 12-31-15)

The Court strikes the petition for review with the following notation: "The petition violates Texas Rules of Appellate Procedure 9.4(h), (i)(2)(D), and (j)(2), and is struck. Petitioner is ordered to redraw; the petition is due to be filed by February 29, 2016."

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

- 15-0672 DEXTER EVANS v. EDGAR LINARES AND CLAUDIA BONILLA; from Harris County; 14th Court of Appeals District (14-14-00468-CV, ___ SW3d ___, 04-23-15)

See TEX. GOV'T CODE § 22.225(b)(1)

ORDERS ON MOTIONS FOR REHEARING

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

- 14-0555 CITY OF EL PASO v. GUADALUPE RAMIREZ, NORMA RAMIREZ, ET AL.; from El Paso County; 8th Court of Appeals District (08-12-00309-CV, ___ SW3d ___, 03-14-14)
- 14-0885 ESCALANTE'S COMIDA FINA, INC. v. HOUSTOUN, WOODARD, EASON, GENTLE, TOMFORDE AND ANDERSON, INC. D/B/A INSURANCE ALLIANCE; from Harris

County; 1st Court of Appeals District (01-11-00746-CV, ___ SW3d ___, 06-03-14)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 14-0845 IN RE MARK A. CANTU; from Webb County; 4th Court of Appeals District (04-14-00686-CV, ___ SW3d ___, 10-15-14)
- 15-0514 IN RE KENNETH LEVIEN, BARRY LEVIEN & PHILLIP LEVIEN, TRUSTEES; from Bastrop County; 3rd Court of Appeals District (03-14-00822-CV, ___ SW3d ___, 05-01-15)
motion to secure a sealed document denied
- 15-0997 IN RE ROBERT COLEMAN, ET AL.; from Harris County; 14th Court of Appeals District (14-15-00578-CV, ___ SW3d ___, 11-24-15)
- 16-0014 IN RE MICHAEL DAVID BELLOW, JR.; from Hardin County
- 16-0018 IN RE ALLEN F. CALTON; from Harris County; 14th Court of Appeals District (14-15-00460-CV, ___ SW3d ___, 11-17-15)
- 16-0032 IN RE MICHAEL E. NEELD; from Bexar County; 4th Court of Appeals District (04-15-00702-CV, ___ SW3d ___, 11-25-15)
- 16-0066 IN RE KEITH JUDD; 3rd Court of Appeals District (03-16-00025-CV, ___ SW3d ___, 01-19-16)