



THE SUPREME COURT OF TEXAS

Orders Pronounced May 20, 2016

ORDERS ON CAUSES

14-0362 CHRISTUS HEALTH GULF COAST (AS AN ENTITY, D/B/A CHRISTUS ST. CATHERINE HOSPITAL, AND FORMERLY D/B/A CHRISTUS ST. JOSEPH HOSPITAL) v. LINDA CARSWELL; from Harris County; 1st Court of Appeals District (01-11-00292-CV, ___ SW3d ___, 08-29-13)

2 petitions

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

Justice Johnson delivered the opinion of the Court.

14-0714 ALICE M. WOOD AND DANIEL L. WOOD v. HSBC BANK USA, N.A. AND OCWEN LOAN SERVICING, L.L.C.; from Fort Bend County; 14th Court of Appeals District (14-13-00389-CV, 439 SW3d 585, 07-13-14)

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

Justice Lehrmann delivered the opinion of the Court, in which Justice Johnson, Justice Guzman, Justice Boyd, Justice Devine, and Justice Brown joined.

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

14-1045 IN RE M-I L.L.C. D/B/A M-I SWACO; from Harris County; 14th Court of Appeals District (14-14-00705-CV, ___ SW3d ___, 11-04-14)

motion to strike granted

The Court conditionally grants the writ of mandamus.

Justice Devine delivered the opinion of the Court.

15-0046 LEONARD K. HOSKINS v. COLONEL CLIFTON HOSKINS AND HOSKINS, INC.; from Bexar County; 4th Court of Appeals District (04-13-00859-CV, ___ SW3d ___, 10-15-14)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court.

Justice Willett delivered a concurring opinion.

15-0146 WAL-MART STORES, INCORPORATED v. DORIS FORTE, O.D., ON BEHALF OF HERSELF AND ALL OTHER SIMILARLY SITUATED PERSONS; BRIDGET LEESANG, O.D.; DAVID WIGGINS, O.D.; AND JOHN BOLDAN, O.D. (U.S. 5th Circuit 12-40854)
The Court answers the questions certified by the United States Court of Appeals for the Fifth Circuit.

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

Justice Boyd delivered a dissenting opinion, in Part I of which Justice Lehrmann and Justice Devine joined.

Justice Willett did not participate in the decision.

15-0294 IN RE RONALD DEPINHO AND ANDREW DENNIS; from Harris County; 1st Court of Appeals District (01-14-00878-CV, ___ SW3d ___, 04-02-15)
stay order issued May 6, 2015, 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

15-0437 TERESA GAROFOLO v. OCWEN LOAN SERVICING, L.L.C. (U.S. 5th Circuit 14-51156)

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

Justice Brown delivered the opinion of the Court, in which Chief Justice Hecht, Justice Green, Justice Willett, Justice Guzman, Justice Lehrmann, and Justice Devine joined.

Justice Boyd delivered a dissenting opinion, in which Justice Johnson joined.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

16-0187 MEHMET TURAN ERKAN v. HABIBE NALAN ERKAN; from Travis County; 3rd Court of Appeals District (03-14-00148-CV, ___ SW3d ___, 12-08-15)

16-0198 EDWARD AVILA v. HIDALGO COUNTY, TEXAS; from Hidalgo County

16-0204 IN THE INTEREST OF D.F.L.; from Jefferson County; 9th Court of Appeals District (09-15-00310-CV, ___ SW3d ___, 02-04-16)

16-0261 IN RE COMMITMENT OF GEORGE RINGO PICKENS, JR.; from Montgomery County; 9th Court of Appeals District (09-14-00391-CV, ___ SW3d ___, 03-03-16)

16-0271 KAREN MOORE MEYER v. DAVID C. MEYER; from Dallas County; 5th Court of Appeals District (05-14-00655-CV, ___ SW3d ___, 02-04-16)

THE FOLLOWING PETITIONS FOR REVIEW ARE ABATED:

15-0246 THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, WESLEY WEST MINERALS, LTD. AND LONGFELLOW RANCH PARTNERS, LP v. SANDRIDGE ENERGY, INC. AND SANDRIDGE EXPLORATION AND PRODUCTION, LLC; from Pecos County; 8th Court of Appeals District (08-13-00145-CV, 454 SW3d 603, 11-19-14)

3 petitions

abatement order issued

[**Note:** Effective May 16, 2016, 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, 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]

15-0975 LINDA BATISTE v. JOHNSON & JOHNSON AND ETHICON, INC.; from Dallas County; 5th Court of Appeals District (05-14-00864-CV, ___ SW3d ___, 11-05-15)

joint motion to stay petition pending settlement granted

abatement order issued

[**Note:** This case is removed from the Court's active docket until July 19, 2016, by which time the parties must file either a status report or a motion to dismiss.]

THE ABATEMENT ORDER IS EXTENDED IN THE FOLLOWING PETITION FOR REVIEW:

15-0555 UNION PACIFIC RAILROAD COMPANY AND ERNESTO ORTEGON v. VIVIANA SOSA, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF DESTINY SOSA, A DECEASED CHILD, AND JESSE SOSA; from Willacy County; 13th Court of Appeals District (13-13-00257-CV, ___ SW3d ___, 05-14-15)

joint motion to extend abatement granted

abatement order issued

[**Note:** The Court's abatement order of April 22, 2016 expired by its own terms on May 16, 2016. The abatement is extended until June 6, 2016, by which time the parties must file either a status report or a motion to dismiss.]

ORDERS ON MOTIONS FOR REHEARING

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

15-0990 DAVID GOAD v. ERIC STREY, DOES 1 THROUGH 10, JAMIE OSBORNE; from Guadalupe County; 4th Court of Appeals District (04-15-00218-CV; 04-15-00219-CV, ___ SW3d ___, 11-04-15)

16-0095 GRAPEVINE DIAMOND, L.P. AND JONATHAN AFLATOUNI v. CITY BANK; from Collin County; 5th Court of Appeals District (05-14-00260-CV, ___ SW3d ___, 12-07-15)

16-0223 JOANN ADELE BROOKS v. PAUL HEDLEY BATCHELOR; from Dallas County; 5th Court of Appeals District (05-13-00401-CV, ___ SW3d ___, 05-08-14)

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

16-0028 IN RE CHRISTOPHER GRAHAM; from Comal County; 3rd Court of Appeals District (03-15-00752-CV, ___ SW3d ___, 01-08-16)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

16-0181 IN RE JERMAINE A. HOPKINS; from Travis County; 3rd Court of Appeals District (03-16-00108-CV, ___ SW3d ___, 03-04-16)

as redrafted

as amended

contest of affidavit of indigency, as amended, dismissed as moot

16-0304 IN RE JERMAINE A. HOPKINS; from Travis County; 3rd Court of Appeals District (03-16-00108-CV, ___ SW3d ___, 04-29-16)

contest of affidavit of indigency dismissed as moot