



THE SUPREME COURT OF TEXAS

Orders Pronounced January 20, 2017

ORDERS ON CAUSES

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

- 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)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 15-0613 ATMOS ENERGY CORPORATION, ENBRIDGE GATHERING (NORTH TEXAS) L.P., ENERGY TRANSFER FUEL, L.P., ENTERPRISE TEXAS PIPELINE, L.L.C., AND TEXAS MIDSTREAM GAS SERVICES, L.L.C. v. TOWN OF DISH, ET AL.; from Tarrant County; 7th Court of Appeals District (07-13-00391-CV, ___ SW3d ___, 06-01-15)
3 petitions

[**Note:** This cause has been set for oral argument at 9:00 a.m., March 1, 2017.]
Time allotted to argue: 20/20 minutes

- 15-0688 JACK PIDGEON AND LARRY HICKS v. MAYOR SYLVESTER TURNER AND CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-14-00899-CV & 14-14-00932-CV, 477 SW3d 353, 07-28-15)
motion for rehearing granted
denial of petition for review on September 2, 2016, withdrawn
petition reinstated

[**Note:** This cause has been set for oral argument at 9:00 a.m., March 1, 2017.]
Time allotted to argue: 20/20 minutes

- 15-0705 EDWARD R. HUDSON, JR. AND WILLIAM A. HUDSON, II, INDIVIDUALLY AND AS CO-EXECUTORS OF THE ESTATE OF JOSEPHINE T. HUDSON, DECEASED, AND AS CO-TRUSTEES OF THE EDWARD R. HUDSON TRUST NO. ONE, JOSEPHINE TERRELL ARD RENSCH AND E. RANDALL HUDSON III v. MARY T. ARD; from Tarrant County; 2nd Court of Appeals District (02-13-00198-CV, ___ SW3d ___, 08-20-15)

[**Note:** This cause has been set for oral argument at 9:00 a.m., March 9, 2017.]
Time allotted to argue: 20/20 minutes

- 15-0763 MIGUEL ANGEL LOYA v. LETICIA B. LOYA; from Harris County; 14th Court of Appeals District (14-14-00208-CV, 473 SW3d 362, 07-28-15)
[Note: This cause has been set for oral argument at 9:00 a.m., March 21, 2017.]
Time allotted to argue: 20/20 minutes
- 15-0819 HORIZON HEALTH CORPORATION v. ACADIA HEALTHCARE COMPANY, INC.; PSYCHIATRIC RESOURCE PARTNERS, INC.; MICHAEL A. SAUL; TIMOTHY J. PALUS; PETER D. ULASEWICZ; BARBARA H. BAYMA; AND JOHN M. PIECHOCKI; from Denton County; 2nd Court of Appeals District (02-13-00339-CV, 472 SW3d 74, 07-23-15)
2 petitions
[Note: This cause has been set for oral argument at 9:00 a.m., March 1, 2017.]
Time allotted to argue: 20/20 minutes
- 15-0909 COLUMBIA VALLEY HEALTHCARE SYSTEM L.P. D/B/A VALLEY REGIONAL MEDICAL CENTER v. MARIA ZAMARRIPA, AS GUARDIAN OF THE ESTATES OF R.F.R., AND R.J.R., MINORS; from Cameron County; 13th Court of Appeals District (13-14-00696-CV, ___ SW3d ___, 08-31-15)
[Note: This cause has been set for oral argument at 9:00 a.m., March 21, 2017.]
Time allotted to argue: 20/20 minutes
- 15-0910 LIGHTNING OIL COMPANY v. ANADARKO E&P ONSHORE LLC FKA ANADARKO E&P COMPANY, LP; from Dimmit County; 4th Court of Appeals District (04-14-00903-CV, 480 SW3d 628, 10-14-15)
[Note: This cause has been set for oral argument at 9:00 a.m., March 21, 2017.]
Time allotted to argue: 20/20 minutes
- 15-0993 THE HONORABLE MARK HENRY, COUNTY JUDGE OF GALVESTON COUNTY v. THE HONORABLE LONNIE COX, JUDGE OF THE 56TH DISTRICT COURT OF GALVESTON COUNTY; from Galveston County; 1st Court of Appeals District (01-15-00583-CV, 483 SW3d 119, 12-22-15)
[Note: This cause has been set for oral argument at 9:00 a.m., March 9, 2017.]
Time allotted to argue: 20/20 minutes
- 16-0078 MELDEN & HUNT, INC. v. EAST RIO HONDO WATER SUPPLY CORPORATION; from Cameron County; 13th Court of Appeals District (13-15-00227-CV, ___ SW3d ___, 12-17-15)
[Note: This cause has been set for oral argument at 9:00 a.m., March 22, 2017.]
Time allotted to argue: 20/20 minutes
- 16-0096 JULIE HERSH v. JOHN TATUM AND MARY ANN TATUM; from Dallas County; 5th Court of Appeals District (05-14-01318-CV, 493 SW3d 675, 12-30-15)
[Note: This cause has been set for oral argument at 9:00 a.m., March 22, 2017.]
Time allotted to argue: 20/20 minutes

16-0353 BENEDICT G. WENSKE AND ELIZABETH WENSKE v. STEVE EALY AND DEBORAH EALY; from Lavaca County; 13th Court of Appeals District (13-15-00012-CV, ___ SW3d ___, 01-28-16)

[**Note:** This cause has been set for oral argument at 9:00 a.m., March 22, 2017.]
Time allotted to argue: 20/20 minutes

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

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

- consolidated for oral argument with -

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

[**Note:** These causes have been set for oral argument at 9:00 a.m., March 9, 2017.]
Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

15-0725 DEBRA HREN v. RECRUITING PARTNERS GP, INC. D/B/A KINNEY RECRUITING, INC.; from Travis County; 3rd Court of Appeals District (03-13-00239-CV, ___ SW3d ___, 08-19-15)

15-0883 THREE RIVERS OPERATING COMPANY AND THREE RIVERS ACQUISITION LLC v. MRC PERMIAN COMPANY AND JOE FORAN; from Dallas County; 5th Court of Appeals District (05-14-00353-CV, ___ SW3d ___, 08-05-15)

15-1001 CITY OF ROSENBERG v. THE STATE OF TEXAS; from Fort Bend County; 14th Court of Appeals District (14-15-00745-CV, 477 SW3d 878, 10-13-15)

petitioner's unopposed motion for leave to supplement brief, granted
petitioner's opposed motion for leave to file emergency motion for temporary restraining order and temporary injunction, denied
emergency motion for temporary restraining order and temporary injunction, denied

16-0059 IN THE INTEREST OF J.L.H.; from Dallas County; 5th Court of Appeals District (05-14-01179-CV, ___ SW3d ___, 11-24-15)

16-0361 CHRISTOPHER MANN AND GWENDA MANN v. RUDIS ROBLES AND CLAUDIA FLORES ROBLES; from Montgomery County; 13th Court of Appeals District (13-14-00190-CV, ___ SW3d ___, 03-31-16)

16-0400 AUSTIN GREGORY CROOM v. CASEY LEE CROOM; from Collin County; 5th Court of

Appeals District (05-13-01419-CV, ___ SW3d ___, 12-01-15)

- 16-0408 ELDORADO LAND CO., L.P. v. CITY OF MCKINNEY; from Collin County; 5th Court of Appeals District (05-15-00067-CV, ___ SW3d ___, 05-03-16)
- 16-0414 HIGHLAND CORYELL RANCH, LLC v. MARK DAVIS; from Navarro County; 7th Court of Appeals District (07-15-00269-CV, ___ SW3d ___, 03-28-16)
- 16-0470 IN THE INTEREST OF M.G.N. AND A.C.N., MINOR CHILDREN; from Bexar County; 4th Court of Appeals District (04-12-00108-CV, 491 SW3d 386, 03-30-16)
- 16-0500 LUTHER W. COBB, SR. v. MARILENE F. COBB; from Bell County; 3rd Court of Appeals District (03-14-00325-CV, ___ SW3d ___, 06-03-16)
- 16-0540 ELIZABETH KING, M.D., AND NORTHEAST OB/GYN ASSOCIATES, PLLC v. HOPE KELLEY; from Bexar County; 4th Court of Appeals District (04-15-00747-CV, ___ SW3d ___, 05-11-16)
- 16-0548 MICHAEL STRNAD v. HAPPY JACK RANCH, INC. AND FREDERICK J. BEHREND; from Comal County; 3rd Court of Appeals District (03-12-00558-CV, ___ SW3d ___, 11-06-15)
- 16-0552 JAMES D. SANFORD, AS CO-TRUSTEE OF THE BARBARA A. SLOAN FAMILY TRUST, THE BARBARA A. SLOAN GST EXEMPT TRUST AND THE BARBARA A. SLOAN NON-GST EXEMPT TRUST – MARITAL v. SHAWN WOLFE, AS THE INDEPENDENT EXECUTOR OF THE ESTATE OF HOLLIS GLEN SLOAN; from Tarrant County; 2nd Court of Appeals District (02-15-00198-CV, 496 SW3d 299, 06-16-16)
- 16-0580 ORION MARINE CONSTRUCTION, INC. F/K/A KING FISHER MARINE SERVICE, L.P. v. HECTOR DE LEON; from Hidalgo County; 13th Court of Appeals District (13-13-00254-CV, ___ SW3d ___, 05-05-16)
- 16-0586 IN THE INTERESTS OF S.L.S., S.S. AND S.L.S., CHILDREN; from Webb County; 4th Court of Appeals District (04-15-00808-CV, ___ SW3d ___, 06-01-16)
2 petitions
motion for removal and replacement of counsel granted
- 16-0589 MORENIKE JAIYEoba v. COUNTRY TITLE, L.L.C.; from Fort Bend County; 1st Court of Appeals District (01-14-00931-CV, ___ SW3d ___, 01-05-16)

- 16-0600 LONE STAR ENGINE INSTALLATION CENTER, INC. AND RAFAEL SANCHEZ v. BRENDA GONZALES AND GONZALO GONZALES; from Dallas County; 5th Court of Appeals District (05-14-01616-CV, ___ SW3d ___, 05-18-16)
- 16-0603 TULSIDAS KURUVANKA, M.D., ET AL. v. SHAN KOVALY; from Harris County; 1st Court of Appeals District (01-15-00350-CV, 497 SW3d 539, 06-28-16)
- 16-0612 SHIRLEY HALE MATHIS, PERMANENT GUARDIAN OF THE ESTATE OF CARLOS Y. BENAVIDES, JR. v. LETICIA R. BENAVIDES; from Webb County; 4th Court of Appeals District (04-15-00555-CV, ___ SW3d ___, 05-25-16)
- 16-0618 MARSHA ARD-PHILLIPS v. STEVEN W. ARD; from Harris County; 14th Court of Appeals District (14-14-00808-CV, ___ SW3d ___, 07-14-16)
- 16-0649 CASSANDRA LAMPKIN v. LYNN BROCK; from Travis County; 3rd Court of Appeals District (03-16-00058-CV, ___ SW3d ___, 07-15-16)
- 16-0667 TRACEY W. MURPHY v. CHRISTOPHER PAULEY, ET AL.; from Bee County; 13th Court of Appeals District (13-15-00324-CV, ___ SW3d ___, 05-26-16)
- 16-0695 CANDIS MORA, ET AL. v. NEW HAMPSHIRE INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-15-00406-CV, 500 SW3d 132, 07-26-16)
- 16-0792 IN RE JEREMY LIEBBE; from Dallas County; 5th Court of Appeals District (05-15-01078-CV, ___ SW3d ___, 06-15-16)
- 16-0828 D & R CONSTRUCTORS, INC., MICHAEL RUSHING, STEPHANIE RUSHING, PENN RUSHING AND FLORENCE RUSHING v. TEXAS GULF ENERGY, INC. ON BEHALF OF CS BANKERS V LLC AND TEXAS GULF FABRICATORS; from Harris County; 1st Court of Appeals District (01-15-00604-CV, ___ SW3d ___, 08-30-16)
- 16-0871 DANIEL FRANKLIN v. CRYSTAL REYES, ET AL.; from Jones County; 11th Court of Appeals District (11-16-00263-CV, ___ SW3d ___, 10-06-16)
- 16-0921 IN THE MATTER OF C.B.L., A JUVENILE; from Midland County; 11th Court of Appeals District (11-15-00227-CV, ___ SW3d ___, 09-30-16)
- 16-0940 HERB D. VEST, SR. v. KERENSA F. VEST; from Dallas County; 5th Court of Appeals District (05-15-00421-CV, ___ SW3d ___, 08-26-16)

- 16-0943 ESTATE OF JOE D. WHITTENBURG, JR., DECEASED; from Randall County; 7th Court of Appeals District (07-15-00443-CV, ___ SW3d ___, 08-04-16)
- 16-0965 IN THE INTEREST OF E.W.T. AND I.G.T., CHILDREN; from Howard County; 11th Court of Appeals District (11-16-00116-CV, ___ SW3d ___, 10-13-16)
motion to withdraw as counsel granted
- 16-0987 LOYD LANDON SORROW v. HARRIS COUNTY, HARRIS COUNTY SHERIFF'S DEPARTMENT SHERIFF, IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES, THE HARRIS COUNTY SHERIFF DEPARTMENT'S MENTAL HEALTH DEPARTMENT, HARRIS COUNTY SHERIFF DEPARTMENT'S MEDICAL DIVISION; DR. SEAL, AND THE HARRIS COUNTY; from Brazoria County; 14th Court of Appeals District (14-15-00571-CV, ___ SW3d ___, 08-23-16)
- 16-0995 STRAD ENERGY SERVICES USA, LTD.; STRAD ENERGY SERVICES, LTD.; & STRAD OILFIELD SERVICES, INC. v. EDWARD BERNAL; from Jim Wells County; 4th Court of Appeals District (04-16-00116-CV, ___ SW3d ___, 10-26-16)

- 16-0997 IN THE INTEREST OF L.A.M., A CHILD; from Harris County; 14th Court of Appeals District (14-16-00395-CV, ___ SW3d ___, 10-27-16)
- 16-0999 ROSE DONALDSON v. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, AS SUCCESSOR BY MERGER TO CHASE HOME FINANCE, LLC; from McLennan County; 10th Court of Appeals District (10-15-00377-CV, ___ SW3d ___, 08-31-16)

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

- 16-0888 HENRY AND SONS CONSTRUCTION COMPANY, INC. v. PABLO CAMPOS; from Nueces County; 13th Court of Appeals District (13-16-00204-CV, ___ SW3d ___, 10-06-16)
motion to stay granted
stay order issued

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

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

- 16-0784 WESLEY PERKINS v. THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-15-00702-CR, ___ SW3d ___, 08-11-16)
motion for leave to supplement dismissed as moot

See TEX. GOV'T CODE § 22.001 & Texas Constitution, Article V, Section 3

- 16-0812 DAVID K. NORVELLE AND SYLVIA NORVELLE v. BEAULY, LLC; from Tarrant County; 2nd Court of Appeals District (02-15-00244-CV, ___ SW3d ___, 06-23-16)

See TEX. GOV'T CODE § 22.225(b)(1)

- 16-0903 CHARLES RODRIGUEZ v. MIDFIRST BANK; from McLennan County; 8th Court of Appeals District (08-15-00104-CV, ___ SW3d ___, 08-10-16)
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:

- 15-0428 IN THE ESTATE OF ROSA ELVIA GUERRERO, DECEASED; from Harris County; 14th Court of Appeals District (14-13-00580-CV, 465 SW3d 693, 04-23-15)
- 16-0080 PARALLEL NETWORKS, LLC v. JENNER & BLOCK, LLP; from Dallas County; 5th Court of Appeals District (05-13-00748-CV, ___ SW3d ___, 08-26-15)
- 16-0402 CRAIG CHAMPION v. FRANK RAMSEY, RAMSAY RAMSEY, RANDAL RAMSEY, INDIVIDUALLY AND D/B/A SUMMIT PROPERTIES AND MANAGEMENT COMPANY; from Brazos County; 10th Court of Appeals District (10-15-00361-CV, ___ SW3d ___, 04-14-16)
- 16-0516 MARK F. HANKS v. THE HUNTINGTON NATIONAL BANK; from Harris County; 1st Court of Appeals District (01-15-00188-CV, ___ SW3d ___, 03-29-16)
- 16-0553 GERALD R. HADDOX AND SHARON HADDOX v. FEDERAL NATIONAL MORTGAGE ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-15-00350-CV, ___ SW3d ___, 05-06-16)
- 16-0595 PHILLIPS DEVELOPMENT & REALTY, LLC v. LJA ENGINEERING, INC.; from Harris County; 14th Court of Appeals District (14-14-00858-CV, 499 SW3d 78, 06-30-16)
- 16-0627 TERRY BARNHART AND ALL OCCUPANTS v. PENSIVE PROPERTIES, LP; from Travis County; 3rd Court of Appeals District (03-15-00463-CV, ___ SW3d ___, 06-28-16)
- 16-0691 MARY RUST v. BANK OF AMERICA, N.A.; from Travis County; 1st Court of Appeals District (01-15-00373-CV, ___ SW3d ___, 06-09-16)
- 16-0824 PATRICIA SWITZER, INDIVIDUALLY, AND AS THE INDEPENDENT EXECUTRIX OF THE ESTATE OF DAVID ERIC SWITZER v. KAY VAUGHAN; from Collin County; 5th Court of Appeals District (05-15-00811-CV, ___ SW3d ___, 07-27-16)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 16-0009 IN RE CITY OF ROSENBERG; from Fort Bend County; 14th Court of Appeals District (14-15-00823-CV, ___ SW3d ___, 10-13-15)
stay order issued January 22, 2016, lifted
- 16-0233 IN RE ABRAM CHARLES RABINOWITZ; from Bexar County; 4th Court of Appeals District (04-16-00127-CV, ___ SW3d ___, 03-16-16)
- 16-0318 IN RE ENTERPRISE BEAUMONT MARINE WEST, L.P. F/K/A OILTANKING BEAUMONT PARTNERS, L.P. AND ENTERPRISE BEAUMONT MARINE WEST GP, L.L.C. F/K/A OILTAKING BEAUMONT GP, L.L.C.; from Jefferson County; 9th Court of Appeals District (09-16-00032-CV, ___ SW3d ___, 04-14-16)
- 16-0472 IN RE POLY-AMERICA L.P.; from Tarrant County; 2nd Court of Appeals District (02-16-00170-CV, ___ SW3d ___, 06-16-16)
- 16-0522 IN RE ZAHIR QUERISHI; from Harris County; 14th Court of Appeals District (14-16-00223-CV, 495 SW3d 554, 06-02-16)
- 16-0683 IN RE CVR ENERGY, INC. CVR PARTNERS, LP, CVR REFINING, LP AND GARY-WILLIAMS ENERGY COMPANY, LLC; from Fort Bend County; 1st Court of Appeals District (01-15-00877-CV, 500 SW3d 67, 06-28-16)
as redrafted
- 16-0926 IN RE MARIA SANTOS LOPEZ DOMINGUEZ, ET AL.; from Harris County; 1st Court of Appeals District (01-15-00989-CV; 01-15-00990-CV, 501 SW3d 214, 08-09-16)
- 17-0024 IN RE NATURAL SODA, LLC; from Travis County; 3rd Court of Appeals District (03-16-00867-CV, ___ SW3d ___, 01-05-17)
motion for expedited consideration dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF INJUNCTION IS DENIED:

- 16-0979 IN RE TRACY NIXON; from Dallas County; 5th Court of Appeals District (05-16-00845-CV, ___ SW3d ___, 09-01-16)