



# THE SUPREME COURT OF TEXAS

Orders Pronounced March 31, 2017

## ORDERS ON CAUSES

### THE FOLLOWING CAUSE IS ABATED:

- 15-0509 MARCELA AND JOSE BUSTAMANTE, AS NEXT FRIENDS OF D.B. v. ENRIQUE N. PONTE, JR., M.D., PEDIATRIX MEDICAL SERVICES, INC., JORGE FABIO LLAMAS-SOFORO, M.D. AND JORGE FABIO LLAMAS-SOFORO, M.D., P.A. D/B/A EL PASO EYE CENTER; from Dallas County; 5th Court of Appeals District (05-12-01394-CV, 490 SW3d 70, 05-28-15)  
abatement order issued

[**Note:** This cause is removed from the Court's active docket until May 30, 2017.]

## ORDERS ON CASES GRANTED

### THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 15-0729 DANIEL E. ARNOLD v. GERARDO GONZALEZ; from Hidalgo County; 13th Court of Appeals District (13-13-00440-CV, \_\_\_ SW3d \_\_\_, 08-28-15)  
[**Note:** The date and time for oral argument are yet to be determined.]
- 15-1008 CITY OF RICHARDSON, TEXAS v. ONCOR ELECTRIC DELIVERY COMPANY, LLC; from Dallas County; 5th Court of Appeals District (05-14-00843-CV, \_\_\_ SW3d \_\_\_, 08-11-15)  
[**Note:** The date and time for oral argument are yet to be determined.]
- 16-0164 BARBARA BATY v. OLGA FUTRELL, CRNA AND COMPLETE ANESTHESIA CARE, P.C.; from Ellis County; 10th Court of Appeals District (10-13-00175-CV, \_\_\_ SW3d \_\_\_, 11-19-15)  
[**Note:** The date and time for oral argument are yet to be determined.]
- 16-0260 AC INTERESTS, L.P. FORMERLY AMERICAN COATINGS, L.P. v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 1st Court of Appeals District (01-15-00378-CV, \_\_\_ SW3d \_\_\_, 02-11-16)

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

16-0498 JEFFERSON COUNTY, TEXAS v. JEFFERSON COUNTY CONSTABLES ASSOCIATION; from Jefferson County; 13th Court of Appeals District (13-14-00188-CV, \_\_\_ SW3d \_\_\_, 05-05-16)

[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:

- 15-0155 ENDEAVOR ENERGY RESOURCES, L.P. AND ENDEAVOR PETROLEUM, LLC v. DISCOVERY OPERATING, INC. AND PATRIOT ROYALTY AND LAND, LLC; from Martin County; 11th Court of Appeals District (11-12-00322-CV, \_\_\_ SW3d \_\_\_, 10-23-14)
- 15-0171 IN THE INTEREST OF P.M., A CHILD; from Denton County; 2nd Court of Appeals District (02-14-00205-CV, \_\_\_ SW3d \_\_\_, 12-31-14)  
as amended  
motion to supplement record denied, as amended
- 15-0788 CHRISTINA T. VO, HOANG THANH INC. D/B/A C&D KWIK STOP AND/OR CD KWIKSTOP v. KAREN "SUE" BURNETT, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JERRY EDWIN BURNETT; from Tarrant County; 2nd Court of Appeals District (02-14-00297-CV, \_\_\_ SW3d \_\_\_, 08-28-15)
- 15-0935 XOG OPERATING, LLC AND GERONIMO HOLDING CORPORATION v. CHESAPEAKE EXPLORATION LIMITED PARTNERSHIP AND CHESAPEAKE EXPLORATION, L.L.C.; from Wheeler County; 7th Court of Appeals District (07-13-00439-CV, 480 SW3d 22, 09-02-15)
- 16-0237 GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS AND KEN PAXTON, ATTORNEY GENERAL OF THE STATE OF TEXAS v. ALLSTATE INSURANCE COMPANY; from Travis County; 3rd Court of Appeals District (03-13-00341-CV, 484 SW3d 611, 02-18-16)
- 16-0348 JOHN THOMAS PRUD'HOMME, ET AL. v. WALTER BOUNDS AND WIFE, CAROLYN BOUNDS; from San Augustine County; 12th Court of Appeals District (12-15-00177-CV, \_\_\_ SW3d \_\_\_, 03-31-16)
- 16-0459 TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES v. DAVID DONALDSON; from Washington County; 1st Court of Appeals District (01-14-00736-CV, 495 SW3d 421, 05-05-16)
- 16-0550 MARK WHITE, ET AL. v. NORMA LEA BAUER, ET AL.; from Goliad County; 13th Court

of Appeals District (13-16-00054-CV, \_\_\_ SW3d \_\_\_, 06-02-16)

- 16-0565 ALMA INVESTMENTS, INC. v. BAHIA MAR CO-OWNERS ASSOCIATION, INC.; from Cameron County; 13th Court of Appeals District (13-14-00428-CV, 497 SW3d 137, 06-16-16)
- 16-0583 LEA PERCY MCLAURIN v. SCOTT SUTTON MCLAURIN; from Harris County; 1st Court of Appeals District (01-14-00710-CV, \_\_\_ SW3d \_\_\_, 05-26-16)
- 16-0658 IN THE INTEREST OF M.C. AND A.C.; from Tarrant County; 2nd Court of Appeals District (02-15-00044-CV, \_\_\_ SW3d \_\_\_, 05-12-16)
- 16-0696 CYNTHIA SINATRA v. THE ESTATE OF FRANCIS W. SINATRA, JR., DECEASED; from Wharton County; 13th Court of Appeals District (13-14-00565-CV, \_\_\_ SW3d \_\_\_, 07-28-16)
- 16-0796 ROBYN N. JONES v. WELLS FARGO BANK, N.A.; from Hays County; 3rd Court of Appeals District (03-14-00658-CV, \_\_\_ SW3d \_\_\_, 07-22-16)  
(Justice Johnson not sitting)
- 16-0809 KENNETH PALOMINO v. THE UNIVERSITY OF TEXAS AT EL PASO; from El Paso County; 8th Court of Appeals District (08-15-00004-CV, 498 SW3d 711, 08-24-16)
- 16-0810 J.A. GREEN DEVELOPMENT CORP., JAGI, INC. AND JAGI VERDE LLC v. GRANT THORNTON, LLP, JAMIE B. FOWLER AND AKIN GUMP STRAUSS HAUER & FELD LLP; from Dallas County; 5th Court of Appeals District (05-15-00029-CV, \_\_\_ SW3d \_\_\_, 06-28-16)
- 16-0884 EXPELLED GRAIN PRODUCTS, LLC AND SCOTT THEIRING v. CORN MILL ENTERPRISES, LLC; from Castro County; 7th Court of Appeals District (07-14-00398-CV, \_\_\_ SW3d \_\_\_, 08-17-16)
- 16-0887 RICHARD L. BLOCH, INDIVIDUALLY AND AS A TRUSTEE OF THE RICHARD AND NANCY BLOCH FAMILY TRUST, AND NANCY BLOCH, AS A TRUSTEE OF THE RICHARD AND NANCY FAMILY TRUST v. TOM KARTSOTIS; from Dallas County; 5th Court of Appeals District (05-14-01294-CV, 503 SW3d 506, 09-02-16)
- 16-0908 YADIRA ADAME v. STATE FARM LLOYDS; from Live Oak County; 13th Court of Appeals District (13-15-00357-CV, 506 SW3d 96, 09-01-16)
- 16-0947 INFINITY CAPITAL II, LLC, INFINITY CAPITAL, LLC, LAURIE A. MCRAE AND

MCRA Y MONEY MANAGEMENT, LLC v. STRASBURGER & PRICE, LLP; from Harris County; 1st Court of Appeals District (01-15-00691-CV, \_\_\_ SW3d \_\_\_, 08-11-16)

- 16-0970 RSM PRODUCTION CORP. AND JACK GRYNBERG v. GLOBAL PETROLEUM GROUP, LTD.; from Harris County; 1st Court of Appeals District (01-15-00866-CV, 507 SW3d 383, 10-20-16)
- 16-0980 RYAN TROWBRIDGE v. HOMERO DE HOYOS AND LUCIA DE HOYOS; from Taylor County; 11th Court of Appeals District (11-14-00247-CV, \_\_\_ SW3d \_\_\_, 08-31-16)  
as redrafted  
motion for leave to file supplemental reporters record dismissed as moot
- 16-1000 ESTATE OF WILLIAM HENRY MATTHEWS, III, DECEASED; from Bexar County; 4th Court of Appeals District (04-15-00461-CV, \_\_\_ SW3d \_\_\_, 08-31-16)
- 17-0054 IN THE INTEREST OF A.K.L. AND S.A.A.P., CHILDREN; from Harris County; 1st Court of Appeals District (01-16-00489-CV, \_\_\_ SW3d \_\_\_, 12-08-16)
- 17-0071 DIXEY EVANS, FORMERLY DIXEY MAY JONES v. DAVID NELSON JONES; from Hamilton County; 10th Court of Appeals District (10-15-00278-CV, \_\_\_ SW3d \_\_\_, 11-16-16)
- 17-0074 CARLA WALLACE v. ARCELORMITTAL VINTON, INC.; from El Paso County; 8th Court of Appeals District (08-15-00095-CV, \_\_\_ SW3d \_\_\_, 11-02-16)
- 17-0078 BEVERLY HINES v. 21ST MORTGAGE CORPORATION; from Jefferson County; 9th Court of Appeals District (09-15-00354-CV, \_\_\_ SW3d \_\_\_, 12-08-16)

#### **ORDERS ON MOTIONS FOR REHEARING**

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

- 15-0789 SLOAN CREEK II, L.L.C. v. THE STATE OF TEXAS AND THE NORTH TEXAS TOLLWAY AUTHORITY; from Collin County; 5th Court of Appeals District (05-14-01456-CV, 472 SW3d 906, 08-28-15)
- 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)
- 16-0589 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)

- 16-0789 IN THE ESTATE OF RUBY RENEE BYROM, DECEASED; from Rusk County; 12th Court of Appeals District (12-15-00033-CV, \_\_\_ SW3d \_\_\_, 08-24-16)
- 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)
- 16-0903 CHARLES RODRIGUEZ v. MIDFIRST BANK; from McLennan County; 8th Court of Appeals District (08-15-00104-CV, \_\_\_ SW3d \_\_\_, 08-10-16)  
(Justice Guzman not sitting)
- 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)
- 16-0962 PATRICK OLAJIDE AKINWAMIDE v. TRANSPORTATION INSURANCE COMPANY, CNA INSURANCE COMPANY AND AUTOMATIC DATA PROCESSING, INC.; from Harris County; 1st Court of Appeals District (01-15-00066-CV, 499 SW3d 511, 07-07-16)
- 16-0977 FRANCES K. GRAHAM v. LNV CORPORATION; from Travis County; 3rd Court of Appeals District (03-16-00235-CV, \_\_\_ SW3d \_\_\_, 10-26-16)
- 16-1003 IN THE INTEREST OF L.T.B. AND L.M.A., CHILDREN; from Harris County; 14th Court of Appeals District (14-16-00384-CV, \_\_\_ SW3d \_\_\_, 11-03-16)
- 16-1035 HARVEY L. SCHWARTZ, DECEASED, BY AND THROUGH THE INDEPENDENT EXECUTOR OF THE ESTATE OF HARVEY L. SCHWARTZ, KENNETH C. SCHWARTZ v. THE ESTATE OF DOROTHY J. SCHWARTZ, DECEASED; MICHAEL WAYNE TAYLOR; AND TANA SUE PYSEN; from Tom Green County; 3rd Court of Appeals District (03-15-00651-CV, \_\_\_ SW3d \_\_\_, 10-05-16)

#### **MISCELLANEOUS**

##### THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 16-0736 IN RE TOM THOMAS, DAN SHEEHAN AND MARC CULP, INDIVIDUALLY AND AS SUCCESSORS TO THE INTEREST OF THOMAS, SHEEHAN & CULP, L.L.P.; from Harris County; 14th Court of Appeals District (14-16-00495-CV, \_\_\_ SW3d \_\_\_, 08-31-16)
- 16-1040 IN RE JUSTIN RIDER; from Comal County
- motion for temporary injunction relief denied  
motion for appointment of counsel denied

- 17-0119 IN RE EUGENIO E. MARTINEZ; from De Witt County; 13th Court of Appeals District (13-16-00444-CV, \_\_\_ SW3d \_\_\_, 09-22-16)
- 17-0135 IN RE JAMES R. HARRIS, IN HIS CAPACITY AS PRESIDENT AND CHAIRMAN OF THE BOARD OF SOUTH BAY CORPORATION AND LAMB OIL & GAS, INC., SOUTH BAY CORPORATION, AND LAMB OIL & GAS, INC.; 13th Court of Appeals District (13-16-00664-CV, \_\_\_ SW3d \_\_\_, 02-07-17)