



# THE SUPREME COURT OF TEXAS

Orders Pronounced January 5, 2018

*Justice Blacklock did not participate in the following orders:*

## ORDERS ON PETITIONS FOR REVIEW

### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0413 LMV - AL VENTURES, LLC v. TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES AND COMMISSIONER JON WEIZENBAUM; from Travis County; 3rd Court of Appeals District (03-16-00222-CV, 520 SW3d 113, 04-06-17)  
2 petitions
- 17-0515 ROOFTOP GROUP USA, INC. v. SHOPPER EVENTS LLC; from Harris County; 14th Court of Appeals District (14-15-01040-CV, \_\_\_ SW3d \_\_\_, 05-16-17)
- 17-0734 FLOYD CIRCLE PARTNERS, LLC v. REPUBLIC LLOYDS; from Dallas County; 5th Court of Appeals District (05-16-00224-CV, \_\_\_ SW3d \_\_\_, 07-24-17)
- 17-0753 RORY N. MINCK, M.D. v. CORINA MAY PERALES AND DANIEL DAVILA PERALES; from Hidalgo County; 13th Court of Appeals District (13-16-00694-CV, \_\_\_ SW3d \_\_\_, 05-25-17)
- 17-0765 SCOTT P. OGLE v. MAELI HECTOR, A/K/A MAELI ARELLANO, A/K/A MAELI JOHNSON; from Travis County; 3rd Court of Appeals District (03-16-00716-CV, \_\_\_ SW3d \_\_\_, 08-02-17)
- 17-0788 JUAN GUTIERREZ v. MARIO GONZALEZ; from Dallas County; 5th Court of Appeals District (05-16-00631-CV, \_\_\_ SW3d \_\_\_, 06-26-17)
- 17-0791 NSL PROPERTY HOLDINGS, LLC v. NATIONSTAR MORTGAGE, LLC; from Tarrant

County; 2nd Court of Appeals District (02-16-00397-CV, \_\_\_ SW3d \_\_\_, 08-17-17)

- 17-0800 JERRY D. CHRISTERSON AND MYRTLE CHRISTERSON v. GORDON W. SPEER, LENORA SPEER, KEVIN SPEER AND ED PICKETT; from Chambers County; 1st Court of Appeals District (01-16-00469-CV, \_\_\_ SW3d \_\_\_, 04-27-17)
- 17-0820 SALVADOR ZAVALA v. MARKESE REO, C. FURR, E.U. ONWUNSURUAUA, AND R. MENCHACA; from Bee County; 13th Court of Appeals District (13-16-00428-CV, \_\_\_ SW3d \_\_\_, 08-24-17)
- 17-0886 OPTIMAL UTILITIES, INC. v. BARRY SMITHERMAN, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF THE RAILROAD COMMISSION OF TEXAS, ET AL.; from Travis County; 13th Court of Appeals District (13-16-00385-CV, \_\_\_ SW3d \_\_\_, 08-10-17)
- 17-0889 APPLE TREE CAFÉ TOURING, INC. AND ERICA WRIGHT v. PAUL LEVATINO; from Dallas County; 5th Court of Appeals District (05-16-01380-CV, \_\_\_ SW3d \_\_\_, 08-03-17)
- 17-0893 CHARLES GALBRAITH v. THE WILLIAMS COMPANIES, INC., WILLIAMS GAS PIPELINE COMPANY, LLC AND TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC; from Fort Bend County; 1st Court of Appeals District (01-15-01084-CV, \_\_\_ SW3d \_\_\_, 07-06-17)
- 17-0900 DR. GHYASUDDIN SYED AND SOUTHEAST TEXAS INSTITUTE OF PAIN MANAGEMENT, P.A. v. PHU HUU NGUYEN, PHARM. D. PLLC D/B/A WELLNESS PHARMACY AND PHU "PAUL" HUU NGUYEN; from Harris County; 1st Court of Appeals District (01-16-00856-CV, \_\_\_ SW3d \_\_\_, 09-21-17)
- 17-0930 GRANT RAWSTON HEADIFEN v. VANESSA HARKER; from Travis County; 3rd Court of Appeals District (03-16-00028-CV, \_\_\_ SW3d \_\_\_, 08-30-17)
- 17-0932 DANNY BARFOROUGH v. NATIONSTAR MORTGAGE, LLC AND U.S. BANK NATIONAL ASSOCIATION; from Harris County; 1st Court of Appeals District (01-16-00266-CV, \_\_\_ SW3d \_\_\_, 10-05-17)
- 17-0935 BEXAR-MEDINA-ATASCOSA COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 v. BANDERA COUNTY RIVER AUTHORITY AND GROUNDWATER DISTRICT; from Bandera County; 4th Court of Appeals District (04-16-00536-CV, \_\_\_ SW3d \_\_\_, 09-13-17)
- 17-0938 GEORGE ANNA ALMETER v. BASTROP CENTRAL APPRAISAL DISTRICT; from

Bastrop County; 3rd Court of Appeals District (03-17-00092-CV, \_\_\_ SW3d \_\_\_, 10-05-17)

- 17-0954 CAROLINE H. MARTINEZ, INDIVIDUALLY AND AS TRUSTEE OF THE CAROLINE H. MARTINEZ REVOCABLE LIVING TRUST v. ROBERT D. MARTINEZ; from McLennan County; 10th Court of Appeals District (10-15-00410-CV, \_\_\_ SW3d \_\_\_, 08-23-17)
- 17-0960 JOHN WHEAT GIBSON, P.C. v. 701 KATY BUILDING, L.P.; from Dallas County; 5th Court of Appeals District (05-16-00193-CV, \_\_\_ SW3d \_\_\_, 08-24-17)
- 17-0962 IN THE INTEREST OF C.D.G., K.B.G., AND K.M.G., CHILDREN; from Harris County; 14th Court of Appeals District (14-17-00261-CV, \_\_\_ SW3d \_\_\_, 09-28-17)
- 17-0973 IN THE INTEREST OF B.M., J.M., D.M., AND L.M., CHILDREN; from Bee County; 13th Court of Appeals District (13-17-00467-CV, \_\_\_ SW3d \_\_\_, 11-30-17)
- 17-0984 IN THE INTEREST OF C.J.L., A CHILD; from Harris County; 1st Court of Appeals District (01-17-00283-CV, \_\_\_ SW3d \_\_\_, 10-03-17)
- 17-1041 IN THE INTEREST OF A.L.T., A CHILD; from Bexar County; 4th Court of Appeals District (04-17-00452-CV, \_\_\_ SW3d \_\_\_, 11-08-17)
- 17-1042 IN THE INTEREST OF A.H., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-17-00222-CV, \_\_\_ SW3d \_\_\_, 11-09-17)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

- 17-0467 TEXAS CAPITAL BANK, AS SUCCESSOR INDEPENDENT EXECUTOR OF THE ESTATE OF FREDERIC B. "TEX" ASCHE, JR.; MARY SUSAN BARNHILL, AS INDEPENDENT EXECUTRIX OF THE ESTATE OF SARAH P. "SALLIE" ASCHE; AND BAYLOR UNIVERSITY MEDICAL CENTER v. FRITZ ASCHE, VALE ASCHE ELKINS, CRAIG ASCHE, LISA MITTNACHT, AND RICK ASCHE; from Dallas County; 5th Court of Appeals District (05-15-00102-CV, \_\_\_ SW3d \_\_\_, 02-17-17)
- 2 petitions  
abatement order issued November 17, 2017, lifted  
petitions reinstated  
joint motion to dismiss petitions granted

**ORDERS ON MOTIONS FOR REHEARING**

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

- 16-0945 ANGLO-DUTCH PETROLEUM INTERNATIONAL, INC. AND ANGLO-DUTCH (TENGE), LLC v. GREENBERG PEDEN, P.C. AND GERARD J. SWONKE; from Harris County; 14th Court of Appeals District (14-14-00706-CV, 522 SW3d 471, 10-13-16)

17-0537 MATTHEW PERDUE AND TEAM 1 CONSULTING, LLC v. JAY D. PFEIFER, MARK SEAMANS AND CCNBI, INC.; from Bexar County; 4th Court of Appeals District (04-16-00395-CV, \_\_\_ SW3d \_\_\_, 04-12-17)

17-0780 ROSSER B. MELTON, JR. v. THE STATE OF TEXAS; from Travis County; 3rd Court of Appeals District (03-17-00096-CV, \_\_\_ SW3d \_\_\_, 06-21-17)

17-0805 IN THE INTEREST OF H.L., H.L., AND C.L., CHILDREN; from Randall County; 7th Court of Appeals District (07-17-00070-CV, \_\_\_ SW3d \_\_\_, 07-13-17)

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

17-0746 IN RE NORMA HEREDIA; from Hidalgo County; 13th Court of Appeals District (13-16-00129-CV, \_\_\_ SW3d \_\_\_, 07-27-17)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

17-0939 IN RE LEON ANTHONY CALLIHAM BENJAMIN; from Jefferson County; 9th Court of Appeals District (09-17-00396-CV, \_\_\_ SW3d \_\_\_, 11-02-17)

17-0959 IN RE RUSSELL JAY REGER; from Tarrant County

17-0964 IN RE DATRIL BOSTON; from Harris County; 14th Court of Appeals District (14-17-00337-CV, \_\_\_ SW3d \_\_\_, 05-09-17)

17-0974 IN RE WAYNE BAILEY; 1st Court of Appeals District

17-0983 IN RE KILLEEN & STERN, P.C.; from Harris County; 1st Court of Appeals District (01-17-00306-CV, \_\_\_ SW3d \_\_\_, 11-21-17)