



THE SUPREME COURT OF TEXAS

Orders Pronounced February 2, 2018

ORDERS ON CAUSES

- 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)

The Court reverses the court of appeals' judgment and reinstates the trial court's judgment.

Justice Green delivered the opinion of the Court.

Justice Blacklock did not participate in the decision.

- 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)

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

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

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

Justice Blacklock did not participate in the decision.

- 16-0560 LEE NICK MCFADIN, III v. BROADWAY COFFEEHOUSE, LLC; from Bexar County; 4th Court of Appeals District (04-16-00283-CV, ___ SW3d ___, 07-06-16)

petitioner's motion for emergency temporary stay dismissed as moot
joint motion for partial dismissal, treated as motion pursuant to Texas Rule of Appellate Procedure 56.3, granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court severs the portion of the proceedings against Respondent Marcus Rogers, Trustee for Saks Children Trust a/k/a ATFL&L, a Texas Trust, from cause no. 16-0560 into case no. 18-0081, styled *Lee Nick McFadin, III v. Marcus Rogers, Trustee for the Saks Children Trust a/k/a ATFL&L, a Texas Trust*.

The Court reverses the court of appeals' judgment and remands the case to that court.

Justice Johnson delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

18-0081 LEE NICK MCFADIN, III v. MARCUS ROGERS, TRUSTEE FOR THE SAKS CHILDREN TRUST A/K/A ATFL&L, A TEXAS TRUST; from Bexar County; 4th Court of Appeals District (04-16-00283-CV, ___ SW3d ___, 07-06-16)

joint motion for partial dismissal, treated as motion pursuant to Texas Rule of Appellate Procedure 56.3, granted

Pursuant to Texas Rule of Appellate Procedure 56.3, the Court grants the petition in case number 18-0081, vacates the portion of the trial court's supersedeas bond payment order as to Respondent Marcus Rogers, Trustee for Saks Children Trust a/k/a ATFL&L, a Texas Trust, and remands the case to the trial court for further proceedings in accordance with the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

17-0664 GRACE CREEK DEVELOPMENT, LP AND THE CHALLENGE GOLF GROUP LIMITED v. REM-K BUILDERS, LTD.; from Smith County; 12th Court of Appeals District (12-16-00184-CV, ___ SW3d ___, 05-31-17)

17-0867 HOLLY GAIL CRAMPTON v. COMMISSION FOR LAWYER DISCIPLINE; from Wichita County; 8th Court of Appeals District (08-15-00074-CV, ___ SW3d ___, 12-14-16)

17-0942 IN THE INTEREST OF I.L.G., A CHILD; from Harris County; 14th Court of Appeals District (14-17-00231-CV, 531 SW3d 346, 09-20-17)

17-0980 STEVEN BOYD v. ROBERT LOVE, HONORABLE DAN L. SCHAAP, AND LAMETRA MOORE-BOYD; from Randall County; 7th Court of Appeals District (07-17-00081-CV, ___ SW3d ___, 10-11-17)

ORDERS ON MOTIONS FOR REHEARING

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

17-0857 QUICKSET CONCRETE, INC. v. ROESCHCO CONSTRUCTION, INC.; from Dallas County; 5th Court of Appeals District (05-16-00509-CV, ___ SW3d ___, 09-13-17)

18-0011 DAVID ALAN SHEPHERD v. LAWRENCE MITCHELL; from Dallas County; 5th Court of Appeals District (05-14-01235-CV, ___ SW3d ___, 05-10-16)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF INJUNCTION IS DISMISSED:

17-1016 IN RE RODNEY SAMANIEGO