



THE SUPREME COURT OF TEXAS

Orders Pronounced October 19, 2018

ORDERS ON CAUSES

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 15-0932 AMERICAN K-9 DETECTION SERVICES, LLC AND HILL COUNTRY DOG CENTER, LLC v. LATASHA FREEMAN; from Bandera County; 13th Court of Appeals District (13-14-00726-CV, 494 SW3d 393, 10-29-15)
- 16-0256 RICHARD T. ARCHER, DAVID B. ARCHER, CAROL ARCHER BUGG, JOHN V. ARCHER, KAREN ARCHER BALL, AND SHERRI ARCHER v. T. MARK ANDERSON AND CHRISTINE ANDERSON, AS CO-EXECUTORS OF THE ESTATE OF TED ANDERSON; from Travis County; 3rd Court of Appeals District (03-13-00790-CV, 490 SW3d 175, 03-02-16)
- 16-0341 LARRY BOS AND MARY BOS v. CRAIG S. SMITH, INDIVIDUALLY AND AS NEXT FRIEND OF M.W.F.S., A MINOR, AND C.S.S., A MINOR, J.E.S., A MINOR, AND V.A.S., A MINOR; from Nueces County; 13th Court of Appeals District (13-14-00456-CV, 492 SW3d 361, 03-10-16)
- 16-0829 IN RE STATE OF TEXAS; from Montgomery County; 9th Court of Appeals District (09-16-00072-CV, 501 SW3d 116, 09-01-16)
(Justice Blacklock not sitting)
- 17-0033 BRIAN DEROECK, MELINDA YOUNG, AND KATHRYN BOYKIN, CO-TRUSTEES OF THE WALTER A. DEROECK QTIP TRUST, ASSIGNEE OF TEXAS CAPITAL BANK NATIONAL ASSOCIATION v. DHM VENTURES, LLC, JAMES W. MORITZ, AND NATHAN W. HALSEY; from Travis County; 3rd Court of Appeals District (03-15-00713-CV, ___ SW3d ___, 08-09-16)
- 17-0049 STEPHEN MORALE D/B/A ACTION COLLISION REPAIR AND KIMBERLY MORALE v. THE STATE OF TEXAS; from Denton County; 2nd Court of Appeals District (02-15-00322-CV, 553 SW3d 489, 12-29-16)

- 17-0462 WAUSAU UNDERWRITERS INSURANCE COMPANY v. JAMES WEDEL AND MICHELLE WEDEL; from El Paso County; 8th Court of Appeals District (08-16-00120-CV, 518 SW3d 615, 04-26-17)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

- 17-0552 TEXAS DEPARTMENT OF CRIMINAL JUSTICE v. MAURIE LEVIN, NAOMI TERR, AND HILARY SHEARD; from Travis County; 3rd Court of Appeals District (03-15-00044-CV, 520 SW3d 225, 05-25-17)

motion for rehearing granted

denial of petition for review on June 1, 2018, withdrawn

petition reinstated

[**Note:** This case has been set for oral argument at 9:00 a.m., January 23, 2019.]

Time allotted to argue: 20/20 minutes

(Justice Blacklock not sitting)

- 17-0666 INTERNATIONAL BUSINESS MACHINES CORP. v. LUFKIN INDUSTRIES, INC.; from Angelina County; 12th Court of Appeals District (12-15-00223-CV, ___ SW3d ___, 07-12-17)

[**Note:** This case has been set for oral argument at 9:00 a.m., December 6, 2018.]

Time allotted to argue: 20/20 minutes

(Justice Blacklock not sitting)

- 18-0099 PHI, INC. v. TEXAS JUVENILE JUSTICE DEPARTMENT F/K/A TEXAS YOUTH COMMISSION; from Cooke County; 2nd Court of Appeals District (02-17-00013-CV & 02-17-00014-CV, 537 SW3d 707, 12-21-17)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 23, 2019.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

SOLICITOR GENERAL INVITED TO FILE BRIEF:

- 17-0905 SAN ANTONIO RIVER AUTHORITY v. AUSTIN BRIDGE & ROAD, L.P. AND HAYWARD BAKER INC.; from Medina County; 4th Court of Appeals District (04-16-00535-CV, ___ SW3d ___, 08-09-17)

The Solicitor General is invited to file a brief in this case expressing the views of the State.

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0359 IN THE INTEREST OF L.G., A CHILD; from Bexar County; 4th Court of Appeals District (04-17-00073-CV, 517 SW3d 275, 03-22-17)

- 17-0459 UNITED SERVICES AUTOMOBILE ASSOCIATION v. SUNNY LETOT; from Dallas County; 5th Court of Appeals District (05-14-01394-CV, ___ SW3d ___, 04-27-17)

- 17-0554 CITY OF DALLAS v. ROMULUS GROUP, INC.; from Dallas County; 5th Court of Appeals District (05-16-00088-CV, ___ SW3d ___, 05-02-17)
- 17-0723 THE SOURCE FOR PUBLICDATA.COM, LP AND SHADOWSOFT, INC., v. D.K.W.; from Dallas County; 5th Court of Appeals District (05-16-00815-CV, 526 SW3d 619, 06-28-17)
- 17-0814 HELIX ENERGY SOLUTIONS GROUP, INC. AND HELIX SUBSEA CONSTRUCTION, INC. v. BH CONTRACTORS, LLC; from Harris County; 14th Court of Appeals District (14-15-01035-CV, ___ SW3d ___, 08-22-17)
- 17-0837 IN THE INTEREST OF C.S., G.M.S., J.C.S., J.S., AND R.S., CHILDREN; from Parmer County; 7th Court of Appeals District (07-17-00329-CV, ___ SW3d ___, 09-26-17)
as reinstated
- 18-0052 T&T ROCK DISTRIBUTION, LLC v. RUTILIO I. VELASCO; from Johnson County; 10th Court of Appeals District (10-16-00408-CV, ___ SW3d ___, 12-20-17)
stay order issued June 15, 2018, lifted
- 18-0161 IN THE INTEREST OF L.M.R.B, B.A.B, R.A.B & E.P.B., CHILDREN; from Harris County; 14th Court of Appeals District (14-18-00024-CV, ___ SW3d ___, 02-13-18)
2 petitions
- 18-0211 NELLY DELGADO SOSA v. CES ENVIRONMENTAL SERVICES, INC.; from Harris County; 14th Court of Appeals District (14-16-00676-CV, 543 SW3d 397, 02-01-18)
- 18-0220 CLEVELAND FRANKLIN v. AMERICAN ELEVATOR INSPECTIONS, INC.; from Harris County; 14th Court of Appeals District (14-16-00684-CV, ___ SW3d ___, 12-21-17)
- 18-0238 LORENA MUÑOZ, IND. AND ON BEHALF OF THE EST. OF LORENZO MUÑOZ, AND AS N/F OF CM, A MINOR CHILD, LESLIE MUÑOZ, AND VIRGINIA MUÑOZ v. MOORE FREIGHT SERVICES, INC., CHARLES “CHIP” STRADER, AND XMEX TRANSPORTS, L.L.C.; from El Paso County; 8th Court of Appeals District (08-14-00254-CV, 545 SW3d 85, 07-26-17)
2 petitions
- 18-0268 HOWARD MINTZ, M.D. v. JULYE NESBITT CAREW, M.D., P.A., MICHELLE CHESNUT, M.D., P.A., AND MICHELLE CHESTNUT, M.D.; from Dallas County; 5th Court of Appeals District (05-16-00997-CV, ___ SW3d ___, 02-13-18)

- 18-0299 L.L.M. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-18-00026-CV, ___ SW3d ___, 02-09-18)
- 18-0363 NEIL ALBRECHT AND SHELIA ALBRECHT v. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2005-17; from Dallas County; 5th Court of Appeals District (05-17-00272-CV, ___ SW3d ___, 02-21-18)
as redrafted
- 18-0484 THE FAN EXPO, LLC v. NATIONAL FOOTBALL LEAGUE, NFL ENTERPRISES, LLC, NFL NETWORK SERVICES, INC. D/B/A NFL NETWORK, NFL DIGITAL MEDIA, AND NFL.COM; from Dallas County; 5th Court of Appeals District (05-16-00763-CV, ___ SW3d ___, 04-20-18)
- 18-0512 METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY v. VIOLA M. DOUGLAS; from Harris County; 14th Court of Appeals District (14-17-00176-CV, 544 SW3d 486, 02-27-18)
- 18-0530 LARRY JOE MORGAN v. BENSON VARGHESE; from Tarrant County; 2nd Court of Appeals District (02-17-00079-CV, ___ SW3d ___, 05-24-18)
- 18-0538 DEVON ENERGY PRODUCTION COMPANY, L.P. v. APACHE CORPORATION; from Glasscock County; 11th Court of Appeals District (11-16-00105-CV, 550 SW3d 259, 04-30-18)
- 18-0548 IN THE INTEREST OF A.M. AND W.M., CHILDREN; from Hunt County; 6th Court of Appeals District (06-18-00043-CV)
- 18-0649 FREDERICK R. LYNCH v. TIM O'HARE, DAVID R. RAGSDALE AND THE LAW OFFICES OF TIM O'HARE; from Dallas County; 5th Court of Appeals District (05-17-00175-CV, ___ SW3d ___, 01-18-18)
- 18-0665 AVAGENE HARRIS v. HOUSTON METHODIST HOSPITAL; from Harris County; 1st Court of Appeals District (01-17-00544-CV, ___ SW3d ___, 07-03-18)
- 18-0672 KEVIN MARTIN, ET AL. v. NEWFIELD EXPLORATION COMPANY AND DYNAMIC PRODUCTION, INC.; from Live Oak County; 13th Court of Appeals District (13-17-00104-CV, ___ SW3d ___, 06-07-18)
- 18-0686 REBECCA LEIGH FLORES AND FERNANDO MEDINA v. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY; from Hidalgo County; 13th Court of Appeals

District (13-17-00167-CV, ___ SW3d ___, 06-07-18)

- 18-0695 ANTHONY D. ECKMAN v. NORTHGATE TERRACE APARTMENTS, LLC; from Travis County; 3rd Court of Appeals District (03-18-00254-CV, ___ SW3d ___, 06-28-18)
- 18-0707 V.C. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Travis County; 3rd Court of Appeals District (03-17-00889-CV, ___ SW3d ___, 06-22-18)
- 18-0744 JAMES B. OSTBERG v. BANK OF AMERICA, N.A., U.S. BANK TRUST, N.A. AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, CALIBER HOME LOANS INC., AND COUNTRYWIDE HOME LOANS INC.; from Dallas County; 5th Court of Appeals District (05-17-00255-CV, ___ SW3d ___, 05-31-18)
- 18-0755 PETER OBASOGIE v. AMTEX AUTO INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-17-00405-CV, ___ SW3d ___, 07-03-18)
- 18-0800 MOHAMED MOHAMED, INDIVIDUALLY AND ON BEHALF OF A.M., A MINOR v. CENTER FOR SECURITY POLICY, JIM HANSON AND BEN SHAPIRO; from Dallas County; 5th Court of Appeals District (05-17-00278-CV, 554 SW3d 767, 07-11-18)
- 18-0848 TRAVIS KITCHENS v. JC PROJECT MANAGEMENT SERVICES, INC. AND JACK CARPENTER; from Trinity County; 12th Court of Appeals District (12-17-00130-CV, ___ SW3d ___, 06-29-18)
- 18-0854 JASON C. WEBSTER, P.C. D/B/A THE WEBSTER LAW FIRM AND JASON C. WEBSTER v. ANDRINA DE ANDA F/K/A ANDRINA GARZA; from Harris County; 14th Court of Appeals District (14-17-00020-CV, ___ SW3d ___, 07-26-18)
- 18-0855 SHEREE FREEMAN AND PHILLIP FREEMAN v. CITY OF WAXAHACHIE, TEXAS; from Ellis County; 10th Court of Appeals District (10-18-00195-CV, ___ SW3d ___, 07-25-18)
- 18-0954 IN THE INTEREST OF N.M.H. AND J.K.H., AND J.J.W.; from Bexar County; 4th Court of Appeals District (04-18-00264-CV, ___ SW3d ___, 08-22-18)
- 18-0966 IN THE INTEREST OF R.V.P. AND B.G.B. A/K/A B.P., CHILDREN; from Harris County; 14th Court of Appeals District (14-18-00218-CV, ___ SW3d ___, 08-30-18)
motion to withdraw as counsel granted
- 18-0972 IN THE INTEREST OF T.C., A CHILD; from Potter County; 7th Court of Appeals District (07-

18-00233-CV, ___ SW3d ___, 08-23-18)

18-0973 IN THE INTEREST OF T.C. AND J.C., CHILDREN; from Potter County; 7th Court of Appeals District (07-18-00232-CV, ___ SW3d ___, 08-23-18)

18-0978 IN THE INTEREST OF C.I.C. AND V.A.L., CHILDREN; from Bexar County; 4th Court of Appeals District (04-18-00135-CV, ___ SW3d ___, 08-22-18)

THE FOLLOWING PETITIONS FOR REVIEW ARE DISMISSED:

18-0079 TEXAS INSURANCE GROUP, INC. v. BEDFORD INTERNET OFFICE SPACE, LLC; from Tarrant County; 2nd Court of Appeals District (02-17-00009-CV, 537 SW3d 717, 12-21-17)
agreed motion to dismiss granted

18-0467 EAGLE OIL & GAS CO. AND EAGLE WES-TEX, L.P. v. SHALE EXPLORATION, LLC; from Harris County; 1st Court of Appeals District (01-15-00888-CV, 549 SW3d 256, 04-19-18)
motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

17-0803 IN THE INTEREST OF J.M.M., A CHILD; from Collin County; 5th Court of Appeals District (05-15-01198-CV, ___ SW3d ___, 04-26-17)

17-0864 JOAN JOHNSON, KALETA JOHNSON, SETH JOHNSON AND WIRT BLAFFER v. MICHAEL PHILLIPS, SPINDLE TOP PUBLISHING, ET AL.; from Harris County; 1st Court of Appeals District (01-15-00173-CV, 526 SW3d 529, 05-23-17)

18-0123 ZZ & Z PROPERTIES, LTD. v. SUNG JOON JANG AND SUNMI A. JANG; from McLennan County; 13th Court of Appeals District (13-16-00043-CV, ___ SW3d ___, 01-04-18)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

17-1015 IN RE I.W. AND A.W., CHILDREN; from Travis County

as supplemented

18-0587 IN RE JOHN CALCE; 5th Court of Appeals District (05-18-00647-CV, ___ SW3d ___, 06-12-18)

18-0627 IN RE PENSION ADVISORY GROUP, INC., ET AL.; from Aransas County; 13th Court of Appeals District (13-14-00566-CV, ___ SW3d ___,09-30-16)

18-0750 IN RE DAVID GOAD; from Travis County

18-0787 IN RE ANITA CAMPBELL; from Comal County; 3rd Court of Appeals District (03-18-00130-CV, ___ SW3d ___, 07-10-18)

18-0851 IN RE DONALD L. BLOOM; from Harris County; 1st Court of Appeals District (01-18-00563-CV, ___ SW3d ___, 08-30-18)

18-0862 IN RE B.L.; from Tarrant County; 2nd Court of Appeals District (02-18-00262-CV, ___ SW3d ___, 08-27-18)

THE FOLLOWING PETITION FOR WRIT OF HABEAS CORPUS IS DENIED:

18-0250 IN RE STEVEN WALLACE HOPKINS; from Harris County; 1st Court of Appeals District (01-17-00963-CR, ___ SW3d ___, 02-22-18)

THE DECISION OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING APPEAL IS
AFFIRMED:

18-0410 LLOYD EUGENE WARD v. COMMISSION FOR LAWYER DISCIPLINE