



# THE SUPREME COURT OF TEXAS

Orders Pronounced March 29, 2019

*Justice Busby did not participate in the following orders:*  
**ORDERS ON CAUSES**

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

- 16-0998 RSL FUNDING, LLC AND RSL SPECIAL-IV LIMITED PARTNERSHIP v. RICKEY NEWSOME; from Dallas County; 5th Court of Appeals District (05-15-00718-CV, 559 SW3d 169, 08-30-16)
- 17-0065 COMPASS BANK v. FRANCISCO CALLEJA-AHEDO; from Harris County; 1st Court of Appeals District (01-15-00210-CV, 508 SW3d 791, 12-15-16)
- 17-0256 TEXAS HEALTH PRESBYTERIAN HOSPITAL OF DENTON, MARC WILSON, M.D., AND ALLIANCE OB/GYN SPECIALISTS, PLLC D/B/A OB/GYN SPECIALISTS, PLLC v. D.A. AND M.A., INDIVIDUALLY AND AS NEXT FRIENDS OF A.A., A MINOR; from Denton County; 2nd Court of Appeals District (02-16-00148-CV, 514 SW3d 431, 02-16-17)
- 17-1060 IN RE HOUSTON SPECIALTY INSURANCE COMPANY; from Harris County; 14th Court of Appeals District (14-17-00928-CV, \_\_\_ SW3d \_\_\_, 12-12-17)

## **ORDERS ON CASES GRANTED**

THE FOLLOWING CERTIFIED QUESTION FROM THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT IS ACCEPTED:

- 19-0234 LADONNA DEGAN; RIC TERRONES; JOHN MCGUIRE; REED HIGGINS; MIKE GURLEY; LARRY EDDINGTON; STEVEN MCBRIDE v. THE BOARD OF TRUSTEES OF THE DALLAS POLICE AND FIRE PENSION SYSTEM (U.S. 5th Circuit 18-10423)

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

(Justice Guzman and Justice Brown not sitting)

## **ORDERS ON PETITIONS FOR REVIEW**

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 17-0337 LARRY LITTLE v. CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORP.; from Bexar County; 4th Court of Appeals District (04-15-00488-CV, 522 SW3d 6, 03-22-17)

- 17-1039 VIRTEX OPERATING CO., INC. AND VIRTEX PRODUCING COMPANY, L.P. v. ROBERT LEON BAUERLE AND CYNTHIA BAUERLE; from Frio County; 4th Court of Appeals District (04-16-00549-CV, \_\_\_ SW3d \_\_\_, 11-08-17)  
motion to direct trial court clerk to send original exhibits dismissed as moot  
(Justice Lehrmann not sitting)
- 18-0037 N.F. v. A.S.; from Dallas County; 5th Court of Appeals District (05-16-00254-CV, \_\_\_ SW3d \_\_\_, 08-02-17)
- 18-0230 WILLIAM PAUL GIPS, LUCILLE FAY GIPS, AND CONOCOPHILLIPS COMPANY v. KENNETH HAHN; from De Witt County; 13th Court of Appeals District (13-16-00336-CV, \_\_\_ SW3d \_\_\_, 02-08-18)  
2 petitions
- 18-0231 CASEY ANN WEBER v. PROGRESSIVE COUNTY MUTUAL INSURANCE COMPANY; from Dallas County; 5th Court of Appeals District (05-17-00163-CV, \_\_\_ SW3d \_\_\_, 01-26-18)
- 18-0239 AMERICAN SAFETY CASUALTY INSURANCE COMPANY v. CITY OF WOLFE CITY, TEXAS; from Hunt County; 6th Court of Appeals District (06-17-00075-CV, 557 SW3d 699, 02-09-18)
- 18-0258 FLEXTRONICS AMERICA, LLC, FLEXTRONICS INTERNATIONAL MANAGEMENT SERVICES, LTD., AND THOMAS A. SHAW v. PATRICK HALFERTY; from Travis County; 13th Court of Appeals District (13-16-00379-CV, 545 SW3d 708, 02-15-18)
- 18-0350 FRANK LUCIANO AND HELENE LUCIANO v. SPRAYFOAMPOLYMERS.COM, LLC; from Travis County; 3rd Court of Appeals District (03-16-00382-CV, \_\_\_ SW3d \_\_\_, 03-09-18)
- 18-0398 FARIBA ASSADI-PORTER v. TEXAS TECH UNIVERSITY AND LAWRENCE SCHOVANEC, PH.D., AS PRESIDENT OF TEXAS TECH UNIVERSITY; from Lubbock County; 7th Court of Appeals District (07-17-00426-CV, \_\_\_ SW3d \_\_\_, 03-20-18)
- 18-0596 JULIAN ROSS v. SPERO HOLDINGS, LLC A NEVADA LIMITED LIABILITY COMPANY, AND DANIEL JAMES MANAGEMENT, INC., A NEVADA CORPORATION; from Collin County; 5th Court of Appeals District (05-18-00267-CV, \_\_\_ SW3d \_\_\_, 05-15-18)
- 18-0601 THAD F. BAKER AND 3900 COMMERCE 1996, LTD. v. THOMAS HABEEB, TOMMY HABEEB ENTERPRISES, INC. AND ATVD, LLC; from Dallas County; 5th Court of Appeals District (05-16-01209-CV, \_\_\_ SW3d \_\_\_, 04-18-18)

- 18-0710 TEXAS FARMERS INSURANCE COMPANY v. STEVEN L. CLACK; from Kerr County; 4th Court of Appeals District (04-17-00348-CV, \_\_\_ SW3d \_\_\_, 05-02-18)
- 18-0815 JOHN AND DEBBIE SCHACK v. PROPERTY OWNERS ASSOCIATION OF SUNSET BAY AND TIMOTHY RAUB; from Aransas County; 13th Court of Appeals District (13-16-00440-CV, 555 SW3d 339, 07-19-18)
- 18-0872 PAUL C. ARMSTRONG v. QUENTIN COLE ARMSTRONG, JR.; from Reeves County; 8th Court of Appeals District (08-16-00223-CV, \_\_\_ SW3d \_\_\_, 07-31-18)
- 18-0943 PAUL BLACK v. MIKAL WATTS; WATTS GUERRA LLP; JAMES R. HARRIS; AND HARRIS & GREENWELL, LLP; from Bexar County; 4th Court of Appeals District (04-17-00489-CV, \_\_\_ SW3d \_\_\_, 08-08-18)
- 18-0948 IN THE INTEREST OF P.L., A CHILD; from Lubbock County; 7th Court of Appeals District (07-18-00157-CV, \_\_\_ SW3d \_\_\_, 08-23-18)
- 18-0957 FURMANITE AMERICA, INC., FURMANITE CORPORATION, FURMANITE LOUISIANA, LLC F/K/A FURMANITE US GSG LLC, SOUTHCROSS ENERGY PARTNERS GP, LLC, SOUTHCROSS ENERGY PARTNERS, LP, AND SOUTHCROSS NGL PIPELINE, LTD. v. LISA BUENO MARTINEZ; from Duval County; 4th Court of Appeals District (04-17-00318-CV, \_\_\_ SW3d \_\_\_, 09-19-18)  
4 petitions
- 18-0970 CHRIS SMITH v. CITY OF SAN ANTONIO BY AND THROUGH CITY PUBLIC SERVICE BOARD OF SAN ANTONIO D/B/A CPS ENERGY; from Bexar County; 4th Court of Appeals District (04-17-00572-CV, 562 SW3d 75, 08-22-18)
- 18-0995 DAKOTA UTILITY CONTRACTORS, INC. v. STERLING COMMERCIAL CREDIT, LLC AND CM STERLING, LLC; from Ellis County; 13th Court of Appeals District (13-16-00538-CV, \_\_\_ SW3d \_\_\_, 08-30-18)
- 18-1060 CITY OF CROWLEY, TEXAS v. DOUG RAY; from Tarrant County; 2nd Court of Appeals District (02-17-00409-CV, 558 SW3d 335, 08-23-18)
- 18-1063 SKYLINE COMMERCIAL, INC. v. ISC ACQUISITION CORPORATION D/B/A ISC BUILDING MATERIALS; from Dallas County; 5th Court of Appeals District (05-17-00028-CV, \_\_\_ SW3d \_\_\_, 08-23-18)

- 18-1082 YVONNE TRAHAN v. THE PREMCOR REFINING GROUP, INC. D/B/A VALERO PORT ARTHUR REFINERY; from Jefferson County; 9th Court of Appeals District (09-17-00005-CV, \_\_\_ SW3d \_\_\_, 08-16-18)
- 18-1104 CORA SUE SANCHEZ, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ANTHONY TONY SANCHEZ, JENNIFER PASOWICZ AND JULIE MARIE SANCHEZ v. ROBERT'S TRUCK CENTER OF TEXAS, LLC AND ROBERT'S TRUCK CENTER HOLDING COMPANY, LLC; from Ector County; 7th Court of Appeals District (07-17-00213-CV, \_\_\_ SW3d \_\_\_, 10-09-18)
- 18-1105 TIFFANY THOMAS, INDIVIDUALLY AND AS NEXT FRIEND OF C.C., A MINOR, C.C., A MINOR, AND EDWARD CALDWELL, INDIVIDUALLY v. CITY OF CONROE; from Montgomery County; 9th Court of Appeals District (09-18-00215-CV, \_\_\_ SW3d \_\_\_, 10-11-18)
- 18-1116 CYNTHIA BEVING v. JOHN F. BEADLES, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF DUDLEY D. BEADLES; from Tarrant County; 2nd Court of Appeals District (02-17-00223-CV, 563 SW3d 399, 10-18-18)
- 18-1142 ALAN COPELAND AND RUTH CULLEY v. CITY OF MERKEL; from Taylor County; 11th Court of Appeals District (11-16-00323-CV, 561 SW3d 720, 10-18-18)
- 18-1148 HRB OIL & GAS, LTD. AND VHPM, LLC v. PEREGRINE OIL & GAS, LP; from Harris County; 1st Court of Appeals District (01-17-00180-CV, \_\_\_ SW3d \_\_\_, 08-30-18)
- 18-1149 GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS v. BADGER TAVERN, L.P.; from Travis County; 3rd Court of Appeals District (03-18-00291-CV, \_\_\_ SW3d \_\_\_, 09-11-18)
- 18-1208 ROSCOE F. WHITE, III v. MICROLASER THERAPY CORPORATION D/B/A MSH INVESTMENTS, INC., AS AUTHORIZED AGENT FOR MICHAEL S. HYNEK, ROY C. BROCK, CHRISTINA BROCK, TIM HOUSE AND PETER UTZIG; from Dallas County; 5th Court of Appeals District (05-17-00761-CV, \_\_\_ SW3d \_\_\_, 11-16-18)
- 18-1225 PATRICK MAHAFFEY v. SETH WASHBURNE AND THIRSTY 13TH, LLC; from Tarrant County; 2nd Court of Appeals District (02-18-00012-CV, \_\_\_ SW3d \_\_\_, 11-15-18)
- 19-0037 TROY DANIEL THOELE v. GREG ABBOTT; MARJIE JOHNSON; ROSS BEHRENS, INDIVIDUALLY AND IN THE OFFICIAL CAPACITY; AND THE STATE OF TEXAS ATTORNEY GENERAL'S OFFICE IN THE OFFICIAL CAPACITY; from Travis County; 3rd Court of Appeals District (03-17-00458-CV, \_\_\_ SW3d \_\_\_, 08-16-18)

19-0074 LASHONDA SMITH v. CLYDE MALONE; from Dallas County; 5th Court of Appeals District (05-18-00216-CV, \_\_\_ SW3d \_\_\_, 11-27-18)

19-0085 ARTURO GUAJARDO, INDIVIDUALLY AND DERIVATIVELY AS A SHAREHOLDER, MEMBER OR PARTY IN BUYER DEVELOPMENT SERVICES, INC. A.K.A. IMPROVE MY CREDIT USA v. TROY HITT, JOE ORSAK, RANDALL CHESNUTT, AND BUYER DEVELOPMENT SERVICES, INC. A.K.A. IMPROVE MY CREDIT USA; from Harris County; 14th Court of Appeals District (14-16-01020-CV, 562 SW3d 768, 10-25-18)  
(Justice Busby not sitting)

19-0088 NANCY ROSE BEDDINGFIELD v. NANCY I. BEDDINGFIELD, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF JAMES A. BEDDINGFIELD, DECEASED, AND AS TRUSTEE OF THE TESTAMENTARY TRUSTS OF JAMES A. BEDDINGFIELD, DECEASED, JAMES R. BEDDINGFIELD, HARTFORD LIFE INS. CO., BAIRD, CREWS, SCHILLER & WHITAKER, P.C., AND OSBORNE, HELMAN, KNEBEL & DELEERY, LLP; from Leon County; 10th Court of Appeals District (10-15-00344-CV, \_\_\_ SW3d \_\_\_, 12-05-18)  
as supplemented

19-0089 MARCUS BLALOCK v. TYLER PRICE; from Bell County; 3rd Court of Appeals District (03-18-00082-CV, \_\_\_ SW3d \_\_\_, 10-11-18)

19-0131 IN THE INTEREST OF K.C., G.D., G.D., J.D., AND A.D., CHILDREN; from Wilbarger County; 7th Court of Appeals District (07-18-00282-CV, \_\_\_ SW3d \_\_\_, 12-21-18)

19-0138 JAMES ANTHONY DAVIS v. ANGLETON INDEPENDENT SCHOOL DISTRICT ET AL; from Brazoria County; 14th Court of Appeals District (14-17-00692-CV, \_\_\_ SW3d \_\_\_, 09-11-18)

(Justice Busby not sitting)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

18-0145 MICHELIN NORTH AMERICA, INC. v. MOISES GALLEGOS, ET AL.; from Dallas County; 5th Court of Appeals District (05-17-00617-CV, \_\_\_ SW3d \_\_\_, 11-21-17)  
joint motion to dismiss granted

**ORDERS ON MOTIONS FOR REHEARING**

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

18-0597 CHRISTINA MOLINA v. JOHN GEARS, INDIVIDUALLY AND AS AN AGENT FOR ALL-STAR TIRE COMPANY, INC., ALL-STAR TIRE COMPANY, INC. AND ROBERT MORIN; from Harris County; 14th Court of Appeals District (14-16-00858-CV, \_\_\_ SW3d \_\_\_, 03-20-18)

18-0632 REBECCA PETERS v. BRUCE BYRNE, M.D.; from Rockwall County; 5th Court of Appeals District (05-17-00004-CV, \_\_\_ SW3d \_\_\_, 04-16-18)

- 18-0701 IN THE ESTATE OF AMINITA PEREZ-MUZZA, DECEASED; from Webb County; 4th Court of Appeals District (04-16-00755-CV, \_\_\_ SW3d \_\_\_, 05-16-18)
- 18-0830 IN THE ESTATE OF AMINTA PEREZ-MUZZA; from Webb County; 4th Court of Appeals District (04-17-00718-CV, \_\_\_ SW3d \_\_\_, 08-29-18)
- 18-0894 ADRIANO KRUEL BUDRI v. DANIEL M. HUMPHREYS; from Tarrant County; 2nd Court of Appeals District (02-18-00070-CV, \_\_\_ SW3d \_\_\_, 08-09-18)  
as redrafted  
motion for sanctions denied
- 18-1152 IN THE INTEREST OF A.C., A CHILD; from Parker County; 2nd Court of Appeals District (02-18-00129-CV, \_\_\_ SW3d \_\_\_, 10-24-18)

- 18-1161 TRACY NIXON v. THE ATTORNEY GENERAL OF THE STATE OF TEXAS; from Dallas County; 5th Court of Appeals District (05-17-01080-CV, \_\_\_ SW3d \_\_\_, 10-03-18)

THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 18-0579 IN RE THE GUARDIANSHIP OF JAMES FAIRLEY; from Bexar County; 4th Court of Appeals District (04-18-00190-CV, \_\_\_ SW3d \_\_\_, 04-04-18)
- 18-1227 IN RE SOMAIAH KHOLAIF; from Harris County; 14th Court of Appeals District (14-18-00825-CV, \_\_\_ SW3d \_\_\_, 11-08-18)  
(Justice Busby not sitting)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 18-0084 IN RE RAY L. HUNT, ET AL.; from Collin County; 5th Court of Appeals District (05-17-01389-CV, \_\_\_ SW3d \_\_\_, 12-28-17)  
mandamus reinstated
- 18-0904 IN RE BLUE CREEK REAL PROPERTIES, LLC AND THOMAS DAN FRIEDKIN; from Wharton County; 13th Court of Appeals District (13-18-00308-CV, \_\_\_ SW3d \_\_\_, 07-26-18)
- 18-1108 IN RE ROVER PIPELINE LLC; from Harris County; 1st Court of Appeals District (01-18-00117-CV, \_\_\_ SW3d \_\_\_, 10-30-18)

18-1185 IN RE COUNTY OF DIMMIT, TEXAS; from Dimmit County; 4th Court of Appeals District  
(04-18-00418-CV, \_\_\_ SW3d \_\_\_, 10-03-18)  
stay order issued December 17, 2018, lifted

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

18-0985 HAMILTON LINDLEY v. COMMISSION FOR LAWYER DISCIPLINE