



THE SUPREME COURT OF TEXAS

Orders Pronounced January 7, 2022

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

21-0241 TOYOTA MOTOR SALES, U.S.A., INC. AND TOYOTA MOTOR CORPORATION v. BENJAMIN THOMAS REAVIS AND KRISTI CAROL REAVIS, INDIVIDUALLY AND AS NEXT FRIENDS OF E.R. AND O.R., MINOR CHILDREN; from Dallas County; 5th Court of Appeals District (05-19-00284-CV, ___ SW3d ___, 02-04-21)
abatement order issued December 8, 2021, lifted
petition reinstated
joint motion to dismiss appeal granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petitions for review, vacates the judgment of the court of appeals and dismisses the case.

(Justice Bland not participating)

21-0575 TOYOTA MOTOR SALES, U.S.A., INC. AND TOYOTA MOTOR CORPORATION v. BENJAMIN THOMAS REAVIS AND KRISTI CAROL REAVIS, INDIVIDUALLY AND AS NEXT FRIENDS OF E.R. AND O.R., MINOR CHILDREN; from Dallas County; 5th Court of Appeals District (05-19-00075-CV, 627 SW3d 713, 06-03-21)
abatement order issued December 3, 2021, lifted
petition reinstated
joint motion to dismiss appeal granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petitions for review, vacates the judgments of the court of appeals and trial court, and dismisses the case.

(Justice Bland not participating)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 21-0625 KENNETH A. BITGOOD v. STEPHEN S. HARKNESS AND ANNA M. HARKNESS; from Montgomery County; 9th Court of Appeals District (09-20-00263-CV, ___ SW3d ___, 06-10-21)
- 21-0730 ALEXANDRA BOSKE, M.D. AND ST. DAVID'S NEUROLOGY, PLLC; GAYATARI VELAYUDHAN NAIR, M.D.; AND AUSTIN INFECTIOUS DISEASE CONSULTANTS, P.A. v. KRISTEN ROUGEAU; from Travis County; 7th Court of Appeals District (07-20-00285-CV, ___ SW3d ___, 07-15-21)
2 petitions
- 21-0795 IN THE INTEREST OF C.C., A CHILD; from Bexar County; 4th Court of Appeals District (04-21-00031-CV, ___ SW3d ___, 07-28-21)
2 petitions
- 21-0894 DONALD E. HAUSER M.D. v. HARRY READER; from Harris County; 14th Court of Appeals District (14-20-00131-CV, ___ SW3d ___, 06-17-21)
- 21-0895 DEBORAH C. ALEXANDER v. DISH NETWORK L.L.C. AND LORI ANN SULLIVAN; from Cameron County; 13th Court of Appeals District (13-20-00240-CV, ___ SW3d ___, 07-22-21)
as redrafted
- 21-0914 ADRIAN GILLIARD v. COURTNEY LUMME, DFPS INVESTIGATOR, JEAN LONG, DFPS SUPERVISOR, KEITH DOWNS, DFPS ATTORNEY, LESLIE WALLRATH, ATTORNEY AD LITEM, CHRISTINA FULLER, LESLIE SIMS, CHRIS SKINNER, BRANDY BAKER, CEANNE SPENCE, & CHRISTI GATLIN; from Freestone County; 10th Court of Appeals District (10-21-00187-CV, ___ SW3d ___, 08-25-21)
- 21-0922 KEVIN MILLER AS AGENT FOR MILLER & BICKLEIN v. KIM TINDALL & ASSOCIATES, LLC; from Bexar County; 4th Court of Appeals District (04-20-00471-CV, ___ SW3d ___, 08-18-21)
- 21-0925 OSMAN M. ALIKHAN v. SARA JO ALIKHAN; from Travis County; 3rd Court of Appeals District (03-19-00515-CV, ___ SW3d ___, 07-22-21)

21-0926 MOMENTUM DESIGN AND CONSTRUCTION, INC. v. BERNARDO L. GONZALEZ; from El Paso County; 8th Court of Appeals District (08-19-00004-CV, ___ SW3d ___, 09-09-21)

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0988 IN RE COMMITMENT OF CEDRIC AUSBIE; from Harris County; 14th Court of Appeals District (14-18-00167-CV, ___ SW3d ___, 05-18-21)

21-0993 IN THE INTEREST OF F.H. AND I.H., CHILDREN; from Hood County; 2nd Court of Appeals District (02-21-00190-CV, ___ SW3d ___, 11-10-21)
motion to withdraw as counsel granted

21-0996 IN RE THE COMMITMENT OF VICTOR DEWAYNE JACKSON; from Dallas County; 5th Court of Appeals District (05-20-00519-CV, ___ SW3d ___, 10-06-21)

21-1013 IN RE THE COMMITMENT OF TERRY HORNBUCKLE; from Tarrant County; 2nd Court of Appeals District (02-20-00308-CV, ___ SW3d ___, 10-14-21)

21-1016 AL WININGER AND BARBARA WININGER v. U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR THE HOLDERS OF THE CITIGROUP MORTGAGE LOAN TRUST INC ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2005-HE3; from Collin County; 5th Court of Appeals District (05-20-00455-CV, ___ SW3d ___, 11-04-21)

21-1044 IN THE INTEREST OF R.S.M., C.L.W., AND L.W., CHILDREN; from Nacogdoches County; 12th Court of Appeals District (12-21-00099-CV, ___ SW3d ___, 10-20-21)

21-1048 IN THE INTEREST OF J.L., E.M., AND D.M., CHILDREN; from Wichita County; 2nd Court of Appeals District (02-21-00131-CV, ___ SW3d ___, 10-07-21)

21-1068 IN THE INTEREST OF D.H.G. AND M.E.G., CHILDREN; from Bexar County; 4th Court of Appeals District (04-21-00183-CV, ___ SW3d ___, 11-03-21)

21-1078 IN THE INTEREST OF U.L., JR., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-21-00218-CV, ___ SW3d ___, 11-10-21)

21-1101 IN THE INTEREST OF H.A.J.R., L.R.R., AND M.R.R., CHILDREN; from Bexar County; 4th Court of Appeals District (04-21-00220-CV, ___ SW3d ___, 11-03-21)

21-1124 IN THE INTEREST OF E.A.C., A CHILD; from Hutchinson County; 7th Court of Appeals District (07-21-00145-CV, ___ SW3d ___, 11-16-21)

ORDERS ON MOTIONS FOR REHEARING

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

21-0390 BELMONT VILLAGE HUNTERS CREEK TRS, LLC, BELMONT THREE, LLC, BELMONT VILLAGE HUNTERS CREEK, LLC, BELMONT VILLAGE, L.P. AND BELMONT BP INVESTORS, LLC v. WILLIAM MARSHALL, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF CHARLOTTE MARSHALL, DECEASED, CATHERINE MARSHALL AND DAVID MARSHALL; from Harris County; 1st Court of Appeals District (01-18-00984-CV, ___ SW3d ___, 08-20-20)

(Justice Young not participating)

21-0558 FOUR J'S COMMUNITY LIVING CENTER, INC. AND ANTHONIA UDUMA v. PATTI J. WAGNER, AS GUARDIAN OF JENNY ANN WAGNER, AN INCAPACITATED ADULT; from Harris County; 1st Court of Appeals District (01-19-00346-CV, 630 SW3d 502, 05-20-21)

21-0694 LATRICHA SMITH AND BRYAN JAMES SMITH v. BAILEY HAMMONDS; from Brazoria County; 1st Court of Appeals District (01-19-00866-CV, ___ SW3d ___, 07-01-21)

21-0742 SIMONE BARRON AND WALID YAMMINE v. ISSAM AL SHMAISANI AND SHARON SMITH; from Tarrant County; 2nd Court of Appeals District (02-19-00064-CV, ___ SW3d ___, 06-03-21)

emergency motion and request for stay dismissed as moot

21-0764 JENNY DAY AND GUILLERMO MORENO v. CLASSIC AUTOPLEX GM LLC CLASSIC CHEVROLET BUICK GMC CADILLAC; from Galveston County; 1st Court of Appeals District (01-19-00744-CV, ___ SW3d ___, 04-27-21)

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

21-0827 IN RE JOHN C. PETERSON

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

21-0476 IN RE AGUSTIN ESTRADA, INDIVIDUALLY AND DOING BUSINESS AS A E TRUCKING; from Bexar County; 4th Court of Appeals District (04-21-00221-CV, ___ SW3d ___, 06-09-21)

stay order issued June 11, 2021, lifted
joint motion to dismiss granted

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

- 21-1056 IN RE CHARLES A. WATSON; from Harris County; 14th Court of Appeals District (14-21-00705-CV, ___ SW3d ___, 12-08-21)
stay order issued December 8, 2021, lifted
unopposed motion to dismiss granted
- 21-1107 IN RE NESTLE WATER NORTH AMERICA, INC. AND ROBERT LEE SEWELL, SR.; from Harris County; 14th Court of Appeals District (14-21-00334-CV, ___ SW3d ___, 12-21-21)
motion to dismiss granted
emergency motion for stay dismissed
- 21-1108 IN RE NESTLE WATER NORTH AMERICA, INC. AND ROBERT LEE SEWELL, SR.; from Harris County; 14th Court of Appeals District (14-21-00335-CV, ___ SW3d ___, 12-21-21)
motion to dismiss granted
emergency motion for stay dismissed