



THE SUPREME COURT OF TEXAS

Orders Pronounced April 22, 2022

ORDERS ON CAUSES

19-0872 MEMORIAL HERMANN HEALTH SYSTEM v. MIGUEL A. GOMEZ, III, M.D. AND MIGUEL A. GOMEZ, M.D., P.A.; from Harris County; 1st Court of Appeals District (01-17-00632-CV, 584 SW3d 590, 08-15-19)

The Court reverses the court of appeals' judgment and renders judgment.

Chief Justice Hecht delivered the opinion of the Court.

(Justice Bland not participating)

20-0366 ELEPHANT INSURANCE COMPANY, LLC v. LORRAINE KENYON, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF THEODORE KENYON; from Bexar County; 4th Court of Appeals District (04-18-00131-CV, 628 SW3d 868, 04-01-20)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Devine delivered the opinion of the Court.

Justice Young delivered a concurring opinion, in which Justice Blacklock joined.

20-0681 COLUMBIA VALLEY HEALTHCARE SYSTEM L.P. D/B/A VALLEY REGIONAL MEDICAL CENTER v. A.M.A., A MINOR, BY AND THROUGH HIS MOTHER, ANA RAMIREZ, AS NEXT FRIEND AND ANA RAMIREZ, INDIVIDUALLY; from Cameron County; 13th Court of Appeals District (13-18-00362-CV, 640 SW3d 867, 07-30-20)

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

Justice Young delivered the opinion of the Court.

20-0857 JBRICE HOLDINGS, L.L.C., AND 231 W. TRIOAKS LANE, AN INDIVIDUAL SERIES OF JBRICE HOLDINGS, L.L.C. v. WILCREST WALK TOWNHOMES ASSOCIATION, INC.; from Harris County; 14th Court of Appeals District (14-17-00790-CV, 638 SW3d 712, 08-18-20)

The Court reverses in part the court of appeals' judgment, renders judgment in part, and remands the case to the trial court.

Justice Bland delivered the opinion of the Court.

20-0922 YOUVAL ZIVE v. JEFFREY R. SANDBERG AND PALMER & MANUEL, P.L.L.C. F/K/A PALMER & MANUEL, L.L.P.; from Collin County; 5th Court of Appeals District (05-19-00162-CV, 610 SW3d 44, 05-22-20)

The Court affirms the court of appeals' judgment.

Justice Busby delivered the opinion of the Court.

20-0940 TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES v. N.J.; from Bell County; 3rd Court of Appeals District (03-20-00259-CV, 613 SW3d 317, 10-09-20)

motion to dismiss appeal as moot and to vacate judgments, granted in part, as follows:

Pursuant to Texas Rule of Appellate Procedure 56.2, without hearing oral argument or considering the merits, the Court dismisses the case in part as moot, vacates the judgment of the court of appeals, vacates the trial court's judgment in part, and remands the case to the trial court.

Justice Huddle delivered the opinion of the Court.

Justice Lehrmann delivered a concurring opinion.

21-0127 IN RE G.S.; from Travis County

The Court denies the petition for writ of mandamus.

Justice Boyd delivered the opinion of the Court.

Justice Lehrmann delivered a concurring opinion.

21-0165 IN RE WHATABURGER RESTAURANTS LLC; from El Paso County; 8th Court of Appeals District (08-19-00180-CV, 632 SW3d 101, 01-06-21)

The Court conditionally grants the writ of mandamus.

Chief Justice Hecht delivered the opinion of the Court.

21-0441 CHG HOSPITAL BELLAIRE, LLC; CHG EMPLOYEE HOLDING, LLC; AND CHG HOSPITAL HOUSTON, LLC v. SEKETA JOHNSON; from Harris County; 1st Court of Appeals District (01-20-00437-CV, ___ SW3d ___, 04-20-21)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court reverses the court of appeals' judgment and remands the case to that court.

Per Curiam Opinion

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

19-0793 VIRGINIA ANGEL, TRUSTEE FOR THE GOBSMACK GIFT TRUST, AS ASSIGNEE OF SOUTH STATE BANK, AND SOUTH STATE BANK, N.A. v. KYLE TAUCH; from Harris County; 14th Court of Appeals District (14-17-00976-CV, 580 SW3d 808, 07-25-19)

(Justice Lehrmann not participating)

19-1108 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DOS REPÚBLICAS COAL PARTNERSHIP v. MAVERICK COUNTY, CITY OF EAGLE PASS, ENVIRONMENTAL DEFENSE FUND, WALTER HERRING, ERNESTO IBARRA, GABRIEL DE LA CERDA, MIKE HERNANDEZ, BOULWARE AND ANSON FAMILY, LTD., AND MAVERICK COUNTY ENVIRONMENTAL AND PUBLIC HEALTH ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-17-00785-CV, 628 SW3d 497, 11-15-19)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 21-1071 STANLEY ROY HILTON v. KORRECT GENERAL CONTRACTING, LLC; from Tarrant County; 2nd Court of Appeals District (02-20-00337-CV, ___ SW3d ___, 10-07-21)
- 22-0086 DHI HOLDINGS, LP v. LEGACY MORTGAGE ASSET TRUST 2018-RPL2; RUSHMORE LOAN MANAGEMENT SERVICES, LLC; AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; from Harris County; 14th Court of Appeals District (14-19-00987-CV, ___ SW3d ___, 10-26-21)
- 22-0087 BETTY C. BRITTON v. KENNETH K. LAUGHLIN; from Hood County; 14th Court of Appeals District (14-20-00299-CV, ___ SW3d ___, 12-07-21)
- 22-0109 VERNON WILLINGHAM v. PARAS RAMOLIA, M.D.; from Taylor County; 11th Court of Appeals District (11-21-00270-CV, ___ SW3d ___, 12-30-21)
- 22-0151 MVP RAIDER PARK GARAGE, LLC v. ZONING BOARD OF ADJUSTMENT OF THE CITY OF LUBBOCK AND THE CITY OF LUBBOCK; from Lubbock County; 7th Court of Appeals District (07-20-00261-CV, ___ SW3d ___, 01-12-22)
- 22-0211 TEEL STYLES v. CHILDREN'S MEDICAL CENTER; from Dallas County; 5th Court of Appeals District (05-21-00564-CV, ___ SW3d ___, 01-25-22)
- 22-0253 IN THE INTEREST OF I.G., A CHILD; from Smith County; 12th Court of Appeals District (12-21-00068-CV, ___ SW3d ___, 01-19-22)
- 22-0258 IN THE INTEREST OF P.J.C., A CHILD; from Bexar County; 4th Court of Appeals District (04-21-00381-CV, ___ SW3d ___, 02-16-22)

22-0267 IN THE INTEREST OF M.L.H., A CHILD; from Bexar County; 4th Court of Appeals District (04-21-00408-CV, ___ SW3d ___, 02-23-22)

22-0268 IN THE INTEREST OF J.L.R. AND T.P.R., CHILDREN; from Ector County; 11th Court of Appeals District (11-21-00195-CV, ___ SW3d ___, 02-24-22)

ORDERS ON MOTIONS FOR REHEARING

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

20-0578 NATURAL SODA LLC AND ENIRGI GROUP CORPORATION v. BUNNETT & CO., INC.; ENERGY FEEDS INTERNATIONAL, LLC; AND WILLIAM E. BUNNETT; from Travis County; 13th Court of Appeals District (13-17-00558-CV, ___ SW3d ___, 04-23-20)
2 rehearings

21-0078 AC INTERESTS, L.P., FORMERLY AMERICAN COATINGS, L.P v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 1st Court of Appeals District (01-19-00387-CV, ___ SW3d ___, 12-17-20)

Justice Boyd notes his dissent from the Court's denial of the motion for rehearing.

21-0808 MYSTERIE GUTIERREZ, AS NEXT FRIEND OF M.C., A MINOR CHILD v. HECTOR ARGUETA, JR. D/B/A ARGUETA BUS SERVICE; from Harris County; 14th Court of Appeals District (14-19-00794-CV, ___ SW3d ___, 04-22-21)
2 rehearings

21-0838 PULAK BARUA D/B/A SUNSHINE FOOD MART v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; from Travis County; 8th Court of Appeals District (08-20-00045-CV, 632 SW3d 726, 08-20-21)

21-0905 BBX OPERATING, LLC v. AMERICAN FLUORITE, INC.,
GEOSOUTHERN ENERGY PARTNERS, LP, AND GEOSOUTHERN
ENERGY CORP.; from Jasper County; 9th Court of Appeals District (09-19-
00278-CV, ___ SW3d ___, 07-29-21)

21-0908 BBX OPERATING, LLC v. AMERICAN FLUORITE, INC.,
GEOSOUTHERN ENERGY PARTNERS, LP, GEOSOUTHERN ENERGY
CORP., AND COMPASS BANK D/B/A BBVA COMPASS; from Jasper
County; 9th Court of Appeals District (09-19-00279-CV, ___ SW3d ___, 07-
29-21)

21-1042 AMERICA SAMMOUR v. ALLSTATE INSURANCE AND ATTORNEY
GENERAL PROTECT; from Denton County; 6th Court of Appeals District
(06-21-00043-CV, ___ SW3d ___, 10-20-21)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0163 IN RE XTC CABARET (DALLAS), INC.; from Dallas County; 5th Court of
Appeals District (05-21-00794-CV, ___ SW3d ___, 01-18-22)

22-0192 IN RE SPFM, L.P.; from Bexar County; 4th Court of Appeals District (04-21-
00506-CV, ___ SW3d ___, 01-26-22)

22-0208 IN RE KEVIN HYLAND; from Travis County; 3rd Court of Appeals District
(03-22-00030-CV, ___ SW3d ___, 02-23-22)
motion for emergency stay denied

22-0289 IN RE SENTRY INSURANCE A MUTUAL COMPANY; from Nolan
County; 11th Court of Appeals District (11-22-00053-CV, ___ SW3d ___,
04-14-22)
emergency motion to stay denied, as supplemented

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

22-0274 IN RE EMPLOYEE FUNDING OF AMERICA, LLC; from Wharton County;
13th Court of Appeals District (13-21-00420-CV, ___ SW3d ___, 04-05-22)
relator's emergency motion for temporary stay granted
stay order issued

[**Note:** The petition for writ of mandamus remains pending before this Court.]

(Justice Lehrmann not participating)