



THE SUPREME COURT OF TEXAS

Orders Pronounced May 27, 2022

ORDERS ON CAUSES

19-1069 **IN THE INTEREST OF J.W., A CHILD**; from Brazos County; 10th Court of Appeals District (10-18-00344-CV, 627 SW3d 662, 10-09-19)

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

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Hecht, Justice Bland, Justice Huddle, and Justice Young joined.

Justice Young delivered a concurring opinion.

Justice Boyd delivered a dissenting opinion.

Justice Blacklock delivered a dissenting opinion, in which Justice Devine and Justice Busby joined.

20-0567 **TERRANCE J. HLAVINKA, KENNETH HLAVINKA, TRES BAYOU FARMS, LP, AND TERRANCE HLAVINKA CATTLE COMPANY v. HSC PIPELINE PARTNERSHIP, LLC**; from Brazoria County; 1st Court of Appeals District (01-19-00092-CV, 605 SW3d 819, 06-18-20)

2 petitions

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

Justice Bland delivered the opinion of the Court.

20-0700 CITY OF FORT WORTH, TEXAS v. ABDUL PRIDGEN AND VANCE KEYES; from Dallas County; 5th Court of Appeals District (05-19-00652-CV, ___ SW3d ___, 06-18-20)

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

Justice Lehrmann delivered the opinion of the Court, in which Chief Justice Hecht, Justice Devine, Justice Busby, Justice Bland, Justice Huddle, and Justice Young joined, and in which Justice Blacklock joined except as to Part III(A).

Justice Blacklock delivered a concurring opinion.

Justice Boyd delivered a dissenting opinion.

21-0499 WARREN CHEN AND DYNACOLOR, INC. v. RAZBERI TECHNOLOGIES, INC., ET AL.; from Dallas County; 5th Court of Appeals District (05-19-01551-CV, 639 SW3d 105, 11-02-20)

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

Justice Devine delivered the opinion of the Court.
(Justice Bland not participating)

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

20-0517 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-EFC2 v. DENNIS MOSS; from Dallas County; 5th Court of Appeals District (05-19-00223-CV, 623 SW3d 444, 05-21-20)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

20-0881 HELENA CHEMICAL COMPANY v. ROBERT COX, ET AL.; from Mitchell County; 11th Court of Appeals District (11-18-00215-CV, 630 SW3d 234, 10-16-20)

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

20-0923 JESUS VIRLAR, M.D. AND GMG HEALTH SYSTEMS ASSOCIATES, P.A., A/K/A AND D/B/A GONZABA MEDICAL GROUP v. JO ANN PUENTE; from Bexar County; 4th Court of Appeals District (04-18-00118-CV, 613 SW3d 652, 10-14-20)

[**Note:** The date and time for oral argument are yet to be determined.]
(Justice Huddle and Justice Young not participating)

20-0980 WAL-MART STORES, INC.; WAL-MART STORES EAST, LP; WAL-MART LOUISIANA, LLC; SAM'S EAST, INC., AND SAM'S WEST, INC. v. XEROX STATE & LOCAL SOLUTIONS, INC. A/K/A/, F/K/A ACS STATE & LOCAL SOLUTIONS, INC.; from Dallas County; 5th Court of Appeals District (05-18-01421-CV, ___ SW3d ___, 11-12-20)

[**Note:** The date and time for oral argument are yet to be determined.]
(Justice Lehrmann not participating)

20-0999 TEXAS HEALTH AND HUMAN SERVICES COMMISSION v. DIMITRIA POPE AND SHANNON PICKETT; from Travis County; 3rd Court of Appeals District (03-19-00368-CV, ___ SW3d ___, 11-18-20)

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

21-0194 THE TEXAS EDUCATION AGENCY; MIKE MORATH, COMMISSIONER OF EDUCATION IN HIS OFFICIAL CAPACITY; AND DORIS DELANEY, IN HER OFFICIAL CAPACITY v. HOUSTON INDEPENDENT SCHOOL DISTRICT; from Travis County; 3rd Court of Appeals District (03-20-00025-CV, 609 SW3d 569, 12-30-20)

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

21-0291 TEXAS MEDICINE RESOURCES, LLP; TEXAS PHYSICIAN RESOURCES, LLP; AND PEDIATRIC EMERGENCY MEDICINE GROUP, LLP, v. MOLINA HEALTHCARE OF TEXAS, INC.; from Dallas County; 5th Court of Appeals District (05-19-01447-CV, 620 SW3d 458, 02-23-21)

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

21-0307 CITY OF LEAGUE CITY, TEXAS v. JIMMY CHANGAS INC.; from Galveston County; 14th Court of Appeals District (14-19-00776-CV, 619 SW3d 819, 02-18-21)

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

21-0461 POINT ENERGY PARTNERS PERMIAN, LLC, ET AL. v. MRC PERMIAN COMPANY; from Loving County; 8th Court of Appeals District (08-19-00124-CV, 624 SW3d 643, 04-28-21)

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

21-0518 CITY OF HOUSTON, TEXAS v. HOUSTON PROFESSIONAL FIRE FIGHTERS' ASSOCIATION LOCAL, 341; from Harris County; 14th Court of Appeals District (14-18-00976-CV; 14-18-00990-CV, 626 SW3d 1, 05-06-21)

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

21-0998 IN THE INTEREST OF A.A., G.A., AND K.A., CHILDREN; from Randall County; 7th Court of Appeals District (07-21-00105-CV, 635 SW3d 430, 10-05-21)

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

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

22-0414 HAROLD FRANKLIN OVERSTREET v. ALLSTATE VEHICLE AND PROPERTY INSURANCE COMPANY (U.S. Fifth Circuit 21-10462)

[**Note:** This cause is not set for submission at this time.]

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

20-0795 FTS INTERNATIONAL SERVICES, LLC AND BILL HERBERT ACKER v. JOSHUA PATTERSON; from Upshur County; 12th Court of Appeals District (12-19-00040-CV, ___ SW3d ___, 08-26-20)

(Justice Lehrmann not participating)

21-0069 CAROL OCHSE AND WILLIAM W. OCHSE, III, INDIVIDUALLY AND AS TRUSTEE OF THE WILLIAM W. OCHSE III FAMILY 2008 TRUST v. CYNTHIA CADWALLADER OCHSE; from Bexar County; 4th Court of Appeals District (04-20-00035-CV, ___ SW3d ___, 11-18-20)

21-0160 BRIAN LAINE AND KIMBERLY LAINE v. JOE ALFRED IZEN, JR.; from Harris County; 14th Court of Appeals District (14-18-00216-CV, 614 SW3d 775, 12-29-20)

2 petitions

21-0510 JACK PIDGEON AND LARRY HICKS v. SYLVESTER TURNER, IN HIS OFFICIAL CAPACITY AS MAYOR OF THE CITY OF HOUSTON, AND THE CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-19-00214-CV, 625 SW3d 583, 04-29-21)

Justice Devine delivered an opinion dissenting to the denial of the petition for review.

(Justice Blacklock not participating)

21-0710 M & L MINERALS, LP, DOROTHY MOCZYGEMBA, WILBERT LEE MOCZYGEMBA, ALVIN D. MOCZYGEMBA, EVELYN MICHALEC, GENE MOCZYGEMBA, EWIT WOELFEL LP., LORI WIATREK, BARBARA BANDUCH, ALBERT JANYSEK, LORRAINE JANYSEK, DEBORAH ARFELE, MARTIN JENDRUSCH, BERNADETTE JENDRUSCH, ALAN JENDRUSCH, DENISE JENDRUSCH, CAROL WEHLMANN, HELEN MALIK, CARL JANYSEK, DONNA M. PERRY, BENNY JANYSEK v. SUSAN JANYSEK PAULER, VINCENT G. JANYSEK, JR., CLARE JANYSEK SMITH, AND MICHAEL J. JANYSEK, CO-TRUSTEES OF THE JANYSEK FAMILY MINERAL TRUST, AND PATRICK JANYSEK, SUSAN JANYSEK PAULER AND RICHARD J. JANYSEK, TRUSTEES OF THE JANYSEK SURVIVOR'S TRUST, AND STEPHEN M. JANYSEK, LUCY JANYSEK MATEJEK, KATHRYN JANYSEK KOPECKI, RICHARD J. JANYSEK, AND PATRICK JANYSEK, TRUSTEES OF THE 2015 JANYSEK FAMILY MINERAL TRUST; from Karnes County; 4th Court of Appeals District (04-20-00302-CV, ___ SW3d ___, 07-07-21)

21-0780 CREDIT HUMAN F/K/A SAN ANTONIO FEDERAL CREDIT UNION v. MARIO R. CANTU; from Bexar County; 4th Court of Appeals District (04-19-00548-CV, ___ SW3d ___, 05-26-21)

21-0792 JIMMY AND CHERYL WILLIAMS, ET AL. v. GUADALUPE-BLANCO RIVER AUTHORITY, AND ITS OFFICERS AND DIRECTORS; from Guadalupe County; 4th Court of Appeals District (04-20-00445-CV, ___ SW3d ___, 07-07-21)

motion and request for relief dismissed as moot

(Justice Huddle and Justice Young not participating)

21-0812 THE STATE OF TEXAS v. SKYWAY HOLDINGS, LLC, A TEXAS LIMITED LIABILITY COMPANY AND ANDERSON AUTO SALVAGE A/K/A ANDERSON TOWING, INC.; from Bell County; 3rd Court of Appeals District (03-19-00143-CV, ___ SW3d ___, 03-05-21)

21-0841 BROWNSVILLE GMS, LTD. AND MICHAEL BENNETT v. CITY OF BROWNSVILLE, TEXAS, ET AL.; from Cameron County; 13th Court of Appeals District (13-19-00311-CV, ___ SW3d ___, 05-06-21)

(Justice Huddle and Justice Young not participating)

21-0883 MARK WHEELER, CINDY WHEELER, JEREMY RICH, AND DAVID KISER v. BRANDON SCOTT FREE, RINGO DRILLING I, L.P., AND RINGO MANAGEMENT COMPANY, L.L.C.; from Shackelford County; 11th Court of Appeals District (11-19-00256-CV, 638 SW3d 731, 08-26-21)

21-0898 HARRIS COUNTY, TEXAS v. DENNIS SHOOK, AND WIFE JANET SHOOK; from Harris County; 1st Court of Appeals District (01-19-00656-CV, 634 SW3d 942, 08-31-21)

- 21-1114 T.M. AND O.A. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Hays County; 3rd Court of Appeals District (03-21-00174-CV, ___ SW3d ___, 11-12-21)
- 22-0126 D.W. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Bell County; 3rd Court of Appeals District (03-21-00455-CV, ___ SW3d ___, 01-06-22)
- 22-0131 THOMAS BART MAXWELL, JR. v. DANIELLE LEMOINE MAXWELL; from Tarrant County; 14th Court of Appeals District (14-20-00298-CV, ___ SW3d ___, 10-26-21)
- 22-0226 ALFRED GABER v. U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST; from Tarrant County; 2nd Court of Appeals District (02-20-00376-CV, ___ SW3d ___, 11-18-21)
- 22-0228 ALI YAZDCHI v. THE COHEN LAW FIRM A/K/A GARY COHEN; from Harris County; 1st Court of Appeals District (01-19-00719-CV, ___ SW3d ___, 08-12-21)
- 22-0235 ROBERT COYLE v. BAYOU CITY PARTNERS, LLC, THOMAS F. MILLER, KENNETH MANFREDI AND THEODORE BIRDSONG BOWLES; from Harris County; 6th Court of Appeals District (06-21-00090-CV, ___ SW3d ___, 02-09-22)
motion for evidentiary hearing denied
- 22-0271 ANGELINA GUERRERO v. BERTHA G. CARDENAS; from Harris County; 1st Court of Appeals District (01-20-00045-CV, ___ SW3d ___, 01-25-22)

22-0279 JUANITA MATILDE MARTINEZ v. HAAS-ANDERSON
CONSTRUCTION, LTD., HAC EQUIPMENT, LTD., HAAS-ANDERSON
MANAGEMENT, L.C. AND ELENO CARDONA, JR.; from Nueces
County; 13th Court of Appeals District (13-20-00390-CV; 13-20-00391-CV;
13-20-00567-CV, ___ SW3d ___, 02-24-22)

22-0303 IN THE INTEREST OF C.A.L. A/K/A C.L.-V., A CHILD; from Harris
County; 14th Court of Appeals District (14-21-00543-CV, ___ SW3d ___,
02-24-22)

22-0379 IN THE INTEREST OF L.R.M.D., A CHILD; from McLennan County; 10th
Court of Appeals District (10-22-00011-CV, ___ SW3d ___, 04-06-22)
as redrafted
counsel's motion to withdraw granted

ORDERS ON MOTIONS FOR REHEARING

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

22-0013 IN RE TAMI C. PIERCE AND CYNTHIA SIEGEL; 1st Court of Appeals
District (01-22-0005-CV)