THE SUPREME COURT OF TEXAS

Orders Pronounced June 24, 2022

ORDERS ON CAUSES

20-0393 JAMES FREDRICK MILES v. TEXAS CENTRAL RAILROAD & INFRASTRUCTURE, INC. AND INTEGRATED TEXAS LOGISTICS, INC.; from Leon County; 13th Court of Appeals District (13-19-00297-CV, 635 SW3d 684, 05-07-20) motion to disregard post submission letter dismissed as moot

The Court affirms the court of appeals' judgment.

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

Chief Justice Hecht filed a concurring opinion, in which Justice Young joined.

Justice Young filed a concurring opinion.

Justice Devine filed a dissenting opinion.

Justice Huddle filed a dissenting opinion, in which Justice Devine and Justice Blacklock joined.

Justice Bland did not participate in the decision.

21-0541 IN RE BREVILOBA, LLC; from Walker County; 10th Court of Appeals District (10-20-00237-CV, SW3d , 05-28-21)

Pursuant to Texas Rule of Appellate Procedure 52.8(c), without hearing oral argument, the Court conditionally grants the writ of mandamus.

Per Curiam Opinion

21-1045 TEXAS DEPARTMENT OF STATE HEALTH SERVICES; JOHN HELLERSTEDT, IN HIS OFFICIAL CAPACITY AS COMMISSIONER OF THE TEXAS DSHS v. CROWN DISTRIBUTING LLC; AMERICA JUICE CO., LLC; CUSTOM BOTANICAL DISPENSARY, LLC; 1937 APOTHECARY, LLC; from Travis County

The Court reverses the trial court's judgment and renders judgment accordingly.

Justice Boyd delivered the opinion of the Court.

Justice Young filed a concurring opinion, in which Chief Justice Hecht, Justice Devine, and Justice Blacklock joined.

22-0008 GREG ABBOTT, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE STATE OF TEXAS; JOHN SCOTT, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE OF TEXAS; THE STATE OF TEXAS v. MEXICAN AMERICAN LEGISLATIVE CAUCUS, TEXAS HOUSE OF REPRESENTATIVES; ROLAND GUTIERREZ; SARAH ECKHARDT; RUBEN CORTEZ, JR.; TEJANO DEMOCRATS; from Travis County

The Court reverses the trial court's order in part, dismisses the case in part for lack of jurisdiction, and remands the case to the trial court.

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

Chief Justice Hecht filed a dissenting opinion, in which Justice Boyd and Justice Blacklock joined.

THE FOLLOWING CAUSES ARE ABATED:

21-0130 THE STATE OF TEXAS v. VOLKSWAGEN AKTIENGESELLSCHAFT; from Travis County; 3rd Court of Appeals District (03-19-00453-CV, ___ SW3d ___, 12-22-20)

[Note: This cause is removed from the Court's active docket until further order of this Court.]

(Justice Blacklock and Justice Young not participating)

21-0133 THE STATE OF TEXAS v. AUDI AKTIENGESELLSCHAFT; from Travis County; 3rd Court of Appeals District (03-20-00022-CV, ___ SW3d ___, 12-22-20)

[Note: This cause is removed from the Court's active docket until further order of this Court.]

(Justice Blacklock and Justice Young not participating)

THE FOLLOWING CAUSES ARE SET FOR SUBMISSION:

- 19-0612 MOSAIC BAYBROOK ONE, L.P. & MOSAIC BAYBROOK TWO, L.P. v. PAUL SIMIEN; from Harris County; 1st Court of Appeals District (01-18-00995-CV, ___ SW3d ___, 06-13-19) ~ consolidated for oral argument with ~
- 20-0811 UNIVERSITY OF TEXAS AT AUSTIN PRESIDENT JAY HARTZELL, ET AL. v. S.O.; from Travis County; 3rd Court of Appeals District (03-19-00131-CV, 613 SW3d 244, 09-04-20) ~ consolidated for oral argument with ~
- 20-0812 TEXAS STATE UNIVERSITY PRESIDENT DENISE M. TRAUTH; TEXAS STATE UNIVERSITY ASSISTANT VICE PRESIDENT FOR RESEARCH AND FEDERAL RELATIONS MICHAEL BLANDA; TEXAS STATE UNIVERSITY REGISTRAR LOUIS E. JIMENEZ, JR.; AND TEXAS STATE UNIVERSITY REGENTS WILLIAM F. SCOTT, DAVID MONTAGNE, CHARLIE AMATO, DUKE AUSTIN, GARRY CRAIN, VERONICA MUZQUIZ EDWARDS, DIONICIO FLORES, NICKI HARLE, AND ALAN L. TINSLEY, IN THEIR OFFICIAL CAPACITIES v. K. E.; from Hays County; 3rd Court of Appeals District

(03-19-00212-CV, 613 SW3d 222, 09-04-20)

[Note: These cases have been set for oral argument at 9:00 a.m., September 20, 2022.] Time allotted to argue: 20/20 minutes

20-0856 THE GULF COAST CENTER v. DANIEL CURRY, JR.; from Galveston County; 1st Court of Appeals District (01-18-00665-CV, ___ SW3d ___, 09-10-20)

[Note: This cause has been set for oral argument at 9:00 a.m., September 22, 2022.] Time allotted to argue: 20/20 minutes

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: This cause has been set for oral argument at 9:00 a.m., October 26, 2022.] Time allotted to argue: 20/20 minutes

20-0904 DEVON ENERGY PRODUCTION COMPANY, L.P., F/K/A GEOSOUTHERN DEWITT PROPERTIES, LLC, BPX PROPERTIES (NA) LP, GEOSOUTHERN ENERGY CORPORATION, AND BPX PRODUCTION COMPANY v. MICHAEL A. SHEPPARD, ET AL.; from De Witt County; 13th Court of Appeals District (13-19-00036-CV, ___ SW3d ___, 10-22-20)

[Note: This cause has been set for oral argument at 9:00 a.m., October 5, 2022.]

Time allotted to argue: 20/20 minutes

(Justice Young not participating)

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) motion to set oral argument after October 8, 2022 granted

[Note: This cause has been set for oral argument at 9:00 a.m., October 26, 2022.]

Time allotted to argue: 20/20 minutes

(Justice Huddle and Justice Young not participating)

20-0975 WESLEY RATTRAY, MARCO NUNEZ, MARTHA SAAVEDRA, ANTONIO VINDELL, CARMEN PASHOS, STEVE TULLOS, CESARIO PEDRAZA, MINERVA PEDRAZA, ROGER LULY, NORA GONZALEZ, AND ROSALINDA CASTILLO v. CITY OF BROWNSVILLE, TEXAS; from Cameron County; 13th Court of Appeals District (13-19-00556-CV, ___ SW3d ___, 10-15-20)

[Note: This cause has been set for oral argument at 9:00 a.m., October 27, 2022.] Time allotted to argue: 20/20 minutes

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: This cause has been set for oral argument at 9:00 a.m., September 21, 2022.]

Time allotted to argue: 20/20 minutes

(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: This cause has been set for oral argument at 9:00 a.m., November 29, 2022.] Time allotted to argue: 20/20 minutes TOTALENERGIES E&P USA, INC. v. MP GULF OF MEXICO, LLC; from Harris County; 21-0028 12th Court of Appeals District (12-20-00180-CV, SW3d , 12-16-20) [Note: The cause has been set for oral argument at 9:00 a.m., September 20, 2022.] Time allotted to argue: 20/20 minutes (Justice Huddle and Justice Young not participating) SUSAN DAVIS VAN DYKE, ET AL. v. THE NAVIGATOR GROUP, ET AL.; from Martin 21-0146 County; 11th Court of Appeals District (11-18-00050-CV, ___ SW3d ___, 12-31-20) [Note: This cause has been set for oral argument at 9:00 a.m., October 6, 2022.] Time allotted to argue: 20/20 minutes MOSAIC BAYBROOK ONE, L.P. AND MOSAIC BAYBROOK TWO, L.P., AND MOSAIC 21-0159 RESIDENTIAL, INC. v. PAUL SIMIEN; from Harris County; 1st Court of Appeals District (01-18-01049-CV, SW3d , 09-22-20) ~ consolidated for oral argument with ~ MOSAIC BAYBROOK ONE, L.P., MOSAIC BAYBROOK TWO, L.P., AND MOSAIC 21-0161 RESIDENTIAL, INC. v. TAMMY CESSOR, FOR HERSELF AND ALL OTHERS SIMILARLY SITUATED; from Harris County; 1st Court of Appeals District (01-18-01057-CV, SW3d , 09-22-20) [Note: These cases have been set for oral argument at 9:00 a.m., September 21, 2022.] Time allotted to argue: 30/30 minutes
 - 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: This cause has been set for oral argument at 9:00 a.m., October 6, 2022.]

 Time allotted to argue: 20/20 minutes

21-0194

THE TEXAS EDUCATION AGENCY; MIKE MORATH, COMMISSIONER OF

EDUCATION IN HIS OFFICIAL CAPACITY: AND DORIS DELANEY, IN HER OFFICIAL

21-0205 MICHELLE ELISE PARKER JORDAN v. OLA KATHLEEN PARKER, INDEPENDENT EXECUTOR OF THE ESTATE OF J. LOYD PARKER, III, DECEASED AND ALLISON

RENEE PARKER; from Reeves County; 8th Court of Appeals District (08-19-00121-CV, 632 SW3d 108, 01-21-21)

[Note: This cause has been set for oral argument at 9:00 a.m., September 22, 2022.] Time allotted to argue: 20/20 minutes

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)

~ consolidated for oral argument with ~

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: This cause has been set for oral argument at 9:00 a.m., October 4, 2022.] Time allotted to argue: 20/20 minutes

21-0355 AUSTIN TRUST COMPANY AS TRUSTEE OF THE BOB AND ELIZABETH LANIER DESCENDANTS TRUSTS FOR ROBERT CLAYTON LANIER, JR., ET AL. v. JAY HOUREN, AS INDEPENDENT EXECUTOR OF THE ESTATE OF ROBERT C. LANIER, DECEASED; from Harris County; 14th Court of Appeals District (14-19-00387-CV, ___ SW3d ___, 03-16-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 4, 2022.] Time allotted to argue: 20/20 minutes

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: This cause has been set for oral argument at 9:00 a.m., October 25, 2022.] Time allotted to argue: 20/20 minutes

21-0470 COLLIN CREEK ASSISTED LIVING CENTER, INC. D/B/A/ DAYSPRING ASSISTED LIVING COMMUNITY v. CHRISTINE FABER, INDIVIDUALLY AND AS HEIR AT LAW OF CARMELINA "MILLIE" SMITH, DECEASED; from Collin County; 5th Court of Appeals District (05-18-00827-CV, 629 SW3d 630, 05-03-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 5, 2022.] Time allotted to argue: 20/20 minutes

21-0496 HOUSTON AREA SAFETY COUNCIL, INC. AND PSYCHEMEDICS CORPORATION v. GUILLERMO M. MENDEZ; from Harris County; 1st Court of Appeals District (01-19-00288-CV, 634 SW3d 154, 04-29-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 25, 2022.] Time allotted to argue: 20/20 minutes

SIBEL ONASIS FERRER v. MADALENA ELIZABETH ALMANZA, ISABELLA P.

21-0513 ALMANZA, AND ALBERT BOONE ALMANZA; from Travis County; 7th Court of Appeals District (07-20-00300-CV, ___ SW3d ___, 03-16-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 6, 2022.] Time allotted to argue: 20/20 minutes

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) motion to delay oral argument dismissed as moot

[Note: This cause has been set for oral argument at 9:00 a.m., November 29, 2022.] Time allotted to argue: 20/20 minutes

21-0587 APACHE CORPORATION v. APOLLO EXPLORATION, LLC; COGENT EXPLORATION, LTD., CO.; AND SELLMOCO, LLC; from Midland County; 11th Court of Appeals District (11-19-00183-CV, 631 SW3d 502, 06-10-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 27, 2022.] Time allotted to argue: 20/20 minutes

21-0641 COMCAST CORPORATION AND NBC UNIVERSAL MEDIA, LLC, MCLANE CHAMPIONS, LLC, R. DRAYTON MCLANE, JR., v. HOUSTON BASEBALL PARTNERS LLC; from Harris County; 14th Court of Appeals District (14-20-00043-CV, 627 SW3d 398, 06-17-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 25, 2022.] Time allotted to argue: 20/20 minutes

21-0728 DANIEL K. CHRIST AND NICOLE D. SALINAS v. TEXAS DEPARTMENT OF TRANSPORTATION; from Harris County; 13th Court of Appeals District (13-20-00339-CV, 644 SW3d 202, 05-27-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 27, 2022.] Time allotted to argue: 20/20 minutes

21-0874 AMERICAN CAMPUS COMMUNITIES, INC.; ET AL. v. BETH BERRY, BROOKE BERRY, YAEL SPIRER, AND HAILEY HOPPENSTEIN, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED; from Travis County; 3rd Court of Appeals District (03-21-00119-CV, ___ SW3d ___, 09-03-21)

[Note: This cause has been set for oral argument at 9:00 a.m., October 5, 2022.] Time allotted to argue: 20/20 minutes

21-0978 THE LILITH FUND FOR REPRODUCTIVE EQUITY v. MARK LEE DICKSON AND RIGHT TO LIFE EAST TEXAS; from Travis County; 7th Court of Appeals District (07-21-00005-CV, SW3d , 09-02-21)

~ consolidated for oral argument with ~

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: This cause has been set for oral argument at 9:00 a.m., October 4, 2022.] Time allotted to argue: 20/20 minutes

21-1039 MARK LEE DICKSON AND RIGHT TO LIFE EAST TEXAS v. THE AFIYA CENTER AND TEXAS EQUAL ACCESS FUND; from Dallas County; 5th Court of Appeals District (05-20-00988-CV, 636 SW3d 247, 09-08-21)

[Note: These cases have been set for oral argument at 9:00 a.m., October 26, 2022.] Time allotted to argue: 20/20 minutes

22-0138 ACS PRIMARY CARE PHYSICIANS SOUTHWEST, P.A.; HILL COUNTY EMERGENCY MEDICAL ASSOCIATES, P.A.; LONGHORN EMERGENCY MEDICAL ASSOCIATES, P.A.; CENTRAL TEXAS EMERGENCY ASSOCIATES, P.A.; EMERGENCY ASSOCIATES OF CENTRAL TEXAS, P.A.; EMERGENCY SERVICES OF TEXAS, P.A. v. UNITEDHEALTHCARE INSURANCE COMPANY; UNITEDHEALTHCARE OF TEXAS, INCORPORATED (U.S. Fifth Circuit 21-20168)

[Note: These cases have been set for oral argument at 9:00 a.m., September 20, 2022.] Time allotted to argue: 30/30 minutes

22-0256 ALFRED DEWAYNE BROWN v. CITY OF HOUSTON, TEXAS; HARRIS COUNTY, TEXAS; BRECK MCDANIEL; TED C. BLOYD; D.L. ROBERTSON (U.S. Fifth Circuit 21-20302)

[Note: This cause has been set for oral argument at 9:00 a.m., September 22, 2022.] Time allotted to argue: 20/20 minutes

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

[Note: This cause has been set for oral argument at 9:00 a.m., September 21, 2022.] Time allotted to argue: 20/20 minutes

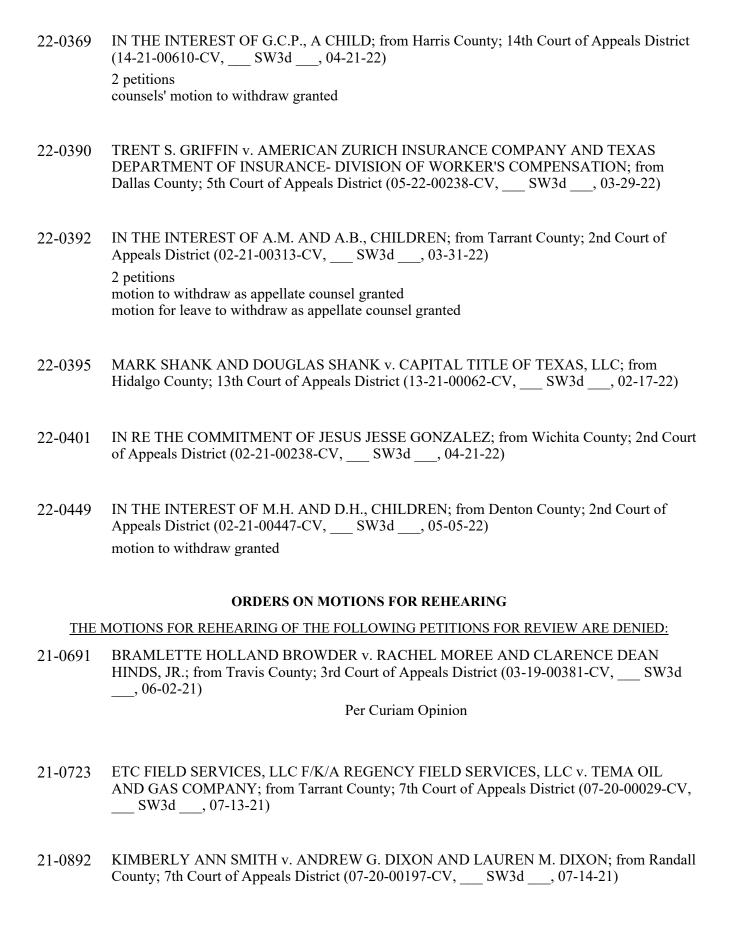
ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

22-0130 ANTHONY HENEGAR AND LORI HENEGAR, INDIVIDUALLY AND A/N/F MASON HENEGAR, DRU HENEGAR AND MASON HENEGAR v. REGAL MARINE INDUSTRIES, INC., ET AL; from Henderson County; 12th Court of Appeals District (12-20-00139-CV, ___ SW3d ___, 01-05-22)

(Justice Lehrmann not participating)

22-0307 PATRICIA JUNE HEARN v. DAVID LEE HEARN; from Hood County; 2nd Court of Appeals District (02-21-00367-CV, SW3d , 03-10-22)





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