



THE SUPREME COURT OF TEXAS

Orders Pronounced November 18, 2022

ORDERS ON CAUSES

22-0079 COURTNEY D. ALSOBROOK v. MTGLQ INVESTORS, LP; from Rockwall County; 5th Court of Appeals District (05-20-00400-CV, ___ SW3d ___, 10-26-21)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court modifies the court of appeals' judgment and affirms that judgment as modified.

Per Curiam Opinion

THE FOLLOWING CAUSE IS SET FOR SUBMISSION:

21-1109 DITECH SERVICING, LLC v. JERRY PEREZ D/B/A LIGHTHOUSE INVESTMENTS; from Hidalgo County; 13th Court of Appeals District (13-20-00017-CV, ___ SW3d ___, 11-18-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 21, 2023.]
Time allotted to argue: 20/20 minutes

THE FOLLOWING CAUSES ARE RESET FOR ORAL ARGUMENT:

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)

abatement order issued June 24, 2022, lifted
as reinstated

~consolidated for oral argument with~

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)

abatement order issued June 24, 2022, lifted
as reinstated

The Court denies Respondents' requests to withdraw the Chief Justice's
certification letter and to dismiss the petitions as improvidently granted.

Per Curiam Opinion

[**Note:** These cases have been reset for oral argument at 9:00 a.m., January 9,
2023.]

Time allotted to argue: 20/20 minutes

(Chief Justice Sudderth and Justice Tijerina sitting by commission pursuant to
Section 22.005 of the Texas Government Code)

(Justice Blacklock and Justice Young not participating)

THE MOTIONS IN THE FOLLOWING CAUSES ARE DENIED:

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 for additional time following consolidation of causes for oral argument denied

~ consolidated for oral argument with ~

21-0755 HOUSTON POLICE OFFICERS' UNION; CITY OF HOUSTON; MAYOR SYLVESTER TURNER, COUNCIL MEMBERS AMY PECK, TARSHA JACKSON, ABBIE KAMIN, CAROLYN EVANS-SHABAZZ, DAVE MARTIN, TIFFANY D. THOMAS. GREG TRAVIS, KARLA CISNEROS, ROBERT GALLEGOS, EDWARD POLLARD, MARTHA CASTEX-TATUM, MIKE KNOX, DAVID ROBINSON, MICHAEL KUBOSH, LETITIA PLUMMER, AND SALLIE ALCORN; CONTROLLER CHRIS BROWN; AND FINANCE DEPARTMENT DIRECTOR TANTRI EMO v. HOUSTON PROFESSIONAL FIRE FIGHTERS' ASSOCIATION IAFF LOCAL 341, PATRICK "MARTY" LANCTON, GABRIEL ANGEL DOMINGUEZ, ROY ANTHONY CORMIER, BRIAN RAY WILCOX, AND DELANCE SHAW; from Harris County; 14th Court of Appeals District (14-19-00427-CV, 651 SW3d 41, 07-29-21)

motion for additional time following consolidation of causes for oral argument denied

Time allotted to argue: 30/30 minutes

(Justice Huddle and Justice Young not participating)

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSE ARE DENIED:

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)

2 rehearings

The Court's opinion issued April 22, 2022 is corrected.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

21-0507 HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3 v. HIDALGO COUNTY IRRIGATION DISTRICT NO. 1; from Hidalgo County; 13th Court of Appeals District (13-20-00355-CV, 627 SW3d 529, 05-27-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 12, 2023.]

Time allotted to argue: 20/20 minutes

21-0843 AMERICAN NATIONAL INSURANCE COMPANY v. BERTHA ARCE; from Hardeman County; 7th Court of Appeals District (07-19-00362-CV, 633 SW3d 228, 08-24-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 12, 2023.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

20-0990 LINDA MOODY v. DELORIS DARLENE MOODY AND MOODY NATIONAL BANK, AS TRUSTEE OF THE W.L. MOODY, IV LIVING TRUST AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF W.L. MOODY, IV, DECEASED; from Galveston County; 14th Court of Appeals District (14-18-01018-CV, 613 SW3d 707, 11-10-20)

(Justice Bland not participating)

21-0384 ZURICH AMERICAN INSURANCE COMPANY, IN ITS CAPACITY OF POLICY NO. GLO 9264204-03, AND IRONSHORE SPECIALTY INSURANCE CO. v. CERTAIN UNDERWRITERS SUBSCRIBING TO OEE POLICY NRG 475535-9-02, CERTAIN UNDERWRITERS SUBSCRIBING TO ENERGY PACKAGE POLICY B1263EG0062313 AND CERTAIN UNDERWRITERS SUBSCRIBING TO ENERGY PACKAGE POLICY B1263EG0062314; from Harris County; 1st Court of Appeals District (01-19-00184-CV, 634 SW3d 131, 08-27-20)

22-0184 LOVE & JOY SERVICES, LLC AND LOVER'S ESTATE, LLC v. UNITY NATIONAL BANK AND WATERSTONE LSP, LLC; from Harris County; 14th Court of Appeals District (14-19-00082-CV, ___ SW3d ___, 04-29-21)

(Justice Lehrmann not participating)

22-0282 J.A.T. v. C.S.T.; from Harris County; 14th Court of Appeals District (14-19-00766-CV, ___ SW3d ___, 02-25-22)

motion to stay dismissed as moot

(Justice Huddle not participating)

22-0339 TRUDY JANE ANDERSON TESTAMENTARY TRUST, BY AND THROUGH ITS TRUSTEE CHARLES THOMAS ANDERSON v. ENDEAVOR ENERGY RESOURCES, LP AND ARAH EVELYN HOLCOMB, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE AND SUCCESSOR TO E.D. HOLCOMB; from Martin County; 11th Court of Appeals District (11-20-00263-CV, 644 SW3d 212, 03-31-22)

22-0341 TIC GRAPEVINE 2, LP, TIC GRAPEVINE 3, LP, TIC GRAPEVINE 5, LP, TIC TIC GRAPEVINE 2, LP, TIC GRAPEVINE 3, LP, TIC GRAPEVINE 5, LP, TIC GRAPEVINE 8, LP, TIC GRAPEVINE 9, LP, TIC GRAPEVINE 10, LP, TIC GRAPEVINE 12, LP, TIC GRAPEVINE 18, LP, TIC GRAPEVINE 20, LP AND TIC GRAPEVINE 22, LP v. MOODY NATIONAL GRAPEVINE MT, LP; from Harris County; 14th Court of Appeals District (14-21-00083-CV, 651 SW3d 450, 03-15-22)

22-0357 MELISSA BREWER v. COMPASS BANK; from Collin County; 5th Court of Appeals District (05-20-00624-CV, ___ SW3d ___, 03-25-22)

- 22-0368 H. JONATHAN COOKE, INDIVIDUALLY AND ON BEHALF OF ESCROW PARTNERS DALLAS, L.P.; ESCROW PARTNERS DALLAS, GP, INC.; ESCROW PARTNERS HOUSTON, L.P.; ESCROW PARTNERS HOUSTON, GP, INC.; ESCROW PARTNERS AUSTIN, L.P.; ESCROW PARTNERS AUSTIN, GP, INC.; ESCROW PARTNERS SAN ANTONIO, L.P.; ESCROW PARTNERS SAN ANTONIO, GP, INC.; TITLE PARTNERS, L.L.P.; NORTH AMERICAN MANAGEMENT, L.L.P.; TJ PARTNERS I, LLC; AND TJ PARTNERS II, LLC v. ROBERT C. KARLSENG; KARLSENG LAW FIRM, P.C.; ASHLEY BRIGHAM PATTEN; PATTEN & KARLSENG LAW FIRM, P.C.; JACQUES YVES LEBLANC; AND LEBLANC, PATTEN AND KARLSENG LAW FIRM, P.C.; from Dallas County; 5th Court of Appeals District (05-18-00206-CV, ___ SW3d ___, 04-12-22)
- 22-0438 MARY CROWE v. JIMMIE S. SELLERS; from Harris County; 1st Court of Appeals District (01-19-00473-CV, ___ SW3d ___, 10-05-21)
- 22-0456 JANELLE THOMPSON, CRNA v. GENESIS FONG; from El Paso County; 8th Court of Appeals District (08-20-00059-CV, 650 SW3d 164, 09-29-21)
- 22-0471 PAVECON HOLDING CO. INC., PAVECON LTD. CO., AND PAVECON PUBLIC WORKS, LP v. MARTY MURPHY; from Dallas County; 5th Court of Appeals District (05-20-00438-CV, ___ SW3d ___, 05-06-22)
- 22-0501 TATIYANA GENEVA ALTECOR v. UNITED PROPERTY AND CASUALTY INSURANCE COMPANY; from Hidalgo County; 13th Court of Appeals District (13-20-00156-CV, ___ SW3d ___, 02-24-22)
- 22-0502 TATIYANA GENEVA ALTECOR v. UNITED PROPERTY AND CASUALTY INSURANCE COMPANY; from Hidalgo County; 13th Court of Appeals District (13-20-00148-CV, ___ SW3d ___, 02-24-22)
- 22-0627 RAINER VON FALKENHORST III v. GEORGE D. FORD JR. AND HARRIS COUNTY CHILDREN'S PROTECTIVE SERVICES; from Harris County; 14th Court of Appeals District (14-20-00867-CV, 651 SW3d 563, 06-14-22)

- 22-0629 ARMON CRENSHAW v. SHANIQUE THOMAS; from Williamson County; 3rd Court of Appeals District (03-21-00064-CV, ___ SW3d ___, 06-16-22)
- 22-0707 IN THE INTEREST OF M.K.E. A/K/A M.K.E., A/K/A M.E., A/K/A M.E., A CHILD; from Harris County; 1st Court of Appeals District (01-22-00001-CV, ___ SW3d ___, 06-23-22)
counsel's motion to withdraw granted
- 22-0721 MARGARET FAY GUIDRY v. EDWARD JAMES GUIDRY, JR.; from Menard County; 4th Court of Appeals District (04-20-00311-CV, ___ SW3d ___, 07-20-22)
as amended
as reinstated
- 22-0757 MAGDALENO VILLEGAS v. JORGE ARELLANO; from Travis County; 14th Court of Appeals District (14-20-00332-CV, ___ SW3d ___, 07-19-22)
- 22-0761 RICHARD DAVIDSON AND JAVLINE RANCH (A GENERAL PARTNERSHIP), A/K/A JAVELIN RANCH, A/K/A JAVELIN RANCH, LP v. KEVIN DOTY AND ELIZABETH DOTY; from Jim Hogg County; 4th Court of Appeals District (04-20-00583-CV, ___ SW3d ___, 06-29-22)
- 22-0770 WILLIAM PAUL BURCH v. NATIONSTAR MORTGAGE HOLDINGS, INC.; from Tarrant County; 2nd Court of Appeals District (02-21-00035-CV, ___ SW3d ___, 05-12-22)
- 22-0778 MATTHEW L. WEBB v. WALMART STORES TEXAS LLC; from Montgomery County; 9th Court of Appeals District (09-21-00011-CV, ___ SW3d ___, 07-14-22)
- 22-0780 JAMES FREDERICK v. SABINE FREDERICK; from El Paso County; 8th Court of Appeals District (08-22-00144-CV, ___ SW3d ___, 07-29-22)

- 22-0782 SHAN SHI v. WS ATKINS, INC.; from Harris County; 1st Court of Appeals District (01-21-00568-CV, ___ SW3d ___, 06-28-22)
- 22-0784 PATRICK S. SKULEMOWSKI DO v. VALLEY REGIONAL MEDICAL CENTER; from Cameron County; 13th Court of Appeals District (13-20-00394-CV, ___ SW3d ___, 08-04-22)
- 22-0795 TRIMCOS, LLC v. COMPASS BANK; from Harris County; 1st Court of Appeals District (01-19-01000-CV, 649 SW3d 907, 07-28-22)
- 22-0817 ROLAND AND KAREN GARCIA v. HARTWIG MOSS INSURANCE AGENCY LTD.; from Harris County; 1st Court of Appeals District (01-20-00420-CV, ___ SW3d ___, 04-28-22)
- 22-0862 ALICIA ORTIZ, INDIVIDUALLY AND AS NEXT FRIEND OF M.D.M. AND A.D.M. v. RATTLESNAKE RIDGE VENTURES, LLC; from Starr County; 4th Court of Appeals District (04-22-00004-CV, ___ SW3d ___, 08-03-22)
- 22-0904 OLA ADAMS, M.D. v. SPECIALTY ASSOCIATES OF WEST HOUSTON, PLLC; from Harris County; 1st Court of Appeals District (01-21-00092-CV, ___ SW3d ___, 08-18-22)
- 22-0906 RODOLFO ESPINOSA LUA AND ANEL LUA v. CAPITAL PLUS FINANCIAL, LLC; from Dallas County; 5th Court of Appeals District (05-19-01227-CV, 646 SW3d 622, 05-26-22)
- 22-0964 IN THE INTEREST OF P.R., A CHILD; from Robertson County; 10th Court of Appeals District (10-22-00062-CV, ___ SW3d ___, 08-24-22)

22-0976 IN THE INTEREST OF L.E., A CHILD; from Harris County; 14th Court of Appeals District (14-22-00220-CV, ___ SW3d ___, 09-20-22)
counsel's motion to withdraw granted

22-0979 IN THE INTEREST OF A.L.L., A CHILD; from Angelina County; 12th Court of Appeals District (12-22-00172-CV, ___ SW3d ___, 09-22-22)
counsel's motion to withdraw granted

22-0980 IN THE INTEREST OF M.A. AND A.A., CHILDREN; from Camp County; 6th Court of Appeals District (06-22-00011-CV, ___ SW3d ___, 09-29-22)

ORDERS ON MOTIONS FOR REHEARING

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

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)

22-0018 REGINA NACHAEL HOWELL FOSTER v. OCWEN LOAN SERVICING, LLC AND DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL 1 INC. TRUST 2005-HE1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE 1; from Tarrant County; 2nd Court of Appeals District (02-20-00224-CV, ___ SW3d ___, 10-14-21)

22-0107 ANGELINA ARREDONDO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF DANIEL CANALES ARREDONDO, DECEASED, AND NEXT FRIEND OF LEIA ARREDONDO, INDIVIDUALLY v. JOHN TIMOTHY TRACY, M.D., BAYLOR ALL SAINTS MEDICAL CENTER D/B/A BAYLOR SCOTT & WHITE ALL SAINTS MEDICAL CENTER—FORT WORTH; AND BAYLOR HEALTH CARE SYSTEM D/B/A BAYLOR SCOTT & WHITE HEALTH; from Dallas County; 5th Court of Appeals District (05-20-00087-CV, ___ SW3d ___, 01-13-22)

22-0167 DEWOLFF, BOBERG & ASSOCIATES, INC. v. WILLIAM J. KANEN; from Dallas County; 5th Court of Appeals District (05-20-00126-CV, ___ SW3d ___, 01-18-22)

22-0218 KIRK LAUNIUS v. DIANA FLORES, IN HER OFFICIAL CAPACITY AS PRESIDING OFFICER, CHAIR OF TRUSTEES, OF DALLAS COUNTY COMMUNITY COLLEGE DISTRICT; from Dallas County; 5th Court of Appeals District (05-21-00210-CV, 640 SW3d 631, 02-01-22)

22-0285 TED L. ROBERTSON v. URITA EMANUEL-JOHNSON; from Harris County; 1st Court of Appeals District (01-20-00198-CV, ___ SW3d ___, 12-07-21)

22-0557 BRANDON HJELLA v. RED MCCOMBS MOTORS, LTD.; from Bexar County; 4th Court of Appeals District (04-20-00359-CV, ___ SW3d ___, 03-16-22)

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

22-0263 IN RE COLLIER'S CHAPEL BAPTIST CHURCH, KARNACK, TEXAS; from Harrison County; 6th Court of Appeals District (06-21-00106-CV, ___ SW3d ___, 01-14-22)

22-0563 IN RE WILLIAM T. MORAN III; from Montgomery County; 9th Court of Appeals District (09-21-00167-CV, 635 SW3d 394, 10-14-21)

22-0661 IN RE WILLIAM M. WINDSOR; from McLennan County

22-0706 IN RE WILLIAM M. WINDSOR; from McLennan County

THE MOTION FOR REHEARING OF THE FOLLOWING DIRECT APPEAL IS DENIED:

22-0793 STEPHANIE A. DIETZ v. LAURIE LEISTER, ET AL.; from Jefferson County

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0140 IN RE NANCY BOUAJRAM; from Denton County; 2nd Court of Appeals District (02-21-00072-CV, ___ SW3d ___, 08-17-21)

22-0490 IN RE DAVID BARNES; from Dallas County; 5th Court of Appeals District (05-22-00312-CV, ___ SW3d ___, 06-03-22)

22-0508 IN RE CHG SENIOR LIVING OF FORNEY, LLC D/B/A THREE FORKS SENIOR LIVING OF FORNEY; from Dallas County; 5th Court of Appeals District (05-21-00990-CV, ___ SW3d ___, 05-11-22)

22-0876 IN RE BUCHHEIT TRUCKING SERVICE, INC; from Webb County; 4th Court of Appeals District (04-22-00571-CV, ___ SW3d ___, 09-28-22)

22-0886 IN RE WILLIAM DEXTER LUCAS; from Fort Bend County; 14th Court of Appeals District (14-22-00685-CV, ___ SW3d ___, 10-04-22)

22-0907 IN RE DONALD LEMPAR AND DENNIS LEMPAR; from Bexar County; 4th Court of Appeals District (04-22-00575-CV, ___ SW3d ___, 10-05-22)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

22-0463 IN RE AMGUARD INSURANCE COMPANY, BERKSHIRE HATHAWAY GLOBAL INSURANCE SERVICES, LLC; from Harris County; 1st Court of Appeals District (01-22-00220-CV, ___ SW3d ___, 06-02-22)

unopposed motion to dismiss granted

22-0617 IN RE THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL; from Hidalgo County; 13th Court of Appeals District (13-22-00079-CV, ___ SW3d ___, 07-12-22)

abatement order issued October 21, 2022, lifted
mandamus reinstated
motion to dismiss granted