



# THE SUPREME COURT OF TEXAS

Orders Pronounced December 30, 2022

## ORDERS ON CAUSES

20-0856 THE GULF COAST CENTER v. DANIEL CURRY, JR.; from Galveston County; 1st Court of Appeals District (01-18-00665-CV, 644 SW3d 370, 09-10-20)

The Court reverses the judgments of the court of appeals and the trial court and remands the case to the trial court.

Justice Huddle delivered the opinion of the Court.

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)

The Court affirms the court of appeals' judgment.

Justice Bland delivered the opinion of the Court.

21-0262 DON ZIMMERMAN v. CITY OF AUSTIN; AND SPENCER CRONK, IN HIS OFFICIAL CAPACITY AS CITY MANAGER OF THE CITY OF AUSTIN; from Travis County; 8th Court of Appeals District (08-20-00039-CV, 620 SW3d 473, 03-17-21)

Pursuant to Texas Rule of Appellate Procedure 59.1, after granting the petition for review and without hearing oral argument, the Court vacates the judgments of the court of appeals and the trial court and remands the case to the trial court.

Per Curiam Opinion

21-0614 CAMERON INTERNATIONAL CORPORATION A/K/A CAMERON SYSTEMS CORPORATION v. HUGO A. MARTINEZ AND DOLORES RAMIREZ, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JAVIER GARCIA, JR., DECEASED; JAVIER MAYAGOITIA, SR., INDIVIDUALLY AND AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF JAVIER MAYAGOITIA, JR., DECEASED; JULIETA TAYLOR; OSMAN MARTINEZ; AND JEANNE CHAVEZ, INDIVIDUALLY AND AS NEXT FRIEND AND GUARDIAN OF M. C., A MINOR CHILD; from Reeves County; 8th Court of Appeals District (08-19-00086-CV, 624 SW3d 241, 03-29-21)

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 renders judgment.

Per Curiam Opinion

21-1003 THE STATE OF TEXAS EX REL. TODD A. DURDEN, IN HIS OFFICIAL CAPACITY AS COUNTY ATTORNEY v. JAMES T. "TULLY" SHAHAN, IN HIS OFFICIAL CAPACITY AS COUNTY JUDGE; MARK FRERICH, IN HIS OFFICIAL CAPACITY AS COUNTY COMMISSIONER; JOE MONTALVO, IN HIS OFFICIAL CAPACITY AS COUNTY COMMISSIONER; DENNIS DODSON, IN HIS OFFICIAL CAPACITY AS COUNTY COMMISSIONER; TIM WARD, IN HIS OFFICIAL CAPACITY AS COUNTY COMMISSIONER; KINNEY COUNTY COMMISSIONERS COURT; KINNEY COUNTY; AND RICK ALVARADO, IN HIS OFFICIAL CAPACITY AS DISTRICT AND COUNTY CLERK OF KINNEY COUNTY, TEXAS; from Kinney County; 4th Court of Appeals District (04-19-00714-CV, 04-19-00715-CV, & 04-19-00716-CV, 648 SW3d 339, 05-12-21)

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

Per Curiam Opinion

THE FOLLOWING MOTION TO PARTICIPATE IN ORAL ARGUMENT IS GRANTED:

22-0196 ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC. v. PANDA POWER GENERATION INFRASTRUCTURE FUND, LLC, D/B/A PANDA POWER FUNDS; PANDA SHERMAN POWER HOLDINGS, LLC; PANDA SHERMAN POWER INTERMEDIATE HOLDINGS I, LLC; PANDA SHERMAN POWER INTERMEDIATE HOLDINGS II, LLC; PANDA SHERMAN POWER, LLC; PANDA TEMPLE POWER HOLDINGS, LLC; PANDA TEMPLE POWER INTERMEDIATE HOLDINGS I, LLC; PANDA TEMPLE POWER INTERMEDIATE HOLDINGS II, LLC; PANDA TEMPLE POWER, LLC; PANDA TEMPLE POWER II HOLDINGS, LLC; PANDA TEMPLE POWER II INTERMEDIATE HOLDINGS I, LLC, ET AL.; from Grayson County; 5th Court of Appeals District (05-18-00611-CV, 641 SW3d 893, 02-23-22)  
motion of amicus curiae to participate in oral argument granted

Time allotted to argue: 15/5/20 minutes

**ORDERS ON PETITIONS FOR REVIEW**

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

21-0772 HEALTH AND HUMAN SERVICES COMMISSION v. BRENDA VAZQUEZ; from Travis County; 3rd Court of Appeals District (03-20-00075-CV, \_\_\_ SW3d \_\_\_, 07-28-21)

Justice Boyd filed an opinion dissenting to the denial of the petition for review.

22-0691 JAMES MARK PATSFIELD, III v. UV LOGISTICS, LLC D/B/A UNITED VISION LOGISTICS; from Harris County; 1st Court of Appeals District (01-20-00191-CV, \_\_\_ SW3d \_\_\_, 03-31-22)

22-0716 EDWARD FOUSSADIER v. TRIPLE B SERVICES, LLP; from Harris County; 1st Court of Appeals District (01-21-00024-CV, \_\_\_ SW3d \_\_\_, 08-23-22)

22-0718 TEXAS HEALTH HARRIS METHODIST HOSPITAL FORT WORTH v. STEPHEN FEATHERLY; from Tarrant County; 2nd Court of Appeals District (02-19-00199-CV, \_\_\_ SW3d \_\_\_, 04-14-22)

2 petitions

- 22-0740 IN THE MATTER OF D.G.W.; from Harris County; 1st Court of Appeals District (01-21-00134-CV, \_\_\_ SW3d \_\_\_, 06-30-22)
- 22-0824 FULL OF FAITH CHRISTIAN CENTER, INC.; FULL OF FAITH CHRISTIAN CENTER MINISTRIES; FULL OF FAITH CHRISTIAN CENTER MINISTRIES, INC.; CALVIN RAY CALHOUN; AND PEGGY CALHOUN v. KENNETH MAY AND DESIRE OPHELIA FUENTES-MAY; from Dallas County; 5th Court of Appeals District (05-20-00859-CV, \_\_\_ SW3d \_\_\_, 08-11-22)
- 22-0879 JAMES D. SCUDDAY v. AUSTIN KING, TIERRA LINDA RANCH HOMEOWNERS ASSOCIATION, JERRY ADAMS, BOB DOCKEY, MARY LA FRANCE, TAMMY HANEY, DENISE CHAMBERS AND DIMAS LOPEZ; from Gillespie County; 4th Court of Appeals District (04-20-00562-CV, \_\_\_ SW3d \_\_\_, 06-22-22)
- 22-0916 DAVID GHAZVINI v. TOYOTA MOTORS SALES, USA, INC.; from Harris County; 1st Court of Appeals District (01-21-00400-CV, \_\_\_ SW3d \_\_\_, 08-11-22)
- 22-0934 IN THE INTEREST OF D.C., S.C., AND S.C., CHILDREN; from Tarrant County; 2nd Court of Appeals District (02-21-00051-CV, \_\_\_ SW3d \_\_\_, 08-31-22)
- 22-0956 LARAE WALKER v. EMPLOYEES RETIREMENT SYSTEM OF TEXAS AND MINNESOTA LIFE INSURANCE COMPANY; from Travis County; 3rd Court of Appeals District (03-21-00321-CV, \_\_\_ SW3d \_\_\_, 09-14-22)
- 22-0967 IN THE INTEREST OF M.P.B., ET AL., CHILDREN; from Dallas County; 5th Court of Appeals District (05-22-00399-CV, \_\_\_ SW3d \_\_\_, 09-12-22)
- 22-0971 TORI WOODS, GLORIA WOODS AND M.W. v. BW MIDTOWN CEDAR HILL, L.L.C.; from Dallas County; 5th Court of Appeals District (05-21-00615-CV, \_\_\_ SW3d \_\_\_, 09-19-22)  
as redrafted

- 22-0984 WEN LIAN H. PATIENCE v. CHRISTINE HENDRICKS HODSON; from Fort Bend County; 1st Court of Appeals District (01-22-00599-CV, \_\_\_ SW3d \_\_\_, 10-04-22)  
as reinstated
- 22-0994 IN THE INTEREST OF A.I., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-22-00176-CV, \_\_\_ SW3d \_\_\_, 09-22-22)  
2 petitions  
counsel's motion to withdraw granted
- 22-0999 IN THE INTEREST OF C.C.H., A CHILD; from Lamar County; 6th Court of Appeals District (06-22-00052-CV, \_\_\_ SW3d \_\_\_, 10-12-22)
- 22-1003 NEXION HEALTH AT WAXAHACHIE INC, D/B/A RENFRO HEALTHCARE CENTER v. MARTHA PENA, ON BEHALF OF CELIA ONTIVEROS; from Ellis County; 10th Court of Appeals District (10-19-00044-CV, \_\_\_ SW3d \_\_\_, 08-31-22)
- 22-1016 VICTOR MIGNOGNA v. FUNIMATION PRODUCTIONS, LLC, JAMIE MARCHI, MONICA RIAL, AND RONALD TOYE; from Tarrant County; 2nd Court of Appeals District (02-19-00394-CV, \_\_\_ SW3d \_\_\_, 08-18-22)
- 22-1017 IN THE INTEREST OF A.K. AND J.K., CHILDREN; from Wichita County; 2nd Court of Appeals District (02-22-00154-CV, \_\_\_ SW3d \_\_\_, 09-29-22)
- 22-1034 IN THE INTEREST OF B.B., A CHILD; from Gregg County; 6th Court of Appeals District (06-22-00029-CV, \_\_\_ SW3d \_\_\_, 10-06-22)
- 22-1035 IN THE INTEREST OF I.D., A CHILD; from Gregg County; 6th Court of Appeals District (06-22-00030-CV, \_\_\_ SW3d \_\_\_, 10-06-22)

- 22-1041 IN THE INTEREST OF J.R., C.M.R.C., AND D.C., MINOR CHILDREN; from Hidalgo County; 13th Court of Appeals District (13-22-00253-CV, \_\_\_ SW3d \_\_\_, 10-06-22)  
counsel's motion to withdraw granted
- 22-1107 IN THE INTEREST OF J.W., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-22-00161-CV, \_\_\_ SW3d \_\_\_, 10-27-22)  
counsel's motion to withdraw granted
- 22-1118 IN THE INTEREST OF A.Z.P. AND S.J. R., CHILDREN; from Bexar County; 4th Court of Appeals District (04-22-00320-CV, \_\_\_ SW3d \_\_\_, 10-26-22)

#### **ORDERS ON MOTIONS FOR REHEARING**

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

- 22-0135 PHARUS FUNDING, LLC AS ASSIGNEE OF LHR, INC. v. JORGE J. GARCIA; from Harris County; 1st Court of Appeals District (01-20-00411-CV, \_\_\_ SW3d \_\_\_, 08-12-21)
- 22-0387 THOMAS ANDREW MORRELL AND CABRINA MORRELL v. MARTHA J. MORRELL; from Jefferson County; 9th Court of Appeals District (09-20-00086-CV, \_\_\_ SW3d \_\_\_, 03-31-22)  
(Justice Lehrmann not participating)
- 22-0465 KENNETH D. EICHNER, P.C. v. BEN DOMINGUEZ, II AND PARC CONDOMINIUM ASSOCIATION; from Harris County; 14th Court of Appeals District (14-18-00399-CV, \_\_\_ SW3d \_\_\_, 02-08-22)
- 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)

22-0842 IN THE INTEREST OF D.P. AND D.P.; from Montgomery County; 9th Court of Appeals District (09-22-00048-CV, \_\_\_ SW3d \_\_\_, 07-28-22)

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

22-0950 IN RE CL II LLC, CL OPCO LLC, RED ROOF FRANCHISING, LLC,  
WESTMONT HOSPITALITY GROUP, INC., AND REAL PROPERTY KNOWN  
AS 5959 GUHN ROAD; from Harris County; 1st Court of Appeals District (01-22-  
00717-CV, \_\_\_ SW3d \_\_\_, 10-25-22)

**MISCELLANEOUS**

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0991 IN RE SENTRY WELLHEAD SYSTEM, LLC; from Montgomery County; 9th  
Court of Appeals District (09-21-00204-CV, \_\_\_ SW3d \_\_\_, 08-31-22)

22-1045 IN RE RICHARD MCDONALD; from Midland County; 11th Court of Appeals  
District (11-22-00291-CV, \_\_\_ SW3d \_\_\_, 11-10-22)

22-1119 IN RE STETSON RENEWABLES HOLDINGS, LLC AND OGALLALA  
RENEWABLE PROJECT, LLC  
relators' emergency motion for temporary relief denied

Justice Young delivered the opinion of the Court.

22-1120 IN RE MONTE ALTO WINDPOWER, LLC AND YELLOW ROSE SOLAR  
PROJECT LLC  
relators' emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1125 IN RE AUSTIN BAYOU SOLAR, LLC, BRAZORIA SOLAR II, LLC, FACILITY INNOVATIONS GROUP, INC., GOLDEN TRIANGLE SOLAR, LLC, SAN BERNARD SOLAR II, LLC, AND ZSS POWER LLC

as amended

relators' unopposed emergency motion for leave to file amended petition granted  
relators' emergency motion for temporary relief denied, as amended

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1131 IN RE EQUISTAR CHEMICALS, LP

relator's emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1132 IN RE HORSESHOE BEND SOLAR, LLC

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1133 IN RE MONARCH ENERGY DEVELOPMENT, LLC

relator's emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1136 IN RE HECATE ENERGY DOVETAIL SOLAR 1, LLC AND HECATE ENERGY DOVETAIL SOLAR 2, LLC

emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*



22-1137 IN RE JEFF YOUNGER; from Dallas County

as amended

motion for emergency stay denied, as amended  
motion to seal court records granted in part

Justice Blacklock filed an opinion concurring in the denial of the petition for writ of mandamus, in which Justice Young joined.

Justice Devine notes his dissent from the Court's denial of the petition for writ of mandamus and motion for emergency stay.

22-1146 IN RE NATURGY CANDELA DEVCO, LLC, RENRG TX1, LLC, RENRG TX2, LLC, AND GGS ENERGY TX LLC

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1151 IN RE STARR SOLAR RANCH 1, LLC

relator's emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1152 IN RE ROWDY CREEK SOLAR, LLC

emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1156 IN RE ZEUS RENEWABLE ENERGY DEVELOPMENT, LLC, SPADE WIND I, LLC, SPADE WIND II, LLC, AND SPADE WIND III, LLC

relators' emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1158 IN RE OLYMPUS SOLAR, LLC

emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1161 IN RE SEADRIFT SOLAR, LLC

emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1163 IN RE BNB TENNYSON SOLAR, LLC

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

22-1168 IN RE LEEWARD RENEWABLE ENERGY, LLC AND NAVARRO COUNTY  
WIND, LLC

relators' emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*  
(Justice Bland not participating)

22-1169 IN RE CATALYST ENERGY, INC.

relator's emergency motion for temporary relief denied

*See opinion issued in 22-1119, In re Stetson Renewables Holdings, LLC*

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

22-0845 IN RE FRANK LEROY PICKENS; from Caldwell County; 3rd Court of Appeals  
District (03-22-00538-CV, \_\_\_ SW3d \_\_\_, 09-21-22)

relator's motion to dismiss granted

22-1097 IN RE SWIFT TRANSPORTATION CO. OF ARIZONA, LLC AND TRANSMEX  
INC., S.A. DE C.V.; from Webb County; 4th Court of Appeals District (04-22-  
00808-CV, \_\_\_ SW3d \_\_\_, 12-07-22)

relators' unopposed motion to dismiss granted

relators' emergency motion for stay dismissed as moot