



THE SUPREME COURT OF TEXAS

Orders Pronounced February 24, 2023

ORDERS ON CAUSES

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, 647 SW3d 410, 09-02-21)

The Court affirms the court of appeals' judgment.

~ consolidated for oral argument with ~

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)

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

Justice Bland delivered the opinion of the Court.

Justice Devine filed a concurring opinion, in which Justice Blacklock joined.

THE MOTION FOR REHEARING OF THE FOLLOWING CAUSE IS DENIED:

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)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

21-0437 USA LENDING GROUP, INC. v. WINSTEAD PC AND JAMES RUIZ;
from Harris County; 12th Court of Appeals District (12-20-00172-CV, ___
SW3d ___, 03-18-21)

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

21-0797 LEVINSON ALCOSER ASSOCIATES, L.P. AND LEVINSON
ASSOCIATES, INC. v. EL PISTOLON II, LTD.; from Hidalgo County; 13th
Court of Appeals District (13-19-00303-CV, 627 SW3d 494, 05-13-21)

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

21-0994 LG CHEM AMERICA, INC. AND LG CHEM, LTD. v. TOMMY
MORGAN; from Brazoria County; 1st Court of Appeals District (01-19-
00665-CV, ___ SW3d ___, 12-15-20)

2 petitions

[**Note:** This case has been set for oral argument at 9:00 a.m., March 22, 2023.]
Time allotted to argue: 20/20 minutes

(Justice Young not participating)

22-0050 MARK BOOZER, JERROD RAYMOND, AND CTMI, LLC v. RAY
FISCHER AND CORPORATE TAX MANAGEMENT, INC. N/K/A RY
FISCHER & ASSOCIATES, INC.; from Tarrant County; 2nd Court of
Appeals District (02-19-00320-CV, ___ SW3d ___, 12-16-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 22, 2023.]
Time allotted to argue: 20/20 minutes

22-0102 THE CITY OF DALLAS v. THE EMPLOYEES' RETIREMENT FUND OF THE CITY OF DALLAS; from Dallas County; 5th Court of Appeals District (05-20-00494-CV, 636 SW3d 692, 10-29-21)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 22, 2023.]
Time allotted to argue: 20/20 minutes

22-0202 CITY OF AUSTIN v. IRENE QUINLAN; from Travis County; 3rd Court of Appeals District (03-21-00067-CV, ___ SW3d ___, 01-28-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 23, 2023.]
Time allotted to argue: 20/20 minutes

22-0419 IN THE INTEREST OF J.N., L.N., K.N., AND M.N., CHILDREN; from Dallas County; 5th Court of Appeals District (05-20-00695-CV, ___ SW3d ___, 04-25-22)

[**Note:** This case has been set for oral argument at 9:00 a.m., March 23, 2023.]
Time allotted to argue: 20/20 minutes
(Justice Young not participating)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

22-0149 WEEKS MARINE, INC. v. MARIO CARLOS; from Harris County; 1st Court of Appeals District (01-21-00015-CV, ___ SW3d ___, 10-21-21)

22-0314 STOREY MINERALS, LTD, MALTSBERGER/STOREY RANCH, LLC, AND RENE R. BARRIENTOS, LTD. v. EP ENERGY E&P COMPANY L.P.; from La Salle County; 4th Court of Appeals District (04-19-00534-CV, ___ SW3d ___, 01-26-22)

2 petitions

22-0404 TERRY BURNS, M.D., AND STEPHEN M. RAPKIN v. THE CITY OF SAN ANTONIO, TEXAS, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, TEXAS, AND KEN PAXTON, ATTORNEY GENERAL OF TEXAS; from Travis County; 3rd Court of Appeals District (03-21-00214-CV, ___ SW3d ___, 11-18-21)

- 22-0469 RICHARD CALVERT AND MELISSA CALVERT MORRIS v. DEBORAH CALVERT CRAWLEY, ROBERT D. CALVERT, JR. AND LAURA CALVERT BATES; from Harris County; 1st Court of Appeals District (01-20-00105-CV, ___ SW3d ___, 05-10-22)
2 petitions
- 22-0492 CARRIE CHITSEY AND CHRIS CHITSEY v. HEATHER OTTEN, J.E. HAGAN, K.R. HAGAN, AND WILLIE MAE HAGAN; from Travis County; 3rd Court of Appeals District (03-21-00539-CV, ___ SW3d ___, 05-06-22)
- 22-0562 BANK OF WHITTIER, N.A. v. M. SAMEER AHMED, AS ASSIGNEE OF JTP DIAGNOSTICS LLC, AND FRANK AMINI; from Dallas County; 5th Court of Appeals District (05-21-00058-CV, ___ SW3d ___, 05-04-22)
- 22-0564 ALLEGHENY MILLWORK, INC. v. JEFF HONEYCUTT D/B/A NOAH QUALITY SERVICES; from Collin County; 5th Court of Appeals District (05-21-00113-CV, ___ SW3d ___, 06-08-22)
- 22-0697 MAURICE MITCHELL v. ALICE R. MORIARITY; from Polk County; 9th Court of Appeals District (09-20-00291-CV, ___ SW3d ___, 06-23-22)
motion to compel dismissed as moot
- 22-0882 STEPHEN MCASHAN JONES v. KRISTA FRAZIER; from Harris County; 1st Court of Appeals District (01-21-00297-CV, ___ SW3d ___, 08-23-22)
- 22-0887 IN THE INTEREST OF D.A.C.-R. AND E.M.C.-R., CHILDREN; from Collin County; 5th Court of Appeals District (05-21-00033-CV, ___ SW3d ___, 07-14-22)
- 22-0898 NIXON FAMILY PARTNERSHIP, LP v. JET LENDING, LLC AND FIRST NATIONAL TITLE INSURANCE COMPANY; from Montgomery County; 9th Court of Appeals District (09-20-00201-CV, ___ SW3d ___, 08-04-22)

- 22-0936 IN THE INTEREST OF J.R., A CHILD; from Harris County; 14th Court of Appeals District (14-22-00176-CV, 652 SW3d 508, 07-21-22)
- 22-0963 ADA HICKS v. G4S SECURE SOLUTIONS; from Harris County; 1st Court of Appeals District (01-21-00221-CV, ___ SW3d ___, 07-26-22)
- 22-1002 WESLEY PERKINS v. SOUTHSIDE WRECKER, INC.; from Travis County; 3rd Court of Appeals District (03-22-00281-CV, ___ SW3d ___, 10-27-22)
- 22-1022 ZACH YOUNG v. GSC WHOLESALE, LLC D/B/A GROCERS SUPPLY AND THE GROCERS SUPPLY PRODUCE CO., LLC; from Harris County; 14th Court of Appeals District (14-20-00871-CV, 654 SW3d 558, 09-27-22)
- 22-1081 NANCY ALANIS v. U.S BANK NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE TO BANK OF AMERICA, NATIONAL ASSOCIATION, AS SUCCESSOR BY MERGER TO LASALLE BANK, M.A., AS TRUSTEE FOR THE MLMI TRUST SERIES 2006-HE6; AND NATIONSTAR MORTGAGE, LLC D/B/A MR. COOPER; from Bexar County; 4th Court of Appeals District (04-21-00021-CV, ___ SW3d ___, 08-31-22)
- 22-1095 IN THE INTEREST OF T.D., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-22-00215-CV, ___ SW3d ___, 10-20-22)
- 22-1096 THE RAYMOND CORPORATION v. GUILLERMINA RUBIO, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF LORENZO RUBIO, SR., DECEASED, LORENZO RUBIO, JR., LILLIANA RUBIO, AND ELIZABETH RUBIO; from El Paso County; 8th Court of Appeals District (08-22-00097-CV, ___ SW3d ___, 10-26-22)

- 22-1126 CAROL JOHNE MORRIS v. GUADALUPE VALDEZ, AS EXECUTRIX OF THE ESTATE OF MANUEL VALDEZ; from Midland County; 11th Court of Appeals District (11-22-00049-CV, ___ SW3d ___, 10-27-22)
- 22-1139 BENITA NELSON v. METHODIST DALLAS MEDICAL CENTER A/K/A METHODIST HEALTH SYSTEM; from Dallas County; 5th Court of Appeals District (05-21-00925-CV, ___ SW3d ___, 09-08-22)
- 22-1159 QUEEN'PRINYAH GODIAH NMIAA PAYNE'S EL-BEY v. SHEILA ROBINSON-ZENON, THE FEDERAL SAVINGS BANK ADT; 10th Court of Appeals District (10-22-00350-CV, ___ SW3d ___, 12-07-22)
- 23-0042 IN RE THE COMMITMENT OF R.A.F.; from McLennan County; 10th Court of Appeals District (10-22-00102-CV, ___ SW3d ___, 11-30-22)
- 23-0071 IN THE INTEREST OF J.M., A CHILD; from El Paso County; 8th Court of Appeals District (08-22-00173-CV, ___ SW3d ___, 12-14-22)
counsel's motion to withdraw granted
- 23-0109 IN THE INTEREST OF C.R.P., D.P.G., AND E.F.L., CHILDREN; from Bexar County; 4th Court of Appeals District (04-22-00406-CV, ___ SW3d ___, 12-28-22)
- 23-0116 IN THE INTEREST OF S.M.M., CHILD; from Harris County; 1st Court of Appeals District (01-22-00482-CV, ___ SW3d ___, 12-29-22)
counsel's motion to withdraw granted
- 23-0119 IN THE INTEREST OF S.L.W., A CHILD; from Bexar County; 4th Court of Appeals District (04-22-00425-CV, ___ SW3d ___, 01-04-23)

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR REVIEW:

22-0459 SEALY EMERGENCY ROOM, L.L.C. AND KANNAPPAN KRISHNASWAMY, M.D. v. FREE STANDING EMERGENCY ROOM MANAGERS OF AMERICA, L.L.C., DR. ATUL DHINGRA, DR. SWAPAN DUBEY, AND DR. SANJEEV DUBEY; from Harris County; 1st Court of Appeals District (01-21-00008-CV, ___ SW3d ___, 04-26-22)
motion to stay granted in part
stay order issued

[**Note:** The petition for review remains pending before this Court.]

ORDERS ON MOTIONS FOR REHEARING

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

21-0547 RAHUL K. NATH, M.D. v. TEXAS CHILDREN'S HOSPITAL AND BAYLOR COLLEGE OF MEDICINE; from Harris County; 14th Court of Appeals District (14-20-00231-CV; 14-19-00967-CV, ___ SW3d ___, 02-09-21)

Justice Devine and Justice Busby note their dissent to the Court's denial of the motion for rehearing.

(Justice Bland not participating)

21-0775 COLTON LESTER v. CECIL E. BERG, SETH JOHNSON, JOHNSON LAW OFFICE, PLLC, DUSTIN ANDREAS, AND PHILLIPS AND ANDREAS, PLLC; from Polk County; 9th Court of Appeals District (09-19-00305-CV, ___ SW3d ___, 07-29-21)

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)

22-0783 NEW 99 ENTERPRISES, INC. v. MATHESON TRI-GAS, INC.; from Dallas County; 5th Court of Appeals District (05-20-00626-CV, ___ SW3d ___, 05-06-22)

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)

22-0984 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)
motion to vacate denied

22-1062 ZACKERY R. ALOLABI v. THOMAS J. CHRETIEN AND MICHEL MEYER; from Harris County; 1st Court of Appeals District (01-20-00761-CV, ___ SW3d ___, 07-28-22)

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

22-0774 IN THE INTEREST OF C.W.S. AND J.S.; from Orange County; 9th Court of Appeals District (09-22-00040-CV, ___ SW3d ___, 07-28-22)
abatement order issued December 16, 2022, lifted
petition reinstated

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

22-1080 IN RE SHEDRICK THORNTON; from Dallas County; 5th Court of Appeals District (05-22-00990-CV, ___ SW3d ___, 09-28-22)
motion to amend granted
motion to compel dismissed as moot