



THE SUPREME COURT OF TEXAS

Orders Pronounced September 22, 2023

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

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)

unopposed motion to permit attorney at petitioners' counsel table during oral argument granted

22-0431 UNION PACIFIC RAILROAD COMPANY AND EZRA ALDERMAN RANCHES, INC. v. ELSA PRADO, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ROLANDO PRADO, JR., DECEASED, AND AS NEXT FRIEND OF A.P., MINOR; ELIZABETH PRADO; ROLANDO PRADO; AND MARIA PRADO; from La Salle County; 4th Court of Appeals District (04-19-00543-CV, 647 SW3d 731, 07-28-21)

unopposed motion to sever granted as follows:

Pursuant to Texas Rule of Appellate Procedure 42.1, the Court severs and dismisses the claims against Lonestar Resources, Inc. from case no. 22-0431. The remainder of the appeal in case no. 22-0431, restyled *Union Pacific Railroad Company and Ezra Alderman Ranches, Inc. v. Elsa Prado, Individually and as Representative of the Estate of Rolando Prado, Jr., Deceased and as Next Friend of A.P., Minor; Elizabeth Prado; Rolando Prado; and Maria Prado*, remains pending before this Court.

(Justice Lehrmann not participating)

THE MOTION IN THE FOLLOWING CAUSE IS DENIED:

22-0427 TEXAS DEPARTMENT OF INSURANCE AND CASSIE BROWN, IN HER OFFICIAL CAPACITY AS COMMISSIONER OF THE TEXAS DEPARTMENT OF INSURANCE v. STONEWATER ROOFING, LTD. CO.; from Travis County; 7th Court of Appeals District (07-21-00016-CV, 641 SW3d 794, 02-02-22)

unopposed motion to postpone oral argument denied

[**Note:** This case remains set for oral argument at 9:00 a.m., October 26, 2023.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

23-0371 IN RE D.W., JR., Z.W., AND W.W., CHILDREN; 14th Court of Appeals District (14-21-00574-CV, ___ SW3d ___, 01-10-23)

23-0377 ROBERT CROYS DILL v. OLD REPUBLIC INSURANCE COMPANY; from El Paso County; 8th Court of Appeals District (08-21-00191-CV, 668 SW3d 782, 02-09-23)

23-0428 MICHAEL BERNHARDT v. MARCIA GAIL BERNHARDT; from Wichita County; 2nd Court of Appeals District (02-22-00206-CV, ___ SW3d ___, 03-23-23)

23-0470 PRESTON L. HOWARD v. PINE TREE I.S.D. AND MELISSA NEWMAN; from Gregg County; 12th Court of Appeals District (12-22-00222-CV, ___ SW3d ___, 04-28-23)

23-0513 LEROY GREER AND BERNICE GREER v. JP MORGAN MORTGAGE ACQUISITION CORP.; from Fort Bend County; 14th Court of Appeals District (14-21-00583-CV, ___ SW3d ___, 03-28-23)

23-0537 IN THE INTEREST OF J.C., J.C., AND J.C.; from Montgomery County; 9th Court of Appeals District (09-23-00137-CV, ___ SW3d ___, 06-29-23)
as reinstated

23-0630 DOWNTOWN MCKINNEY PARTNERS, LLC v. INTERMCKINNEY, LLC; from Collin County; 5th Court of Appeals District (05-22-00501-CV, ___ SW3d ___, 06-21-23)

23-0751 IN THE INTEREST OF A.E., A CHILD; from Henderson County; 12th Court of Appeals District (12-23-00096-CV, ___ SW3d ___, 07-31-23)

ORDERS ON MOTIONS FOR REHEARING

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

21-0344 WERNER CO. v. J. DEVALLEE; from Denton County; 2nd Court of Appeals District (02-19-00043-CV, ___ SW3d ___, 03-25-21)

22-0104 JOHN P. KOTTS AND BOUMATIC, LLC v. M.A. MILLS, P.C.; from Harris County; 14th Court of Appeals District (14-20-00395-CV, 640 SW3d 323, 01-20-22)

22-0323 MOSAIC BAYBROOK ONE, LP; MOSAIC BAYBROOK TWO, LP; MOSAIC RESIDENTIAL, INC.; MOSAIC BAYBROOK ONE GP LLC; MOSAIC BAYBROOK TWO GP LLC; ROBERT M. WEBER; VELISSA PARMER; ABID BHIMANI; MOSAIC GP FUND III LLC; EASTHAM CAPITAL FUND III (QP) LP; EASTHAM CAPITAL FUND IV, LP; AUSPAY-BAYBROOK, LLC; AUSPAY-MOSAIC GP, LLC; WILLAMSBURG ENTERPRISES, LLLP; PHILIP SALEM; WIDAD SALEM; BAYBROOK LL, LLC; THE MATTHEW ROSENTHAL IRREVOCABLE TRUST 2007; AND TREE OPPORTUNITIES SERIES, LLC v. TAMMY CESSOR AND PAUL SIMIEN; from Harris County; 14th Court of Appeals District (14-19-00695-CV, ___ SW3d ___, 06-29-21)

22-0633 WIRT BLAFFER, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF FREEPORT WATERFRONT PROPERTIES, L.P. v. SECOND STREET PROPERTIES LLC, BRIARWOOD CAPITAL CORPORATION AND H. WALKER ROYALL; from Harris County; 1st Court of Appeals District (01-19-00194-CV, 649 SW3d 522, 03-29-22)

23-0451 TERRENCE BELL v. SUN WEST MORTGAGE COMPANY, INC.; from Galveston County; 14th Court of Appeals District (14-22-00229-CV, ___ SW3d ___, 06-13-23)

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

23-0520 IN RE CAROLYN R. DAWSON; from Fort Bend County; 14th Court of Appeals District (14-23-00383-CV, ___ SW3d ___, 06-29-23)

MISCELLANEOUS

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

23-0749 IN RE SHOUVIK BHATTACHARYYA; from Dallas County; 5th Court of Appeals District (05-23-00615-CV, ___ SW3d ___, 08-28-23)
relator's emergency motion for temporary relief denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

23-0748 IN RE CHILDREN'S MEDICAL CENTER OF DALLAS; from Dallas County; 5th Court of Appeals District (05-23-00870-CV)
relator's unopposed motion to dismiss granted
relator's emergency motion for temporary relief dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF PROHIBITION IS DENIED:

23-0665 IN RE SOUHAIL ADAM; from Harris County; 14th Court of Appeals District (14-22-00702-CV, ___ SW3d ___, 06-06-23)