



THE SUPREME COURT OF TEXAS

Orders Pronounced February 23, 2024

ORDERS ON CAUSES

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)

2 petitions

The Court reverses the court of appeals' judgment and reinstates the trial court's judgment.

Justice Boyd delivered the opinion of the Court.

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, 669 SW3d 488, 04-26-22)

stay order issued February 24, 2023, lifted

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

Justice Busby delivered the opinion of the Court.

22-0872 IN RE ILLINOIS NATIONAL INSURANCE COMPANY, ET AL.; from Harris County; 14th Court of Appeals District (14-22-00664-CV, ___ SW3d ___, 09-29-22)

stay order issued March 13, 2023, lifted

The Court conditionally grants the writ of mandamus in part.

Justice Boyd delivered the opinion of the Court.

(Justice Lehrmann, Justice Huddle, and Justice Young not participating)

23-0525 LINDA MOORE AND THOMAS MOORE, JR. v. WELLS FARGO BANK, N.A., AS TRUSTEE FOR MASTR ASSET BACKED SECURITIES TRUST 2004-OPT2, MORTGAGE PASS-THROUGH CERTIFICATES, AND PHH MORTGAGE CORPORATION (U.S. Fifth Circuit 22-20138)

The Court answers the questions certified by the United States Court of Appeals for the Fifth Circuit.

Justice Bland delivered the opinion of the Court.

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

23-0264 APACHE CORPORATION v. RAILROAD COMMISSION OF TEXAS; from Travis County; 7th Court of Appeals District (07-22-00014-CV, ___ SW3d ___, 02-21-23)

joint motion to dismiss for want of jurisdiction granted

unopposed motion to vacate the judgment and opinion granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.2, after granting the petition for review and without hearing oral argument or considering the merits, the Court vacates the court of appeals' judgment and opinion and dismisses the case as moot.

THE FOLLOWING CERTIFIED QUESTION FROM THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT IS ACCEPTED:

24-0116 PORT ARTHUR COMMUNITY ACTION NETWORK v. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; JON NIERMANN, IN HIS OFFICIAL CAPACITY AS CHAIRPERSON OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (U.S. Fifth Circuit 22-60556)

[**Note:** The date and time for oral argument are yet to be determined.]
(Justice Young not participating)

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

23-0805 KOFFEY SMITH EL-BEY v. THE ESTATE OF ROBERT C. WILLIAMS, DECEASED AND PEGGY RUTH WILLIAMS AS INDEPENDENT EXECUTOR OF THE ESTATE OF ROBERT C. WILLIAMS; from Harris County; 1st Court of Appeals District (01-23-00073-CV, ___ SW3d ___, 06-29-23)

counsel's motion to withdraw dismissed as moot

23-0806 KOFFEY SMITH EL-BEY v. THE ESTATE OF ROBERT C. WILLIAMS, DECEASED AND PEGGY RUTH WILLIAMS AS INDEPENDENT EXECUTOR OF THE ESTATE OF ROBERT C. WILLIAMS; from Harris County; 1st Court of Appeals District (01-23-00070-CV, ___ SW3d ___, 06-29-23)

counsel's motion to withdraw dismissed as moot

23-0836 HASSELL CONSTRUCTION CO. INC., DERIVATIVELY BY AND THROUGH ITS SHAREHOLDER, ROYCE HASSELL; R. HASSELL & COMPANY, INC., AND R. HASSELL BUILDERS, INC. v. SPRINGWOODS REALTY COMPANY, SPRINGWOODS REALTY, INC., HARRIS COUNTY IMPROVEMENT DISTRICT #18, WALTER P. MOORE & ASSOCIATES, INC., D/B/A WALTER P. MOORE AND COSTELLO, INC.; from Harris County; 1st Court of Appeals District (01-17-00822-CV, ___ SW3d ___, 03-07-23)

23-0981 IN THE INTEREST OF S.S.B. AND A.A.C., CHILDREN; from Harris County; 1st Court of Appeals District (01-23-00278-CV, ___ SW3d ___, 10-05-23)

counsel's motion to withdraw granted

23-1032 IN THE MATTER OF THE ESTATE OF ROBBIE CHRIS BRISTOW, DECEASED; from Jones County; 11th Court of Appeals District (11-22-00035-CV, ___ SW3d ___, 11-02-23)

24-0066 IN THE INTEREST OF R.C., A CHILD; from Denton County; 2nd Court of Appeals District (02-23-00260-CV, ___ SW3d ___, 12-07-23)

ORDERS ON MOTIONS FOR REHEARING

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

23-0390 NATIN PAUL, WC 1ST AND TRINITY, LP, WC 1ST AND TRINITY, GP, LLC, WC 3RD AND CONGRESS, LP, AND WC 3RD AND CONGRESS, GP, LLC v. THE ROY F. AND JOANN COLE MITTE FOUNDATION; from Travis County; 3rd Court of Appeals District (03-21-00502-CV, ___ SW3d ___, 02-08-23)

Justice Busby filed an opinion dissenting from the denial of the motion for rehearing, in which Chief Justice Hecht and Justice Devine joined.

23-0583 KELCY WARREN v. ROBERT FRANCIS O'ROURKE; from San Saba County; 3rd Court of Appeals District (03-22-00416-CV, 673 SW3d 671, 06-09-23)

23-0894 LUCAS NELSON v. ROBYN GRIFFITH; from Brazoria County; 14th Court of Appeals District (14-22-00329-CV, ___ SW3d ___, 08-17-23)

23-0919 IN RE ESTATE OF MICHAEL JOHN PHILLIPS; from Tyler County; 9th Court of Appeals District (09-21-00284-CV, ___ SW3d ___, 09-21-23)

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

23-1022 IN RE MICHELLE PIQUÉ, PATRICE VIEIRA, SHANNON HUGGINS,
LEIGH MADDOX, BRITTNEY DARBONNE, AND SHARON JOROLAN;
from Travis County; 10th Court of Appeals District

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

24-0008 IN RE ANTONIO MAURICE LACY; 3rd Court of Appeals District (03-23-
00611-CV, ___ SW3d ___, 10-25-23)

24-0056 IN RE CHICAGO TITLE INSURANCE COMPANY; from Jefferson
County; 9th Court of Appeals District (09-23-00260-CV, ___ SW3d ___, 12-
21-23)

24-0057 IN RE MOHAMED LAHAM; from Harris County; 1st Court of Appeals
District (01-23-00326-CV, ___ SW3d ___, 12-07-23)
relator's motion for emergency stay denied

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

23-1013 IN RE TERRY LYNN JONES; from Titus County; 6th Court of Appeals
District (06-23-00094-CV, ___ SW3d ___, 12-12-23)
stay order issued December 22, 2023, lifted
relator's unopposed motion to dismiss granted