



THE SUPREME COURT OF TEXAS

Orders Pronounced June 21, 2024

ORDERS ON CAUSES

22-0308 IMAGE API, LLC v. CECILE YOUNG, EXECUTIVE COMMISSIONER OF THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION; from Travis County; 7th Court of Appeals District (07-21-00015-CV, 683 SW3d 54, 03-11-22)

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

Chief Justice Hecht delivered the opinion of the Court.

22-0620 TEXAS DISPOSAL SYSTEMS LANDFILL, INC. v. TRAVIS CENTRAL APPRAISAL DISTRICT, BY AND THROUGH MARYA CRIGLER, ACTING IN HER OFFICIAL CAPACITY AS CHIEF APPRAISER OF TRAVIS CENTRAL APPRAISAL DISTRICT; from Travis County; 3rd Court of Appeals District (03-20-00122-CV, 684 SW3d 470, 06-22-22)

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

Justice Bland delivered the opinion of the Court, in which Chief Justice Hecht, Justice Lehrmann, Justice Blacklock, Justice Busby, Justice Huddle, and Justice Young joined.

Justice Boyd filed an opinion dissenting in part, in which Justice Devine joined.

22-1046 RICHARD J. MALOUF, D.D.S. v. THE STATE OF TEXAS EX RELS. CHRISTINE ELLIS, D.D.S. AND MADELAYNE CASTILLO; from Travis County; 8th Court of Appeals District (08-20-00235-CV, 656 SW3d 402, 10-14-22)

The Court reverses the court of appeals' judgment and renders judgment.

Justice Boyd delivered the opinion of the Court, in which Chief Justice Hecht, Justice Devine, Justice Busby, Justice Bland, and Justice Huddle joined.

Justice Young filed a dissenting opinion, in which Justice Lehrmann joined.
(Justice Blacklock not participating)

23-0032 WEEKLEY HOMES, LLC v. JOHN PANIAGUA; AND HERMELINDA MARAVILLA CORONA, JOSE CAMERINO MARAVILLA, SR., AND MARGARITA MARAVILLA, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVES OF THE ESTATE OF JOSE CAMERINO MARAVILLA, DECEASED, ET AL.; from Dallas County; 5th Court of Appeals District (05-19-00439-CV, ___ SW3d ___, 11-29-22)

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 in part and remands the case to that court.

Per Curiam Opinion

23-0138 ONCOR ELECTRIC DELIVERY COMPANY NTU, LLC v. WILBARGER COUNTY APPRAISAL DISTRICT AND WILBARGER COUNTY APPRAISAL REVIEW BOARD; from Wilbarger County; 7th Court of Appeals District (07-21-00264-CV, 660 SW3d 760, 10-25-22)

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

~ consolidated for oral argument with ~

23-0145 MILLS CENTRAL APPRAISAL DISTRICT AND MILLS COUNTY APPRAISAL REVIEW BOARD v. ONCOR ELECTRIC DELIVERY COMPANY NTU LLC; from Mills County; 3rd Court of Appeals District (03-21-00027-CV, 660 SW3d 288, 12-06-22)

2 petitions

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

Justice Busby delivered the opinion of the Court.

23-0148 J-W POWER COMPANY v. JACK COUNTY APPRAISAL DISTRICT;
from Jack County; 2nd Court of Appeals District (02-22-00082-CV, ___
SW3d ___, 01-26-23)

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 remands the case to that court.

Per Curiam Opinion
(Justice Young not participating)

23-0272 MARY LOUISE SERAFINE v. KARIN CRUMP, IN HER INDIVIDUAL
AND OFFICIAL CAPACITIES AS PRESIDING JUDGE OF THE 250TH
CIVIL DISTRICT COURT OF TRAVIS COUNTY, TEXAS; MELISSA
GOODWIN, DAVID PURYEAR, AND BOB PEMBERTON IN THEIR
INDIVIDUAL AND OFFICIAL CAPACITIES AS FORMER JUSTICES OF
THE THIRD COURT OF APPEALS AT AUSTIN, TEXAS; from Travis
County; 3rd Court of Appeals District (03-21-00053-CV, 665 SW3d 93, 01-
31-23)

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, renders judgment, and remands the case to the
trial court.

Per Curiam Opinion

23-0276 J-W POWER COMPANY v. WISE COUNTY APPRAISAL DISTRICT
AND WISE COUNTY APPRAISAL REVIEW BOARD; from Wise County;
2nd Court of Appeals District (02-22-00227-CV, ___ SW3d ___, 03-02-23)

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 remands the case to that court.

Per Curiam Opinion
(Justice Young not participating)

23-0444 J-W POWER COMPANY v. FRIO COUNTY APPRAISAL DISTRICT; from Frio County; 4th Court of Appeals District (04-21-00564-CV, ___ SW3d ___, 04-26-23)

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 remands the case to that court.

Per Curiam Opinion
(Justice Young not participating)

23-0597 J-W POWER COMPANY v. HENDERSON COUNTY APPRAISAL DISTRICT; from Henderson County; 12th Court of Appeals District (12-22-00325-CV, ___ SW3d ___, 06-14-23)

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 remands the case to that court.

Per Curiam Opinion
(Justice Young not participating)

23-0861 WALTER HANNAH v. LATRICIA THOMPSON, MD AND HOUSTON METHODIST WILLOWBROOK HOSPITAL; from Harris County; 14th Court of Appeals District (14-22-00711-CV, ___ SW3d ___, 08-31-23)

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

Per Curiam Opinion

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSE ARE DENIED:

22-0424 NATHAN D. ALBERT AND CHISHOLM TRAIL REDI-MIX, LLC v. FORT WORTH & WESTERN RAILROAD COMPANY; from Johnson County; 10th Court of Appeals District (10-18-00219-CV, ___ SW3d ___, 02-23-22)

2 rehearings

Justice Blacklock notes his dissent from the Court's denial of the motions for rehearing.

(Justice Devine not participating)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

23-0006 THE OHIO CASUALTY INSURANCE COMPANY v. PATTERSON-UTI ENERGY, INC., PATTERSON-UTI MANAGEMENT SERVICES, LLC; PATTERSON-UTI DRILLING COMPANY LLC; AND MARSH USA, INC.; from Harris County; 14th Court of Appeals District (14-22-00026-CV, 656 SW3d 729, 11-22-22)

[**Note:** The date and time for oral argument are yet to be determined.]

23-0024 CONOCOPHILLIPS COMPANY v. KENNETH HAHN; from De Witt County; 13th Court of Appeals District (13-21-00310-CV, ___ SW3d ___, 12-01-22)

[**Note:** The date and time for oral argument are yet to be determined.]

23-0460 JARED BUSH, JR. v. COLUMBIA MEDICAL CENTER OF ARLINGTON SUBSIDIARY, L.P. D/B/A MEDICAL CITY ARLINGTON AND HCA INC.; from Tarrant County; 2nd Court of Appeals District (02-22-00319-CV, ___ SW3d ___, 04-20-23)

[**Note:** The date and time for oral argument are yet to be determined.]

23-0607 RENAISSANCE MEDICAL FOUNDATION v. REBECCA LUGO, INDIVIDUALLY AND AS NEXT FRIEND OF XXXXX XXXXX, A MINOR; from Hidalgo County; 13th Court of Appeals District (13-22-00374-CV, 672 SW3d 901, 06-15-23)

[**Note:** The date and time for oral argument are yet to be determined.]

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

23-0221 DE MIDLAND III, LLC AND ENDEAVOR ENERGY RESOURCES, L.P. v. RUSTIC NATURAL RESOURCES LLC (F/K/A RUSTIC RESOURCES, LLC), RUSTIC LAND HOLDINGS, LLC, AND TORTOISE HOLDINGS, LLC; from Midland County; 11th Court of Appeals District (11-21-00033-CV, 669 SW3d 494, 12-15-22)

23-0663 ENPLAT II, LLC, PLATFORM II, LLC AND SIMMONS BANK F/K/A SOUTHWEST BANK, MANAGEMENT v. DEVON ENERGY PRODUCTION COMPANY, LP, EASTLAND OIL CO., SPINNAKER INVESTMENTS, LP, CALLON (PERMIAN) LLC F/K/A CARRIZO (PERMIAN) LLC, TILDEN CAPITAL MINERALS, LLC, PEGASUS RESOURCES, LLC, THE WOODLANDS VENTURE CAPITAL COMPANY, MAP2009-OK, JOURNEY OIL & GAS, INC., EASCO, LLC, TERRY JENNINGS, AS TRUSTEE OF THE TJS TRUST, WALKER ROYALTY, LP, BEVERLY GAY NICHOLS, GREGORY P. MILLER, BOYD D. MCMILLAN AND DELFINA L. MCMILLAN; from Reeves County; 8th Court of Appeals District (08-21-00217-CV, ___ SW3d ___, 07-10-23)

(Justice Devine not participating)

23-0681 GLORIA GARZA, ALIX GARZA, SALLY VARELA AND AMY LOPEZ v. METHODIST HOSPITALS OF DALLAS D/B/A METHODIST DALLAS MEDICAL CENTER; from Dallas County; 5th Court of Appeals District (05-22-00366-CV, ___ SW3d ___, 06-28-23)
respondent's motion to strike denied

23-0775 FMC TECHNOLOGIES, INC. v. RICHARD MURPHY AND DRIL-QUIP, INC.; from Harris County; 1st Court of Appeals District (01-21-00455-CV, 679 SW3d 788, 08-10-23)

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

23-0789 WESTLAKE CHEMICAL CORPORATION v. BERKLEY REGIONAL INSURANCE COMPANY AND ZURICH AMERICAN INSURANCE COMPANY; from Harris County; 1st Court of Appeals District (01-21-00225-CV, ___ SW3d ___, 05-25-23)

23-0865 GICOR, INC., MEMO EXPRESS, L.L.C., AND FLORENCIO GUERRA v. WAYNE BREWER AND MELINDA BREWER; from Montgomery County; 9th Court of Appeals District (09-21-00222-CV, ___ SW3d ___, 07-27-23)

- 23-0881 IN THE MATTER OF THE MARRIAGE OF ANGELA ANNE LYNCH CHILDERS AND JAMES ABRAHAM CHILDERS, III; from Parker County; 6th Court of Appeals District (06-23-00007-CV, ___ SW3d ___, 08-01-23)
- 23-0922 DO-MO JOINT VENTURE v. WILLIAM LISLE AND SMITH-LISLE HOLDINGS, LTD.; from Collin County; 5th Court of Appeals District (05-22-00236-CV, ___ SW3d ___, 09-26-23)
- 23-0943 PHOENIX CAPITAL GROUP HOLDINGS, LLC v. WILLIAM FRANCIS AND INCLINE ENERGY PARTNERS, L.P.; from Dallas County; 5th Court of Appeals District (05-22-01260-CV, ___ SW3d ___, 08-29-23)
- 23-0946 MONIQUE SHEPPARD v. UNIVERSITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-22-00453-CV, ___ SW3d ___, 08-31-23)
- 23-1016 LARRY KITCHEN v. BARON AVIATION SERVICES, INC.; from Brown County; 11th Court of Appeals District (11-22-00131-CV, 679 SW3d 330, 11-02-23)
- 23-1017 RICHARD GOLDSTEIN v. EUROTAINER US, INC.; from Harris County; 1st Court of Appeals District (01-22-00030-CV, ___ SW3d ___, 06-15-23)
- 23-1018 JANE DOE v. PECAN VALLEY MENTAL HEALTH MENTAL RETARDATION REGION OPERATING AS PECAN VALLEY CENTERS FOR BEHAVIORAL AND DEVELOPMENTAL HEALTHCARE; from Erath County; 11th Court of Appeals District (11-23-00114-CV, 678 SW3d 577, 11-02-23)
- 23-1044 BRYAN MICHAEL PARKS AND ADS AIR CONDITIONING, INC. v. NANCY MIGL; from Cameron County; 13th Court of Appeals District (13-22-00208-CV, ___ SW3d ___, 11-16-23)

24-0028 BRIAN CWEREN AND THE CWEREN LAW FIRM, PLLC v. EUREKA MULTIFAMILY GROUP, L.P., RENE CAMPOS, JIMMY ARNOLD AND CHRIS ROBERTSON; from Harris County; 1st Court of Appeals District (01-21-00470-CV, ___ SW3d ___, 04-18-23)

24-0048 IN THE MATTER OF THE ESTATE OF HELEN GAYLE WELLS, DECEASED; from Smith County; 12th Court of Appeals District (12-23-00066-CV, ___ SW3d ___, 11-08-23)

24-0074 FORD CHAPMAN PROPERTIES, LLC, ET AL. v. POWDER RIVER MINERAL PARTNERS, LLC, ET AL.; from Reeves County; 8th Court of Appeals District (08-23-00058-CV, ___ SW3d ___, 12-15-23)

(Justice Devine not participating)

24-0078 RYAN, LLC v. USA TODAY A/K/A GANNETT CO., INC., GANNETT PUBLISHING SERVICES, LLC, AND GANNETT SATELLITE INFORMATION NETWORK, LLC; from Montgomery County; 9th Court of Appeals District (09-22-00322-CV, ___ SW3d ___, 12-14-23)

(Justice Devine not participating)

24-0158 PATRICK DAUGHERTY v. SCOTT BYRON ELLINGTON; from Dallas County; 5th Court of Appeals District (05-22-00991-CV, ___ SW3d ___, 01-17-24)

24-0179 MULTI-HOUSING TAX CREDIT PARTNERS XXXI v. WHITE SETTLEMENT SENIOR LIVING, LLC; from Dallas County; 5th Court of Appeals District (05-22-00721-CV, ___ SW3d ___, 01-26-24)

24-0190 IN THE INTEREST OF D.W., A.W., I.W., I.W., CHILDREN; from Nueces County; 13th Court of Appeals District (13-23-00362-CV, ___ SW3d ___, 01-29-24)

24-0235 IN THE INTEREST OF K.A.M.J., K.D.J., AND K.A.M.J., CHILDREN;
from McLennan County; 10th Court of Appeals District (10-23-00413-CV,
___ SW3d ___, 03-21-24)

24-0295 IN THE INTEREST OF K.R. AND G.R., CHILDREN; from Moore County;
7th Court of Appeals District (07-23-00373-CV, ___ SW3d ___, 02-28-24)

24-0460 IN THE INTEREST OF K.A.G., A CHILD; from Harris County; 14th Court
of Appeals District (14-24-00125-CV, ___ SW3d ___, 05-21-24)
counsel's motion to withdraw granted

ORDERS ON MOTIONS FOR REHEARING

THE MOTION FOR REHEARING OF THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

23-0244 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY v. KEN
PAXTON, ATTORNEY GENERAL OF TEXAS AND SIERRA CLUB;
from Travis County; 3rd Court of Appeals District (03-21-00256-CV, ___
SW3d ___, 11-22-22)
denial of petition for review on December 15, 2023, withdrawn
petition reinstated

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

24-0106 IN THE INTEREST OF J.R., A CHILD; from Tarrant County; 2nd Court of
Appeals District (02-23-00071-CV, ___ SW3d ___, 01-18-24)

24-0317 DANCE LOVE INSPIRE, LLC AND MARCELLO GOMEZ v. CHAMPION
VILLAGE LLC; from Harris County; 1st Court of Appeals District (01-23-
00361-CV, ___ SW3d ___, 08-08-23)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

- 23-0845 IN RE FLOOR & DECOR OUTLETS OF AMERICA, INC; from Fort Bend County; 1st Court of Appeals District (01-23-00225-CV, ___ SW3d ___, 08-29-23)
- 23-0910 IN RE NFI INTERACTIVE LOGISTICS, LLC; from Dallas County; 5th Court of Appeals District (05-23-01054-CV, ___ SW3d ___, 10-30-23)
stay order issued November 3, 2023, lifted
- 24-0060 IN RE ANDREW PETE; from Harris County; 1st Court of Appeals District (01-22-00674-CR; 01-22-00675-CR)
- 24-0146 IN RE AUGUSTINE NCHEKWUBE OKOLI; from Harris County; 1st Court of Appeals District (01-23-00773-CV, ___ SW3d ___, 11-30-23)
- 24-0147 IN RE KONICA MINOLTA BUSINESS SOLUTIONS U.S.A., INC.; from Bexar County; 4th Court of Appeals District (04-23-00699-CV, ___ SW3d ___, 11-01-23)
relator's emergency motion for temporary relief dismissed as moot
- 24-0222 IN RE ALDO R. SANTOS; from Cameron County; 13th Court of Appeals District (13-23-00574-CV, ___ SW3d ___, 02-28-24)
- 24-0232 IN RE ASM GLOBAL, LLC D/B/A DESTINATION EL PASO; from El Paso County; 8th Court of Appeals District (08-24-00044-CV, ___ SW3d ___, 03-25-24)
stay order issued March 27, 2024, lifted

24-0284 IN RE MARCUS SILVA; from Galveston County; 14th Court of Appeals District (14-23-00834-CV, ___ SW3d ___, 04-09-24)
motion to expedite dismissed as moot

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

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

24-0203 IN RE CITY OF HOUSTON; from Harris County; 14th Court of Appeals District (14-24-00193-CV, ___ SW3d ___, 03-15-24)
stay order issued March 18, 2024, lifted
abatement order issued

[**Note:** The case is removed from the Court's active docket until July 22, 2024, by which time the trial court must file the written order with the clerk of this Court and the parties must file a status report.]