



THE SUPREME COURT OF TEXAS

Orders Pronounced April 24, 2015

ORDERS ON CAUSES

- 12-0946 IN RE BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC; from Montgomery County; 9th Court of Appeals District (09-12-00332-CV, 387 SW3d 840, 11-01-12)
motion to strike granted

The Court conditionally grants the writ of mandamus.

Justice Lehrmann delivered the opinion of the Court.

- 13-0053 STATE OF TEXAS v. CLEAR CHANNEL OUTDOOR, INC.; from Harris County; 1st Court of Appeals District (01-11-00197-CV, ___ SW3d ___, 09-27-12)

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

Chief Justice Hecht delivered the opinion of the Court.

- 13-0593 TEXAS STUDENT HOUSING AUTHORITY v. BRAZOS COUNTY APPRAISAL DISTRICT AND APPRAISAL REVIEW BOARD FOR BRAZOS COUNTY APPRAISAL DISTRICT; from Brazos County; 7th Court of Appeals District (07-11-00421-CV, 440 SW3d 779, 06-27-13)
2 petitions

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

Justice Willett delivered the opinion of the Court.

- 13-0605 BROWN & GAY ENGINEERING, INC. v. ZULEIMA OLIVARES, INDIVIDUALLY AND AS THE REPRESENTATIVE OF THE ESTATE OF PEDRO OLIVARES, JR., & PEDRO OLIVARES; from Harris County; 14th Court of Appeals District (14-12-00198-CV, 401 SW3d 363, 04-25-13)

The Court affirms the court of appeals' judgment.

Justice Lehrmann delivered the opinion of the Court, in which Justice Green, Justice Johnson, Justice Boyd, and Justice Devine joined.

Chief Justice Hecht delivered an opinion concurring in the judgment, in which Justice Willett and Justice Guzman joined.

(Justice Brown not sitting)

- 13-0711 JAW THE POINTE, L.L.C. v. LEXINGTON INSURANCE COMPANY; from Galveston County; 14th Court of Appeals District (14-11-00881-CV, ___ SW3d ___, 08-01-13)

The Court affirms the court of appeals' judgment.

Justice Boyd delivered the opinion of the Court.

- 13-0750 VERNCO CONSTRUCTION, INC. v. DAVID NELSON, INDIVIDUALLY AND D/B/A COLLECTIVE CONTRACTING, A SOLE PROPRIETORSHIP; AND E.E. HOOD & SONS, INC.; from Bexar County; 8th Court of Appeals District (08-10-00222-CV, 406 SW3d 374, 07-10-13)

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

- 13-0926 MATTHEW LIPPINCOTT AND CREG PARKS v. WARREN WHISENHUNT; from Hopkins County; 6th Court of Appeals District (06-13-00051-CV, 416 SW3d 689, 10-09-13)

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

- 13-0928 IN RE STEVEN LIPSKY; from Parker County; 2nd Court of Appeals District (02-12-00348-CV, 411 SW3d 530, 04-22-13)

2 petitions

The Court denies the petitions for writ of mandamus.

Justice Devine delivered the opinion of the Court.

- 13-0966 SAN ANTONIO WATER SYSTEM v. DEBRA NICHOLAS; from Bexar County; 4th Court of Appeals District (04-12-00442-CV, 441 SW3d 382, 10-23-13)

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

Justice Brown delivered the opinion of the Court.

- 13-0978 JLG TRUCKING, LLC v. LAUREN R. GARZA; from Zapata County; 4th Court of Appeals District (04-13-00043-CV, ___ SW3d ___, 10-09-13)

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

Justice Lehrmann delivered the opinion of the Court.

- 13-1014 RANDOL MILL PHARMACY, KVG ENTERPRISES, INC., GARY G. DALEY, JOHN WAYNE BAILEY, JAMES ROBERT FORSYTHE, KEVIN LYNN HEIDE, JULIE KNOWLTON LUBBERT, AND CARA MORRELL v. STACEY MILLER AND RANDY MILLER; from Tarrant County; 2nd Court of Appeals District (02-12-00519-CV, ___ SW3d ___, 09-19-13)

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

Justice Lehrmann delivered the opinion of the Court.

- 14-0048 WILLIAM MARSH RICE UNIVERSITY AND GARY SPEARS v. RASHEED REFAEY; from Harris County; 14th Court of Appeals District (14-13-00235-CV, 417 SW3d 667, 11-07-13)

motion to strike response dismissed as moot
motion to strike portions of brief dismissed as moot

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

- 14-0353 MELISSA VAN NESS, INDIVIDUALLY AND AS NEXT OF FRIEND, AN HEIR AT LAW, AND A SURVIVING PARENT OF NICHOLAS VAN NESS, RONALD VAN NESS, INDIVIDUALLY AND AS NEXT FRIEND OF, AN HEIR AT LAW, AND A SURVIVING PARENT OF NICHOLAS VAN NESS, AND ESTATE OF NICHOLAS VAN v. ETMC FIRST PHYSICIANS & KRISTIN AULT, D.O.; from Cherokee County; 12th Court of Appeals District (12-12-00357-CV, ___ SW3d ___, 03-31-14)

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 the trial court.

Per Curiam Opinion

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 14-0841 IN THE INTEREST OF J.D.F., A CHILD; from Refugio County; 13th Court of Appeals District (13-13-00337-CV, ___ SW3d ___, 04-17-14)
- 15-0068 IN RE COMMITMENT OF ALONZO MAY; from Montgomery County; 9th Court of Appeals District (09-13-00513-CV, ___ SW3d ___, 12-11-14)
- 15-0144 NANCY ANN SCOTT v. HAMILTON COUNTY, HAMILTON ISD, CITY OF HAMILTON AND HAMILTON HOSPITAL DISTRICT, ET AL.; from Hamilton County; 10th Court of Appeals District (10-13-00411-CV, ___ SW3d ___, 10-16-14)
- 15-0162 RONALD MENSCH v. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION; from Bexar County; 4th Court of Appeals District (04-14-00449-CV, ___ SW3d ___, 01-14-15)
- 15-0183 PATRICIA SALAZAR v. ARMANDO SALAZAR; from Bell County; 3rd Court of Appeals District (03-13-00385-CV, ___ SW3d ___, 01-23-15)

ORDERS ON MOTIONS FOR REHEARING

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

- 14-0788 MARILYN STEWART v. CITY OF SAN ANTONIO; from Bexar County; 4th Court of Appeals District (04-13-00720-CV, ___ SW3d ___, 07-23-14)

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

- 14-0722 IN RE RICHARD CHADWICK; from Travis County; 3rd Court of Appeals District (03-14-00263-CV, ___ SW3d ___, 06-19-14)

MISCELLANEOUS

THE ABATEMENT ORDER IN THE FOLLOWING CASE IS LIFTED:

14-0772 IN RE GEORGE HELLE III; from Harris County

abatement order issued March 6, 2015, lifted
petition reinstated

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED:

15-0252 IN RE SOLID SOFTWARE SOLUTIONS, INC., D/B/A EDIBLE SOFTWARE; from Harris
County; 1st Court of Appeals District (01-15-00267-CV, ___ SW3d ___, 03-26-15)
relator's emergency motion for temporary stay denied