



THE SUPREME COURT OF TEXAS

Orders Pronounced June 7, 2024

ORDERS ON CAUSES

21-0676 STEVE HUYNH, INDIVIDUALLY; YVONNE HUYNH, INDIVIDUALLY; HUYNH POULTRY FARM, LLC D/B/A STEVE THI HUYNH POULTRY FARM D/B/A HUYNH POULTRY FARM; T & N POULTRY FARM, LLC; THINH BAO NGUYEN, INDIVIDUALLY; TIMMY HUYNH POULTRY FARM; TIMMY HUYNH, INDIVIDUALLY; AND SANDERSON FARMS, INC. v. FRANK BLANCHARD, ANGELIA SNOW, TANYA BERRY, KIMBERLY RILEY, JOHN MILLER, AMY MILLER, CHAD MARTINEZ, EMILY MARTINEZ, MERSINI BLANCHARD, MALAKOFF PROPERTIES, LLC, AND RONNY SNOW; from Henderson County; 12th Court of Appeals District (12-20-00198-CV, 683 SW3d 30, 07-30-21)

respondent's motion for court to refuse to consider and order return of amici curiae brief denied

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

Justice Busby delivered the opinion of the Court, in which Justice Lehrmann, Justice Boyd, Justice Devine, Justice Blacklock, and Justice Young joined.

Justice Huddle filed an opinion concurring in the judgment, in which Chief Justice Hecht and Justice Bland joined, and in which Justice Young joined as to Part I.

22-0215 SAMSON EXPLORATION, LLC, F/K/A/ SAMSON LONE STAR, L.P. v. JOE A. BORDAGES JR., ET AL.; from Jefferson County; 9th Court of Appeals District (09-20-00174-CV, 662 SW3d 501, 01-13-22)

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.

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)

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

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

Justice Blacklock filed an opinion concurring in the judgment, in which Justice Boyd joined.

Justice Young filed a concurring opinion.

22-0485 BEXAR APPRAISAL DISTRICT v. YVONDIA JOHNSON; from Bexar County; 4th Court of Appeals District (04-21-00402-CV, 683 SW3d 92, 05-04-22)

The Court affirms the court of appeals' judgment.

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

Justice Young filed a dissenting opinion, in which Justice Blacklock joined.

22-0974 J-W POWER COMPANY v. STERLING COUNTY APPRAISAL DISTRICT; from Sterling County; 3rd Court of Appeals District (03-21-00069-CV, 684 SW3d 480, 07-21-22)

petitioner's motion to strike dismissed as moot
petitioner's second motion to strike dismissed as moot

~ consolidated for argument with ~

22-0975 J-W POWER COMPANY v. IRION COUNTY APPRAISAL DISTRICT; from Irion County; 3rd Court of Appeals District (03-21-00005-CV, 684 SW3d 488, 07-21-22)

petitioner's motion to strike dismissed as moot
petitioner's second motion to strike dismissed as moot

The Court reverses the court of appeals' judgments and remands the cases to that court.

Justice Blacklock delivered the opinion of the Court.

(Justice Young not participating)

23-0048 FORD MOTOR COMPANY v. JENNIFER PARKS, INDIVIDUALLY AND AS GUARDIAN OF THE PERSON AND ESTATE OF SAMUEL RIVERA GAMA, AND NICOLASA GAMA DALE; from Collin County; 5th Court of Appeals District (05-21-00632-CV, ___ SW3d ___, 12-06-22)

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

Chief Justice Hecht delivered the opinion of the Court.

23-0223 LEO BIENATI, THERESA PHAM, CARLOS LACAYO AND ANDRES RUZO v. CLOISTER HOLDINGS, LLC; from Dallas County; 5th Court of Appeals District (05-22-00324-CV, ___ SW3d ___, 02-10-23)

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

ORDERS ON CASES GRANTED

THE FOLLOWING PETITION FOR REVIEW IS GRANTED:

22-0995 LMP AUSTIN ENGLISH AIRE, LLC, DERIVATIVELY THROUGH LAFAYETTE ENGLISH PARTNER, LLC, (INDIVIDUALLY AND DERIVATIVELY) THROUGH LAFAYETTE ENGLISH APARTMENTS, LP v. LAFAYETTE ENGLISH APARTMENTS, LP (NOMINAL DEFENDANT); LAFAYETTE ENGLISH GP, LLC; HVC ENGLISH, LLC; HVC LAFAYETTE, LLC; SCOTT SCHAEFFER; AUSTIN LAFAYETTE LANDING REALTY LLC; AND AUSTIN CMA ENGLISH AIRE REALTY LLC; from Travis County; 3rd Court of Appeals District (03-21-00219-CV, 654 SW3d 265, 09-30-22)

joint motion for reversal and remand pursuant to settlement and expedite issuance of mandate, granted as follows:

Pursuant to Texas Rule of Appellate Procedure 56.3, without considering the merits, the Court grants the petition for review, vacates the judgments of the court of appeals and trial court, and remands the case to the trial court for rendition of judgment in accordance with the parties' settlement agreement.

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

24-0043 JOHN WARDLAW v. KLEIN INDEPENDENT SCHOOL DISTRICT; from Harris County; 14th Court of Appeals District (14-22-00223-CV, ___ SW3d ___, 11-30-23)

24-0121 AUDREY NICKERSON v. THE CITY OF CORPUS CHRISTI, TEXAS; from Nueces County; 13th Court of Appeals District (13-22-00040-CV, ___ SW3d ___, 01-04-24)

24-0124 JACKIE SCHLEGEL, TEXANS FOR VACCINE FREEDOM AND TEXANS FOR VACCINE CHOICE PAC v. JONATHAN STICKLAND AND TEXANS FOR VACCINE CHOICE; from Tarrant County; 2nd Court of Appeals District (02-22-00281-CV, ___ SW3d ___, 11-22-23)

- 24-0184 PAUL TOLSTYGA v. TOLL BROS., INC. AND TOLL DALLAS TX, LLC; from Tarrant County; 2nd Court of Appeals District (02-23-00119-CV, ___ SW3d ___, 01-25-24)
- 24-0233 AUTOMATED INGREDIENT SYSTEMS, L.L.C. v. HILLER CARBON, LLC; from Liberty County; 9th Court of Appeals District (09-23-00028-CV, ___ SW3d ___, 02-15-24)
- 24-0274 HENRY MISHKOFF v. T. CHASE GARRETT, SCHEEF & STONE, LLP, AND SONIA BRYANT; from Collin County; 5th Court of Appeals District (05-22-01063-CV, ___ SW3d ___, 02-26-24)
- 24-0304 NICHOLAS LEE v. HOOD COUNTY APPRAISAL DISTRICT; from Hood County; 2nd Court of Appeals District (02-23-00176-CV, ___ SW3d ___, 03-14-24)
- 24-0423 IN THE INTEREST OF A.R.D., A CHILD; from Harris County; 14th Court of Appeals District (14-24-00010-CV, ___ SW3d ___, 04-18-24)
counsel's motion to withdraw granted
- 24-0427 IN THE INTEREST OF J.N., A CHILD; from Taylor County; 11th Court of Appeals District (11-23-00258-CV, ___ SW3d ___, 04-11-24)
- 24-0431 IN THE INTEREST OF A.A.D., A CHILD; from Harris County; 14th Court of Appeals District (14-23-00499-CV, ___ SW3d ___, 04-09-24)

THE FOLLOWING PETITION FOR REVIEW IS ABATED:

23-0506 ZACHRY ENGINEERING CORPORATION v. ENCINA DEVELOPMENT GROUP, LLC; from Harris County; 14th Court of Appeals District (14-22-00265-CV, 672 SW3d 534, 05-18-23)
abatement order issued

[**Note:** Effective May 21, 2024, the case is abated pursuant to TEX. R. APP. P. 8.2 until further order of this Court and is removed from the Court's active docket, subject to reinstatement upon proper motion. TEX. R. APP. P. 8.3. All motions and other documents pending or filed are abated subject to being reargued in the event the case is reinstated. TEX. R. APP. P. 8.2, 8.3. It is the parties' responsibility to immediately notify this Court once the automatic bankruptcy stay is lifted.]

ORDERS ON MOTIONS FOR REHEARING

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

23-0781 IN RE RANDALL KUBOSH; from Matagorda County; 13th Court of Appeals District (13-23-00310-CV, ___ SW3d ___, 07-17-23)

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

22-0096 IN RE RACHEL LEAL-HUDSON; from Harris County
emergency motion to lift stay dismissed as moot
stay order issued February 10, 2022, lifted

22-0105 IN RE HARRIS COUNTY REPUBLICAN PARTY AND CINDY SIEGEL AS CHAIR OF HARRIS COUNTY REPUBLICAN PARTY; from Harris County

24-0348 IN RE LUCILLE CRAPPS AND HUNTER SCHUEHLE, INDEPENDENT CO-EXECUTORS OF THE ESTATE OF VAN L. CRAPPS, DECEASED; from Medina County; 4th Court of Appeals District (04-23-00837-CV, ___ SW3d ___, 03-27-24)

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DISMISSED:

23-0926 IN RE DANIEL J. MOOS; from Dallas County; 5th Court of Appeals District (05-23-00567-CV, ___ SW3d ___, 08-14-23)

motion to dismiss petition for writ of mandamus granted

24-0375 IN RE KEY ENERGY SERVICES AND ABEL GUERRERO; from Webb County; 4th Court of Appeals District (04-24-00121-CV, ___ SW3d ___, 04-17-24)

relators' motion to dismiss mandamus granted

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS ABATED:

24-0046 IN RE META PLATFORMS, INC.; from Harrison County; 6th Court of Appeals District (06-24-00002-CV, ___ SW3d ___, 01-16-24)

joint motion to abate granted

abatement order issued

[**Note:** This case is removed from the Court's active docket until August 6, 2024, by which time the parties must file either a status report or a motion to dismiss.]