



THE SUPREME COURT OF TEXAS

Orders Pronounced October 18, 2024

ORDERS ON CAUSES

THE MOTION IN THE FOLLOWING CAUSE IS GRANTED:

23-0067 CHRISTINE LENORE STARY v. BRADY NEAL ETHRIDGE; from Harris County; 1st Court of Appeals District (01-21-00101-CV, ___ SW3d ___, 12-15-22)

unopposed motion for leave for amicus curiae to share argument granted

Time allotted to argue: 15/20/5 minutes

THE MOTIONS FOR REHEARING OF THE FOLLOWING CAUSES ARE DENIED:

21-1035 AMMONITE OIL & GAS CORPORATION v. RAILROAD COMMISSION OF TEXAS AND EOG RESOURCES, INC.; from McMullen County; 4th Court of Appeals District (04-20-00465-CV, 672 SW3d 33, 10-27-21)

22-0733 RIVER PLANTATION COMMUNITY IMPROVEMENT ASSOCIATION v. RIVER PLANTATION PROPERTIES, LLC AND PREISLER GOLF PROPERTIES, LLC; from Montgomery County; 9th Court of Appeals District (09-20-00036-CV, 661 SW3d 812, 04-28-22)

ORDERS ON CASES GRANTED

THE FOLLOWING PETITIONS FOR REVIEW ARE GRANTED:

23-0384 AMERICAN MIDSTREAM, LLC v. RAINBOW ENERGY MARKETING CORPORATION; from Harris County; 1st Court of Appeals District (01-20-00055-CV, 667 SW3d 837, 04-13-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 13, 2025.]

Time allotted to argue: 20/20 minutes

(Justice Devine not participating)

23-0703 SOUTHERN METHODIST UNIVERSITY AND PAUL J. WARD v. SOUTH CENTRAL JURISDICTIONAL CONFERENCE OF THE UNITED METHODIST CHURCH AND BISHOP SCOTT JONES; from Dallas County; 5th Court of Appeals District (05-21-00151-CV, 674 SW3d 334, 07-26-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 15, 2025.]

Time allotted to argue: 20/20 minutes

23-0767 SHANA ELLIOTT AND LAWRENCE KALKE v. CITY OF COLLEGE STATION, TEXAS; KARL MOONEY, IN HIS OFFICIAL CAPACITY AS MAYOR OF THE CITY OF COLLEGE STATION; AND BRYAN WOODS, IN HIS OFFICIAL CAPACITY AS THE CITY MANAGER OF THE CITY OF COLLEGE STATION; from Brazos County; 6th Court of Appeals District (06-22-00078-CV, 674 SW3d 653, 08-31-23)

[**Note:** This case has been set for oral argument at 9:00 a.m., January 15, 2025.]

Time allotted to argue: 20/20 minutes

ORDERS ON PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 23-0099 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, v. TAMMY CESSOR AND PAUL SIMIEN; from Harris County; 14th Court of Appeals District (14-19-00514-CV, ___ SW3d ___, 06-29-21)
- 23-0577 THE CITY OF HOUSTON v. FRANK NICOLAI AND DEBORA NICOLAI AS PARENTS OF CAROLINE NICOLAI, DECEASED; from Harris County; 1st Court of Appeals District (01-20-00327-CV, ___ SW3d ___, 04-06-23)
- Justice Blacklock and Justice Young note their dissent to the denial of the petition for review.
- 23-0692 HAPPY STATE BANK v. JAMIE LYNN WILLIAMS, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY SITUATED; from Hutchinson County; 7th Court of Appeals District (07-22-00080-CV, ___ SW3d ___, 05-17-23)
- 23-0693 TOM OIL MONCRIEF, GLORIA MARIE MONCRIEF, AND GARY R. ALLEN v. RICHARD W. MONCRIEF AND MARSHALL M. SEARCY, INDIVIDUALLY AND IN THEIR RESPECTIVE CAPACITIES AS SUCCESSOR GENERAL PARTNERS OF MONCRIEF FAMILY PARTNERSHIP, L.P. AND TRUSTEES OF THE W.A. MONCRIEF, JR. MANAGEMENT TRUST, AND ON BEHALF OF THE MANAGEMENT TRUST AND MFP; from Tarrant County; 2nd Court of Appeals District (02-22-00077-CV, 672 SW3d 156, 05-18-23)
- (Justice Devine, Justice Huddle, and Justice Young not participating)

24-0075 ECHOVITA, INC. v. SCI SHARED RESOURCES, LLC; AND DM AFINNITY, INC.; from Harris County; 14th Court of Appeals District (14-22-00077-CV, 679 SW3d 193, 08-22-23)

(Justice Lehrmann not participating)

24-0131 CITY OF HIDALGO - TEXAS MUNICIPAL FACILITIES CORPORATION v. LAURA RODRIGUEZ; from Hidalgo County; 13th Court of Appeals District (13-23-00163-CV, ___ SW3d ___, 01-11-24)

Justice Blacklock notes his dissent to the denial of the petition for review.

24-0194 VECENTIE MORALES v. A.D.W.; from Tarrant County; 2nd Court of Appeals District (02-23-00073-CV, ___ SW3d ___, 02-08-24)

24-0218 C.M.C. v. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; from Harris County; 1st Court of Appeals District (01-22-00965-CV, 696 SW3d 185, 01-09-24)

24-0308 REPUBLIC LLOYDS v. DEBRA DALTON, INDIVIDUALLY AND AS INDEPENDENT ADMINISTRATOR OF THE ESTATE OF MARGARET COBB; from Denton County; 7th Court of Appeals District (07-22-00308-CV, ___ SW3d ___, 11-29-23)

24-0356 ORCA ASSETS, G.P., L.L.C. v. JP MORGAN CHASE BANK, N.A., JP MORGAN CHASE BANK, N.A., AS TRUSTEE OF THE RED CREST TRUST, PHILIP METTHAM, ANDY J. MCMULLEN, JOHN H. MCMULLEN, JR., ET AL.; from Dallas County; 5th Court of Appeals District (05-22-00292-CV, ___ SW3d ___, 03-19-24)

(Justice Huddle and Justice Young not participating)

24-0392 EDDIE SHEARD AND BLANCA S. M. SHEARD v. TARRANT REGIONAL WATER DISTRICT, A WATER CONTROL AND IMPROVEMENT DISTRICT; from Henderson County; 12th Court of Appeals District (12-23-00254-CV, ___ SW3d ___, 03-28-24)

- 24-0399 KATHRYN M. DANNER v. GEORGE EARL DANNER; from Montgomery County; 9th Court of Appeals District (09-21-00183-CV, ___ SW3d ___, 02-15-24)
- 24-0429 VIVIAN CASPER v. TEXAS WOMAN'S UNIVERSITY; from Denton County; 2nd Court of Appeals District (02-23-00384-CV, ___ SW3d ___, 04-11-24)
- 24-0432 ABIRA MEDICAL LABORATORIES, LLC D/B/A GENESIS DIAGNOSTICS v. OMH-HEALTHEDGE HOLDINGS, INC. D/B/A OMEGA HEALTHCARE MANAGEMENT SERVICES; from Travis County; 3rd Court of Appeals District (03-22-00176-CV, ___ SW3d ___, 02-13-24)
- 24-0476 GILCHRIST COMMUNITY ASSOCIATION v. J. MARCUS HILL AND JAMES E. BRADLEY; from Galveston County; 14th Court of Appeals District (14-21-00630-CV, ___ SW3d ___, 04-11-24)
- 24-0487 BRENETTA NANEKE SHERMAN v. SOLVAY USA, INC., RHONE-POULENCE INC., VENCOREX US, INC. AND ALFRED CELAYA; from Brazoria County; 1st Court of Appeals District (01-23-00067-CV, ___ SW3d ___, 03-26-24)
- 24-0540 JOHN BARNES GORDON, INDEPENDENT EXECUTOR OF THE ESTATE OF PATRICK MALCOLM GORDON, DECEASED v. BEVERLY DIANE GORDON; from Bastrop County; 3rd Court of Appeals District (03-22-00454-CV, ___ SW3d ___, 05-23-24)
- 24-0634 HA N. TRAN v. BRAN-DAN PARTNERSHIP, LLC; from Tarrant County; 2nd Court of Appeals District (02-23-00321-CV, ___ SW3d ___, 05-16-24)
- 24-0719 MIMI PARK v. LISA CLONTZ; from Harris County; 14th Court of Appeals District (14-23-00110-CV, ___ SW3d ___, 06-20-24)

- 24-0741 IN THE MATTER OF THE MARRIAGE OF BRIAN KEVIN FLANAGAN AND MARGARET MCKEAND FLANAGAN; from Dallas County; 5th Court of Appeals District (05-23-00450-CV, ___ SW3d ___, 07-24-24)
- 24-0761 IN RE COMMITMENT OF JOHNATHAN DANIEL WINTROW; from Bell County; 3rd Court of Appeals District (03-24-00008-CV, ___ SW3d ___, 07-31-24)
- 24-0775 IN RE THE COMMITMENT OF BERNARD JOHN KOELZER; from Gray County; 7th Court of Appeals District (07-23-00453-CV, ___ SW3d ___, 08-23-24)
- 24-0829 IN THE INTEREST OF B.J.D., A CHILD; from Henderson County; 12th Court of Appeals District (12-24-00045-CV, ___ SW3d ___, 08-21-24)
- 24-0830 IN THE INTEREST OF A.H., A CHILD; from Taylor County; 11th Court of Appeals District (11-24-00075-CV, ___ SW3d ___, 08-21-24)
- 24-0838 IN THE INTEREST OF K.P., A CHILD; from Tarrant County; 2nd Court of Appeals District (02-24-00244-CV, ___ SW3d ___, 09-19-24)
motion to withdraw counsel granted
- 24-0847 IN THE INTEREST OF R.M., A CHILD; from Bexar County; 4th Court of Appeals District (04-24-00270-CV, ___ SW3d ___, 08-28-24)

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

- 24-0598 LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 v. JONATHAN RODRIGUEZ AND ABRISIAN RODRIGUEZ, INDIVIDUALLY AND AS NEXT FRIENDS OF E.R., R.R., AND A.R., MINORS; from Lubbock County; 7th Court of Appeals District (07-23-00424-CV, ___ SW3d ___, 06-11-24)
motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

THE MOTIONS FOR REHEARING OF 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)
- 23-0909 GALOVELHO, LLC v. GREG ABBOTT, IN HIS OFFICIAL CAPACITY
AS GOVERNOR OF THE STATE OF TEXAS; COLLIN COUNTY,
TEXAS, AND CITY OF FRISCO, TEXAS; from Collin County; 5th Court of
Appeals District (05-21-00965-CV, ___ SW3d ___, 08-29-23)
- 24-0010 IN RE THE COMMITMENT OF TIMOTHY DANIEL RENSHAW; from
Wood County; 6th Court of Appeals District (06-22-00079-CV, 680 SW3d
675, 11-21-23)
motion to allow supplemental brief dismissed as moot
- 24-0143 BLAINE CREWS AND HANNAH CREWS v. RICHARD GALVAN AND
SONIA GALVAN; from Cameron County; 13th Court of Appeals District
(13-22-00289-CV, ___ SW3d ___, 01-18-24)
- 24-0303 MARY RUFFIN v. MARK HENRY; from Harris County; 14th Court of
Appeals District (14-22-00886-CV, ___ SW3d ___, 02-22-24)
- 24-0502 MARIA V. BARBOSA v. CRISTINA GALAN; from Atascosa County; 4th
Court of Appeals District (04-23-00020-CV, ___ SW3d ___, 03-06-24)

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

- 24-0395 IN RE C.M.; from Tarrant County; 2nd Court of Appeals District (02-24-
00149-CV, ___ SW3d ___, 04-10-24)
as amended

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

24-0145 IN RE BLAKE JOEL ROBBINS; from Dallas County; 5th Court of Appeals District (05-24-00156-CV, ___ SW3d ___, 02-23-24)
stay order issued March 22, 2024, lifted

24-0400 IN RE MICHAEL BULLOCK AND THE AUSTIN POLICE ASSOCIATION; from Travis County; 3rd Court of Appeals District (03-24-00213-CV, ___ SW3d ___, 05-03-24)
relator's motion to stay dismissed as moot, as amended

24-0506 IN RE Z.Q.; from Harris County; 14th Court of Appeals District (14-23-00469-CV, ___ SW3d ___, 04-18-24)
motion to take judicial notice granted
motion to suspend rules dismissed as moot

24-0544 IN RE FCA US LLC; from Maverick County; 4th Court of Appeals District (04-24-00033-CV, ___ SW3d ___, 05-29-24)

24-0695 IN RE DOROTHY M. JOHNSON & MINNIE L. SHANKLIN; from Smith County; 12th Court of Appeals District (12-24-00152-CV, ___ SW3d ___, 08-15-24)
as amended
relators' motion for emergency stay dismissed as moot

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DISMISSED:

24-0860 IN RE VERABANK, N.A. AS SUCCESSOR DEPENDENT ADMINISTRATOR OF THE ESTATE OF JAMES PERRY ALLEN, JR.; from Grimes County; 1st Court of Appeals District (01-24-00002-CV, ___ SW3d ___, 10-14-24)
motion to dismiss granted

THE FOLLOWING PETITION FOR WRIT OF MANDAMUS IS DENIED WITHOUT
PREJUDICE:

24-0346 IN RE GLORIA MARIE MONCRIEF, TOM OIL MONCRIEF, AND GARY
R. ALLEN; from Tarrant County; 2nd Court of Appeals District (02-23-
00021-CV)

The petition is denied without prejudice to relators' ability to present their
discovery request to the probate court.

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

A STAY IS ISSUED IN THE FOLLOWING PETITION FOR WRIT OF MANDAMUS:

24-0255 IN RE NEWKIRK LOGISTICS, INC.; from Tarrant County; 2nd Court of
Appeals District (02-24-00027-CV, ___ SW3d ___, 03-11-24)
emergency motion to stay granted
stay order issued

[**Note:** The petition for writ of mandamus remains pending before this Court.]

THE DECISION OF THE BOARD OF DISCIPLINARY APPEALS IN THE FOLLOWING
APPEAL IS AFFIRMED:

24-0406 ROBERT B. EVANS, III v. COMMISSION FOR LAWYER DISCIPLINE
(BODA Cause No. 67842)