



THE SUPREME COURT OF TEXAS

Orders Pronounced April 25, 2025

ORDERS ON CAUSES

22-0186 CITY OF KILLEEN – KILLEEN POLICE DEPARTMENT v. AAMIR TERRY, INDIVIDUALLY, AND A/N/F TO A.T., MINOR CHILD; from Bell County; 3rd Court of Appeals District (03-20-00071-CV, ___ SW3d ___, 01-26-22)

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 that court.

Per Curiam Opinion

23-0463 IN THE MATTER OF THE MARRIAGE OF CARLOS Y. BENAVIDES, JR. AND LETICIA R. BENAVIDES; from Webb County; 4th Court of Appeals District (04-20-00599-CV, 692 SW3d 526, 02-08-23)

The Court reverses the court of appeals' judgment, vacates the trial court's divorce decree, and dismisses the case.

Justice Boyd delivered the opinion of the Court.

Chief Justice Blacklock filed a concurring opinion, in which Justice Devine and Justice Sullivan joined.

23-0634 FIRST SABREPOINT CAPITAL MANAGEMENT, L.P., SABREPOINT CAPITAL PARTNERS, L.P., SABREPOINT CAPITAL PARTICIPATION, L.P., GEORGE BAXTER, AND DONALD MARCHIONY v. FARMLAND PARTNERS INC.; from Dallas County; 5th Court of Appeals District (05-22-00010-CV, 703 SW3d 123, 06-30-23)

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

Justice Huddle delivered the opinion of the Court.

23-0755 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND LINDSEY NICOLE DESSART; from Collin County; 5th Court of Appeals District (05-23-00763-CV, 698 SW3d 588, 08-30-23)
stay order issued September 18, 2023, lifted
stay order issued December 17, 2023, lifted

The Court conditionally grants the petition for writ of mandamus.

Justice Devine delivered the opinion of the Court.

Justice Sullivan filed a concurring opinion, in which Chief Justice Blacklock, Justice Devine, and Justice Young joined.

23-1039 IN RE EAST TEXAS MEDICAL CENTER ATHENS; from Smith County; 12th Court of Appeals District (12-23-00263-CV, ___ SW3d ___, 11-21-23)
stay order issued March 15, 2024, lifted

The Court conditionally grants the petition for writ of mandamus.

Justice Boyd delivered the opinion of the Court.

24-0081 IN RE CARLSON

The Court dismisses the petition for writ of mandamus for lack of jurisdiction.

Chief Justice Blacklock delivered the opinion of the Court.

THE FOLLOWING CAUSE IS ABATED:

24-0045 K & K INEZ PROPERTIES, LLC, DAVID KUCERA, AND VALERIE KUCERA v. CLAY KOLLE AND LACY KOLLE; from Victoria County; 13th Court of Appeals District (13-21-00460-CV, ___ SW3d ___, 12-28-23) abatement order issued

[**Note:** Effective March 20, 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 reurged 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 PETITIONS FOR REVIEW

THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

24-1081 CL COSTA, INC. D/B/A ALPINE CONTRACTING v. ADCOCK DEVELOPMENT, LLC; from Bexar County; 4th Court of Appeals District (04-23-00475-CV, ___ SW3d ___, 07-31-24)

25-0055 NORHILL ENERGY, LLC v. CITY OF MCKINNEY, TEXAS; from Collin County; 5th Court of Appeals District (05-23-00706-CV, ___ SW3d ___, 12-04-24)

25-0148 EDWARD CURTIS VANDENBERG v. DAVID CANALES, JR., INDIVIDUALLY, AND AS NEXT FRIEND OF DAVID ADRIAN CANALES, AND ANGIE MARIE CANALES; from Brazoria County; 14th Court of Appeals District (14-22-00404-CV, 699 SW3d 666, 10-01-24)

25-0151 IN RE ESTATE OF BILLY BOB WEGENHOFT, DECEASED; from Colorado County; 14th Court of Appeals District (14-23-00350-CV, ___ SW3d ___, 07-30-24)

25-0160 IN THE INTEREST OF K.J.H., A CHILD; from Carson County; 7th Court of Appeals District (07-25-00045-CV, ___ SW3d ___, 02-18-25)

- 25-0165 CHRYSANATH GRUENANGERL AND BERTHA (PEREZ)
GRUENANGERL v. ARMANDO SAENZ; from El Paso County; 8th Court
of Appeals District (08-24-00312-CV, ___ SW3d ___, 12-30-24)
- 25-0173 J. L., III AND M.R. v. TEXAS DEPARTMENT OF FAMILY AND
PROTECTIVE SERVICES; from Bell County; 3rd Court of Appeals District
(03-24-00511-CV, ___ SW3d ___, 02-07-25)
2 petitions
- 25-0220 R. F. v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE
SERVICES; from Burnet County; 3rd Court of Appeals District (03-24-
00523-CV, ___ SW3d ___, 01-31-25)
- 25-0225 IN THE MATTER OF J.H.; from Tarrant County; 2nd Court of Appeals
District (02-24-00370-CV, ___ SW3d ___, 01-20-25)
- 25-0251 IN THE INTEREST OF S.W., A CHILD; from Tarrant County; 2nd Court of
Appeals District (02-24-00444-CV, ___ SW3d ___, 01-16-25)
counsel's motion to withdraw granted
- 25-0253 IN THE INTEREST OF A.C. AND A.S.L.C., CHILDREN; from Bexar
County; 4th Court of Appeals District (04-24-00634-CV, ___ SW3d ___, 02-
05-25)
- 25-0256 IN THE INTEREST OF L.O.A., G.A., III, AND M.E.A., CHILDREN; from
El Paso County; 8th Court of Appeals District (08-24-00317-CV, ___ SW3d
___, 01-22-25)
counsel's motion to withdraw granted
- 25-0286 IN THE INTEREST OF R.F. JR., A CHILD; from Taylor County; 11th Court
of Appeals District (11-24-00271-CV, ___ SW3d ___, 04-03-25)

25-0295 IN THE INTEREST OF A.V. AND A.R., CHILDREN; from Potter County; 7th Court of Appeals District (07-24-00292-CV, ___ SW3d ___, 02-19-25)

25-0302 IN THE INTEREST OF A.D.; from Harris County; 1st Court of Appeals District (01-24-00675-CV, ___ SW3d ___, 02-27-25)
counsel's motion to withdraw granted

THE FOLLOWING PETITION FOR REVIEW IS DISMISSED:

24-0913 ZURICH AMERICAN INSURANCE COMPANY v. MB2 DENTAL SOLUTIONS, LLC; from Dallas County; 5th Court of Appeals District (05-24-00288-CV, ___ SW3d ___, 09-20-24)
agreed motion to dismiss granted

ORDERS ON MOTIONS FOR REHEARING

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

23-0877 JASON A. GIBSON, P.C. D/B/A THE GIBSON LAW FIRM AND JASON A. GIBSON v. ALEJANDRO L. PADUA AND THE PADUA LAW FIRM, PLLC; from Harris County; 14th Court of Appeals District (14-21-00489-CV, ___ SW3d ___, 07-06-23)

24-0587 JBS CARRIERS, INC. v. CHAMBLEE RYAN, P.C.; from Angelina County; 12th Court of Appeals District (12-23-00125-CV, 691 SW3d 797, 06-12-24)

24-0615 IN THE MATTER OF THE ESTATE OF GEORGINA A. DE CHAVEZ, DECEASED; from El Paso County; 8th Court of Appeals District (08-23-00072-CV, ___ SW3d ___, 06-21-24)

24-0962 TONY'S CONCRETE WORK, LLC v. SHELLY GOAD AND DANIEL GOAD; from Tarrant County; 1st Court of Appeals District (01-23-00759-CV, ___ SW3d ___, 07-25-24)

25-0009 ANNABELLE WHITINGER, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ROLIA WHITINGER; JOHN WHITINGER; ERICA DE LA GARZA; VICTORIA CRUZ; AND MARGARET WHITINGER v. THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON; from Galveston County; 1st Court of Appeals District (01-03-01358-CV, ___ SW3d ___, 12-02-24)

25-0016 TRAVIS EUBANKS, AMANDA EUBANKS, AND JARRETT WOODWARD VOTERS OF BEXAR COUNTY v. JANE NELSON IN HER OFFICIAL CAPACITY AS SECRETARY FOR THE STATE OF TEXAS; from Travis County; 15th Court of Appeals District (15-24-00037-CV, ___ SW3d ___, 11-26-24)

(Justice Sullivan not participating)

25-0035 ALFREDO OROZCO v. JAKE WAWRZYNSKI; from Nueces County; 13th Court of Appeals District (13-23-00442-CV, ___ SW3d ___, 10-31-24)

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

25-0059 IN RE DANIEL DE OLIVEIRA, MD; from Cameron County

MISCELLANEOUS

THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:

23-0945 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND NICHOLAS BOROWEC; from Dallas County; 5th Court of Appeals District (05-23-01062-CV, ___ SW3d ___, 11-17-23)
emergency motion for temporary relief dismissed as moot
stay order issued December 6, 2023, lifted

See opinion issued in 24-0172, In re State Farm Mutual Automobile Insurance Co.

23-0973 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY AND JERI CHARLOTTE RAMOS; from Dallas County; 5th
Court of Appeals District (05-23-01209-CV, ___ SW3d ___, 12-01-23)
as amended
emergency motion for temporary relief dismissed as moot, as supplemented
stay order issued December 6, 2023, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

23-0975 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY, ROBERT NASH, AND YULONDA WILSON; from Dallas
County; 5th Court of Appeals District (05-23-01206-CV, ___ SW3d ___, 12-
01-23)
stay order issued December 18, 2023, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

23-0977 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY AND JEFF HERRIDGE; from Dallas County; 5th Court of
Appeals District (05-23-01174-CV, ___ SW3d ___, 12-01-23)
stay order issued December 6, 2023, lifted
stay order issued December 29, 2023, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

24-0172 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY AND BETTY GENALE THOMAS; from Dallas County; 5th
Court of Appeals District (05-24-00232-CV, ___ SW3d ___, 03-06-24)
stay order issued March 8, 2024, lifted

Per Curiam Opinion

24-0215 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY AND LINDSEY NICOLE DESSART; from Grayson County;
5th Court of Appeals District (05-24-00308-CV, 708 SW3d 277, 03-19-24)
stay order issued March 22, 2024, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

24-0311 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY; from Tarrant County; 2nd Court of Appeals District (02-24-
00112-CV, ___ SW3d ___, 04-12-24)
stay order issued April 19, 2024, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

24-0341 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY; from Tarrant County; 2nd Court of Appeals District (02-24-
00155-CV, ___ SW3d ___, 04-24-24)

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

24-0380 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY AND TRACY MCCASLAND; from Tarrant County; 2nd Court
of Appeals District (02-24-00203-CV, ___ SW3d ___, 05-08-24)
emergency motion for temporary relief dismissed as moot
stay order issued August 2, 2024, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

24-0658 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY AND GREGORY ALAN SCOTT; from Dallas County; 5th
Court of Appeals District (05-24-00912-CV, ___ SW3d ___, 08-13-24)
emergency motion for temporary relief dismissed as moot
stay order issued August 14, 2024, lifted

*See opinion issued in 24-0172, In re State Farm Mutual Automobile
Insurance Co.*

24-0972 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND MELISSA LINETTE BURRIS; from Dallas County; 5th Court of Appeals District (05-24-01248-CV, ___ SW3d ___, 11-13-24)
stay order issued November 22, 2024, lifted
stay order issued April 11, 2025, lifted
See opinion issued in 24-0172, In re State Farm Mutual Automobile Insurance Co.

24-1032 IN RE USAA INSURANCE AGENCY INC. AND SYLVIA DIAZ; from Dallas County; 5th Court of Appeals District (05-24-01290-CV, ___ SW3d ___, 12-04-24)
stay order issued December 13, 2024, lifted
stay order issued March 14, 2025, lifted
See opinion issued in 24-0172, In re State Farm Mutual Automobile Insurance Co.

24-1052 IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, BETTY GENALE THOMAS, AND CARLOS BALIDO; from Dallas County; 5th Court of Appeals District (05-24-00447-CV, ___ SW3d ___, 12-05-24)
emergency motion for temporary relief dismissed as moot
stay order issued December 19, 2024, lifted
See opinion issued in 24-0172, In re State Farm Mutual Automobile Insurance Co.

25-0126 IN RE PROGRESSIVE COUNTY MUTUAL INSURANCE COMPANY AND MELISSA SUE CRAIG; from Tarrant County; 2nd Court of Appeals District (02-25-00039-CV, ___ SW3d ___, 02-10-25)
stay order issued February 13, 2025, lifted
See opinion issued in 24-0172, In re State Farm Mutual Automobile Insurance Co.

25-0143 IN RE STEVE VIC PARKER, A/K/A JERRY WILSON

25-0208 IN RE VARNEL DIGGS; from Travis County; 3rd Court of Appeals District
(03-25-00023-CV, ___ SW3d ___, 01-28-25)

25-0215 EX PARTE JAMES RICHARDS; from Montgomery County; 9th Court of
Appeals District (09-24-00077-CV, ___ SW3d ___, 06-27-24)

25-0238 IN RE JUSTIN RANDALL JONES; from Denton County; 2nd Court of
Appeals District (02-24-00002-CV, ___ SW3d ___, 02-09-24)
motion to stay dismissed as moot