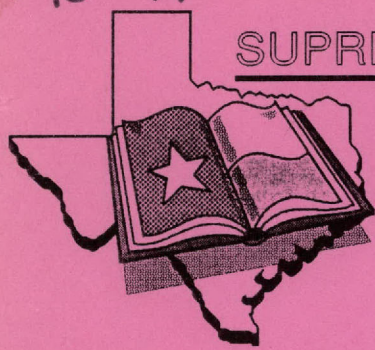


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SUPREME COURT OF TEXAS

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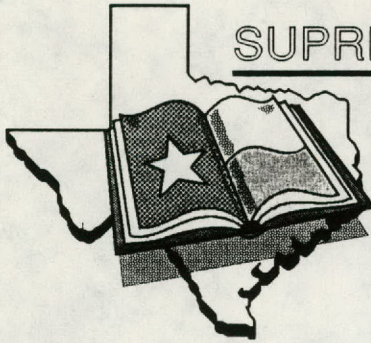
# INDEXES TO DOCKETS ON MICROFICHE 1990-91

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SUPREME COURT OF TEXAS

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**INDEXES TO DOCKETS  
ON MICROFICHE 1990-91**



**JUSTICES OF THE SUPREME COURT OF TEXAS  
1990-91**

Thomas R. Phillips, Chief Justice  
Franklin Spears ( -1990)  
C.L. Ray ( -1990)  
Raul A. Gonzalez  
Oscar H. Mauzy  
Eugene A. Cook  
Jack Hightower  
Nathan L. Hecht  
Lloyd Doggett  
John Cornyn, III (1991- )  
Bob Gammage (1991- )

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# TABLE OF CONTENTS

Petitioner-Respondent Case Table.....	1
Respondent-Petitioner Case Table.....	29
Case Table by Court of Appeals Citation.....	57
Supreme Court Docket Number Case Table .....	75

## INTRODUCTION

These indexes provide access to cases decided by the Supreme Court between September 1990 and August 1991. Each case is indexed separately by petitioner's name, respondent's name, appeal citation, and Supreme Court docket number.

Each case is represented by a docket which contains all documents filed in the case except the trial transcript. The dockets of Supreme Court cases have been reproduced on microfiche by the Texas State Library since 1983, and are available at the following Texas libraries:

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Houston, TX 77002

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**State Law Library**  
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Austin, Texas 78711

**Dallas County Law Library**  
Government Center, 2nd Floor  
600 Commerce Street  
Dallas, Texas 75202-4606

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**NOTE:** On September 1, 1986, the Rules of Appellate Procedure became effective. The promulgation of these rules shifted Rule 452, formerly of the Rules of Civil Procedure, to Rule 90, Rules of Appellate Procedure. This change is reflected in citations of this index.







**PETITIONER - RESPONDENT CASE TABLE**







## SUPREME COURT OF TEXAS CASES, 1990-91

### Petitioner - Respondent Case Table

1720 Beaumont Street, Inc. **V.** City of Dallas (D-0223)  
2618, Inc. **V.** 747, Inc. (D-0655)  
4M Linen & Uniform Supply Co., Inc. **V.** W.P. Ballard & Co., Inc. (D-0245)

**-A-**

A. Camera Center, Inc. **V.** Southwestern Bell Yellow Pages, Inc. (C-9894)  
A & T Consultants, Inc. **V.** Bullock (C-9085)  
A & T Consultants, Inc. **V.** Bullock (D-0214)  
AAAction Plumbing Co. **V.** Stewart (D-0088)  
Ablin **V.** Morton Southwest Co. (D-0879)  
Abramson **V.** Abramson (C-9816)  
Academy Corp. **V.** Moore (D-0648)  
Acheter, Inc. **V.** McCown (D-0881)  
Action Machine Shop, Inc. **V.** Mori Seiki Co., Ltd. (D-0208)  
Adams **V.** Dallas County Child Welfare Unit of the Texas Department of Human Services (D-0564)  
Adams **V.** Gemini Drilling & Exploration Co., Inc. (C-8555)  
Adams **V.** Life and Casualty Insurance Co. of Tennessee (D-0372)  
Advertising and Policy Committee of the Avis Rent A Car System **V.** Avis Rent A Car System, Inc. (C-9242)  
Advertising and Policy Committee of the Avis Rent A Car System **V.** Avis Rent A Car System, Inc. (C-9243)  
Aetna Life Insurance Co. **V.** Hermann Hospital (D-0765)  
Affiliated Capital Corp. **V.** Musemeche (D-0915)  
Aggregate Plant Products Company **V.** Perry (C-9768)  
Aguilar **V.** Autohaus, Inc. (D-0271)  
Aimsworth; Ex parte **V.** (C-8896)  
Airport Skateland, Inc. **V.** Sims (C-8685)  
Alford **V.** Alford (C-9817)  
All Valley Acceptance Co. **V.** Durfey (D-0793)  
Allee **V.** Benser (C-6810)  
Allen **V.** City Lumber Co. (D-0393)  
Allen **V.** O'Neill (D-0603)  
Allied Addicks Bank **V.** Mueller (C-9767)  
Alonzo **V.** Dunn (D-0530)  
Aluminum Co. of America **V.** ALM (C-7889)  
Alvarez **V.** Mireles (D-0063)  
Ambrose **V.** Mack (D-0787)  
Amend **V.** State Commission on Judicial Conduct (D-0126)  
American Economy Insurance Co. **V.** Smith (D-0424)  
American General Fire & Casualty Co. **V.** Rodriguez (C-9984)  
American Home Assurance Co. **V.** Foster (C-9775)  
American Medical International, Inc. **V.** Casseb (C-8736)  
American Motorists Insurance Co. **V.** Seale (D-0605)  
American National Petroleum Company **V.** Transcontinental Gas Pipe Line Corporation (C-8350)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

American Stress, Inc. **V.** Daniel Construction Co. (D-0658)  
Amsav Group, Inc. **V.** American Savings and Loan Association of Brazoria County (D-0352)  
Anderson **V.** Opperman (C-9614)  
Anderson **V.** State of Texas (D-0438)  
Andrews **V.** ABJ Adjustors, Inc. (D-0700)  
Anthony **V.** A & P Holding Co., Inc. (D-0454)  
Arkansas Federal Savings Bank **V.** Bieler and Associates (C-9134)  
Artt **V.** Union State Bank (D-0577)  
Armstrong **V.** Judge Fite Company (C-9893)  
Arrechea **V.** Plantowsky (D-0255)  
Arrington **V.** County of Dallas (C-9972)  
Arrington **V.** Mattox (C-8766)  
Arrow Industries, Inc. **V.** Tyson (D-0631)  
Arterburn **V.** Civil Service Commission of the City of Grand Prairie (D-0108)  
Artesia Waters, Inc. **V.** Humphreys (C-8772)  
Askew **V.** Memorial City General Hospital (D-0073)  
Atchley **V.** NCNB Texas National Bank (D-0469)  
Athari **V.** Hutcheson (C-9211)  
Atlantic Richfield Co. **V.** Touchy (D-1015)  
Attorney General of the State of Texas **V.** Johnson (D-0083)  
Aubin **V.** Birdwell (D-0090)  
Austin Ranch Enterprises, Inc. **V.** Wells (C-8184)  
Austrian Import Service, Inc. **V.** A.B.F. Freight Systems, Inc. (D-0495)  
Autoplex, Ltd. **V.** Chase Leasing Co., Ltd. (D-0315)  
Awalt **V.** Jigna, Inc. (C-9743)  
Axelson, Inc. **V.** McIlhany (C-7774)  
Ayoub **V.** City of El Paso, TX (C-9960)

-B-

Bacile **V.** Shore (C-9729)  
Bailey **V.** Wooddell (D-0365)  
Baker **V.** Tarrant County Hospital District (D-0931)  
Balawajder **V.** Brooks (D-0015)  
Balawajder **V.** Jones (D-0010)  
Bancroft **V.** Finger (D-0798)  
Bank of Houston **V.** Thomas (C-9632)  
Bankers Savings and Loan Association **V.** David Goodbar Interests, Inc. (C-8705)  
Banowsky **V.** Terry (D-0405)  
Banta **V.** Durish (D-0216)  
Bard **V.** Frank B. Hall & Co. (C-8635)  
Barham **V.** Turner Construction Co. of Texas (D-0825)  
Barnes **V.** Meyers (D-0875)  
Barnes **V.** W.S.C. (D-0806)  
Barras **V.** Intercoastal Warehouse Corp. (C-8386)  
Barras **V.** Intercoastal Warehouse Corp. (D-0517)  
Barrow **V.** Camer (D-0797)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Barstow V. Lower Colorado River Authority (D-0172)  
Bartlett, Jr. V. Pruiett (C-9941)  
Baxter V. Ruddle (C-9422)  
Baylor Medical Center Grapevine V. Finney (D-0309)  
Bayoud V. Bayoud (D-0587)  
Baytown Construction Company, Inc. V. Buchanan/Soil Mechanics, Inc. (C-9642)  
Bazile V. Aetna Casualty and Surety Co.; et al. (C-9537)  
Beacon National Insurance co. V. Reynolds (D-0643)  
Beaumont Bank, N.A. V. Buller (C-9202)  
Beldon Roofing and Remodeling Co. V. Smith (D-0317)  
Bell V. St. Cyr (C-8640)  
Bell Helicopter/Textron, Inc. V. Burns (D-0493)  
Benavides V. 73rd Judicial District Court (D-0683)  
Benavides V. Benavides (C-7962)  
Beneficial Standard Life Insurance Co. V. Trinity National Bank of Dallas (C-8357)  
Bennett V. Morris (D-0112)  
Bennett V. Packer (D-0349)  
Bennett V. Texas Instruments, Inc. (C-8863)  
Bennett V. TRT Telecommunications Corp. (C-9860)  
Berens V. Sherman Fitzpatrick & Company (C-9959)  
Bergen V. Utica National Insurance Company of Texas (C-9797)  
Berthelot V. Rhea (D-0725)  
Bexar County V. North East Independent School District (D-0885)  
BHP Petroleum Co., Inc. V. Millard (C-9504)  
Biffle V. Morton Robber Industries, Inc. (D-0734)  
Birdo V. Moore (D-0072)  
Bivins V. Roberson (C-8606)  
Black V. Victoria Lloyds Insurance Co. (C-8805)  
Blackman V. Langford (D-0130)  
Blackmon V. Smith (D-0903)  
Blackstone V. A.H.L. Properties Number One (D-0069)  
Blair V. Blair (D-0828)  
Blake V. First National Bank in Port Lavaca (C-9914)  
Blankenship V. Blankenship (C-8933)  
Blue Moon, LTD. V. Bering (D-0649)  
Bond V. St. Joseph's Hospital, Inc. (D-0238)  
Borden V. Sullivan (C-7412)  
Boring V. Sanborn (D-0162)  
Bosakewich V. Webb (D-0704)  
Bowden V. Aetna Lloyds of Texas (C-9964)  
Bowman V. Lumberton I.S.D. (C-7376)  
Box V. First Court of Appeals (D-0418)  
Box V. Wilson (D-0217)  
Boy Scouts of America V. Eighth Court of Appeals (C-8720)  
Boyd V. Fuel Distributors, Inc. (D-0575)  
Boyd; Ex parte V. (D-0596)  
Bradley V. Texas Employment Commission (D-0196)  
Bradley V. Woodrum (D-0626)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Bradt **V.** Wittig (D-0544)  
Bradt **V.** Wittig (D-0602)  
Brady **V.** Underwood (D-0632)  
Bravo **V.** Agency Rent-A-Car, Inc. (C-8444)  
Breedon **V.** Hammonds (C-6544)  
Breitbach **V.** West (D-0487)  
Brenner **V.** Woodward (C-8696)  
Brion **V.** Brion (D-0344)  
Briones **V.** First Victoria National Bank (C-9961)  
Broach **V.** Bradley (D-0809)  
Brodhead **V.** Tapiador (D-0813)  
Brodsky **V.** Culbertson (C-9954)  
Brooks **V.** Brooks (C-9819)  
Brooks **V.** Gilbreath (D-0177)  
Brown **V.** Swift-Eckrich, Inc. (D-0007)  
Brown **V.** Town of Corinth (D-0841)  
Brown **V.** Twelfth Court of Appeals (D-0745)  
Brown **V.** Twelfth Court of Appeals (D-0746)  
Brown **V.** Valdez (D-0426)  
Brown & Root, Inc. **V.** Oliver (C-9718)  
Brownfield **V.** Missouri Pacific Railroad Co. (D-0300)  
Brunner **V.** Attar (C-9772)  
Brunswick Corp. **V.** Bush (C-9645)  
Brunswick Corporation; et al. **V.** Bush; et al. (C-9645)  
Bryant **V.** Federal National Mortgage Association (D-0699)  
Bryant **V.** Winn-Dixie Stores, Inc. (C-9911)  
Budget Rent-A-Car Systems, Inc. **V.** Hartford Casualty Insurance Co. (D-0338)  
Buffalo **V.** Robbins (D-0408)  
Bullock **V.** Dorchester Master Limited Partnership (D-0390)  
Burk **V.** Townbluff Homeowners Association, Inc. (C-9562)  
Burleson **V.** Powell (D-0759)  
Burns Distributing, Inc. **V.** Chambers (D-0093)  
Burress Oil Co. **V.** Thompson (C-8623)  
Bushell **V.** Dean (C-9522)  
Buttram **V.** Roush (D-0595)

- C -

C & C Partners; et al. **V.** Sun Exploration and Production Co. (C-9633)  
C.S. LTD. **V.** Northwestern Mutual Life Insurance Co. (D-0354)  
Cage **V.** Thomason (C-8634)  
Calder **V.** Mallaise (D-0382)  
Caldwell National Bank **V.** O'Neil (C-9692)  
Calhoun **V.** Texas Department of Human Services (D-0076)  
Callaway **V.** Overholt (D-0617)  
Callon **V.** Callon (C-8611)  
Campise **V.** NCNB Texas National Bank (C-9922)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Canmerica, Inc. **V.** Andrews (D-0054)  
Canter **V.** Easley (C-9834)  
Cardenas **V.** Bufkin (D-0279)  
Carlyle Joint Venture **V.** H. B. Zachry Co. (D-0897)  
Caro **V.** Housing Authority of the City of Austin (D-0482)  
Carrillo **V.** Garcia (D-0640)  
Carrizales **V.** Wal-Mart Stores, Inc. (D-0368)  
Carruth **V.** Bank of Dallas (D-0151)  
Carruth **V.** Texas Commerce Bank-Dallas (D-0019)  
Carson **V.** 104th District Court of Taylor County, TX (C-9920)  
Carson **V.** 116th District Court of Dallas County (D-0332)  
Carter **V.** Crowley (C-7434)  
Caserotti **V.** State Farm Insurance Co. (D-0157)  
Casiano **V.** Cortes (C-9151)  
Cass **V.** Jones (D-0105)  
Cass **V.** Jones (D-0106)  
Cassidy **V.** Northwest Tech Center Associates, LTD. (C-9671)  
Castilleja **V.** State of Texas (D-0101)  
Castillow **V.** Marshall (D-0074)  
Castro **V.** Texas Department of Human Services (D-0680)  
Caulley **V.** Caulley (C-9274)  
Cecil **V.** Smith (D-0100)  
Cecil **V.** Sunbelt Savings (C-9873)  
Cedillo **V.** Jefferson (D-0891)  
Cedillo **V.** Paloff (D-0304)  
Central Mutual Insurance Co. **V.** Dunker (D-0613)  
Chacon **V.** Lone Star Gas Co. (C-9998)  
Champion International Corp. **V.** Rice (D-0203)  
Channel Oaks Water System **V.** Texas Water Commission (D-0273)  
Chapman **V.** Oshman's Sporting Goods, Inc. (D-0181)  
Cheek **V.** Humphreys (D-0697)  
Cherokee Water Co. **V.** Gregg County Appraisal District (C-9052)  
Chester **V.** Stiles (D-0580)  
Chevron Pipe Line Co. **V.** Sonnier (D-0729)  
Chiles **V.** Schuble (D-0070)  
CIBA Pharmaceutical Co. **V.** Third Court of Appeals (D-0582)  
Circle "D" Civic Association **V.** Pack (D-0287)  
Circle Y of Yoakum **V.** Twelfth Court of Appeals (D-1007)  
Cissne **V.** Robertson (C-9572)  
City National Bank **V.** Douglas (D-0417)  
City of Austin **V.** 244 Joint Venture (C-9928)  
City of Bridge City, TX **V.** State of Texas (D-0205)  
City of Bryan **V.** Russell (D-0498)  
City of Bunker Hill Village **V.** Quinet (D-0415)  
City of Fort Worth, TX **V.** Williams (C-9596)  
City of Garland **V.** Barrera (C-9225)  
City of Hearne **V.** Stem (C-8832)  
City of Houston **V.** Davis (C-9774)



## SUPREME COURT OF TEXAS CASES, 1990-91

### Petitioner - Respondent Case Table

City of Houston **V.** Goings (D-0416)  
City of Houston; et al. **V.** Williams (C-9799)  
City of Kerrville, TX **V.** Kerrville, HRH, Inc. (D-0900)  
City of Lakewood Village, TX **V.** Graham (D-0607)  
City of Laredo **V.** Rodriguez (D-0269)  
City of Mabank **V.** Imperial Casualty and Indemnity Co., Inc. (D-0433)  
City of Princeton, TX **V.** Abbott (D-0222)  
City of Richardson, TX **V.** Responsible Dog Owners of Texas; et al. (C-9464)  
City of Rosser, TX **V.** Baber (C-8855)  
City of Sachse **V.** Andrews (D-0014)  
City of San Antonio, TX **V.** Schneider (C-9872)  
City of Sherman, TX **V.** Courtney (D-0013)  
City of Weatherford **V.** Parker County; et al. (C-9217)  
City of Wichita Falls, TX **V.** Alvarado (D-0907)  
Civil Service Commission of Wichita Falls, TX **V.** Collier (C-8523)  
Claridy **V.** Texas Employers Insurance Association (D-0412)  
Clark **V.** Peavy (D-0539)  
Clark **V.** Trailways, Inc. (D-0391)  
Clark **V.** Young (C-9918)  
Clement **V.** Texas Employers Insurance Association (C-9425)  
Clinkscale **V.** Dankworth (D-0247)  
Coalition of cities for affordable utility rates **V.** Public Utility Commission of Texas (C-9287)  
Coastal Corporation **V.** Chehlaoui (C-9936)  
Coats **V.** Twelfth Court of Appeals (D-0261)  
Cobb **V.** West Texas Microwave Co. (D-0284)  
Coke **V.** Coke (D-0623)  
Coleman **V.** Rotana, Inc. (C-9206)  
Columbia Gulf Transmission Co. **V.** Humble Pipeline Constructors, Inc. (D-0786)  
Commodore Financial Services Corp. **V.** Johnson (D-0346)  
Common Carrier Motor Freight Association, Inc. **V.** NCH Corp. (D-0030)  
Commonwealth Land Title Insurance Co. **V.** Haskett (D-0386)  
Conlee **V.** Evans (C-9929)  
Connell **V.** Wadsworth Business Center - Willowbrook Limited Partnership (C-8479)  
Connors **V.** Connors (D-0525)  
Consolidated Capital Properties, IV **V.** Harris County Appraisal District (D-0443)  
Continental Steel Co. **V.** H.A. Lott, Inc. (C-8983)  
Cook **V.** Frizzell (D-0062)  
Cooper **V.** Cooper (D-0409)  
Corman **V.** Fabrique, Inc. (D-0483)  
County of El Paso **V.** Rodriguez (D-0288)  
Couser **V.** Maddux (D-0367)  
Cowan Boat Transfer, Inc. **V.** Texas Employment Commission (D-0176)  
Coward; et al. **V.** State of Texas (C-9833)  
Cox **V.** Hyatt (C-8761)  
Cox **V.** Texas Commerce Bank-Austin, N.A. (C-9584)  
Crabb **V.** Fenner (D-0395)  
Craft **V.** Craft (D-0329)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Creedmoor Maha Water Supply Corp. **V.** Barton Springs-Edwards Aquifer Conservation District (C-9719)  
Creel **V.** District Attorney and Sheriff for Medina County, TX (C-8799)  
Crosby **V.** Methodist Hospital (C-7916)  
Crossland **V.** Tarrant County Water Control and Improvement District No. 1 (C-9503)  
Crowbar, Inc. **V.** Gilliland Venture (C-9790)  
Cullen/Frost Bank of Dallas **V.** Metropolitan National Bank (D-0060)  
Culpepper **V.** Coker (C-8513)  
Curtis **V.** Caton (C-8599)

**- D -**

Dallas Brewery, LTD. **V.** Rose (C-9460)  
Dallas County Hospital District **V.** May (C-8853)  
Damme Partnership **V.** Perkins (D-0490)  
Davis **V.** Baylor University Medical Center (D-0357)  
Davis **V.** Dresser Industries, Inc. (D-0812)  
Davis **V.** Third Court of Appeals (D-0598)  
Daytona Group of Texas, Inc. **V.** Smith (D-0681)  
De Los Santos **V.** Briercroft Service Corp. (C-9125)  
Dean **V.** Freedman (D-0738)  
Dean **V.** McDuffie (D-0750)  
Dearing, Inc. **V.** Spiller (C-9848)  
Decker **V.** Hatfield (D-0733)  
Deerings West Nursing Center **V.** Scott (C-9987)  
Delhi Gas Pipeline Corp. **V.** Henderson (D-0480)  
Dell Masonry, Inc. **V.** Weitz Co., Inc. (D-0610)  
DeMary **V.** Sanderson (D-0754)  
Dentex Shoe Corp. **V.** F.E. Schmitz Co., Inc. (C-7373)  
Denton Publishing Co. **V.** Clarke (D-0319)  
Devlin **V.** Ryan (C-8894)  
Dewbre **V.** Cann (D-0452)  
Dhanani **V.** Shah (D-0769)  
Diaz **V.** Blanton (D-0095)  
Dickerson Brothers, Inc. **V.** Spears (D-0120)  
Dickinson Independent School District **V.** Houston Lighting and Power Co. (D-0254)  
Dillard **V.** Fourteenth Court of Appeals (D-0509)  
Dillard **V.** Reliable Life Insurance Co. (D-0231)  
Diminno-Hudson **V.** Winn (D-0521)  
Dolenz **V.** American General Fire and Casualty Co. (D-0615)  
Dolenz **V.** Perez (D-0755)  
Dolenz **V.** Pulse (D-0161)  
Doles **V.** Northern Telecom, Inc. (D-0320)  
Dominguez **V.** General Motors Acceptance Corp. (D-0099)  
Dominguez **V.** Kelly (C-9787)  
Don Dockstader Motors, Ltd. **V.** Patal Enterprises (C-9185)  
Donaho **V.** Short (C-9956)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Dooley, Jr **V.** Salyer (C-8552)  
Dow Chemical Co. **V.** Miller Pipeline Service Corp. (D-0594)  
Dresser Industries, Inc. **V.** Lloyd (D-0228)  
Drew **V.** Clawson (C-9212)  
Duggan **V.** Langley (D-0777)  
Duncan **V.** Carney (C-9659)  
Dungan **V.** Hilzendager (D-0441)  
Dunlap; Ex parte **V.** (C-9372)  
Duran **V.** Bayoud, Jr (C-9157)  
Dyer **V.** Texas Employment Commission (D-0456)

**- E -**

E&B Carpet Mills **V.** State of Texas; et al. (C-9149)  
Eagle Properties, LTD **V.** Scharbauer (C-8203)  
Eckler **V.** General Council of the Assemblies of God (C-9609)  
Edco Production, Inc. **V.** Hernandez (D-0360)  
Edgewood Independent School District **V.** Kirby (D-0378)  
Elkins **V.** Warren (D-0388)  
Emel **V.** State of Texas (D-0173)  
Emerson **V.** Tunnell (C-9250)  
Enloe **V.** Eagle Radio, Inc. (D-0455)  
Enron Oil Trading & Transportation Co. **V.** Boles (D-0374)  
Enserch Corp. **V.** Parker (C-9207)  
Enstar Petroleum Co. **V.** Mancias (C-8741)  
Ephran **V.** Cheatham (D-0751)  
Ephran **V.** Sklar (D-0670)  
Erlandson **V.** International Bank of Corpus Christi (C-9808)  
Ervin Plumbing & Supply, Inc. **V.** Waterland Enterprises, Inc. (C-9896)  
Eshtary **V.** Allstate Insurance Co. (C-8632)  
Evan **V.** University Savings & Loan of Boerne, TX (C-9604)  
Evans **V.** Peko Oil USA (D-0622)  
Evans **V.** Pollack (C-8949)  
Express-News Corp. **V.** Spears (C-8624)  
Exxon Co., U.S.A. **V.** Banque de Paris et des Pays-Bas (C-8684)  
Eye Site, Inc. **V.** Blackburn (C-7611)

**- F -**

Fagan **V.** Fagan (D-0253)  
Falls City National Bank **V.** Nichols (D-0057)  
Fant **V.** Stephens (D-0244)  
Faour **V.** Magnolia Fruit and Produce Co., Inc. (C-9913)  
Farah, Inc. **V.** Fashing (D-0061)  
Farm Credit Bank of Texas **V.** Snyder National Bank (D-0824)  
Federal Deposit Insurance Corp. **V.** Mason (D-0033)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Federal Deposit Insurance Corporation **V.** Coleman (C-8272)  
Federal Deposit Insurance Corporation **V.** Hidalgo, Chambers & Company (C-9958)  
Federal Land Bank Association of Dayton **V.** Flurry (D-0504)  
Ferguson **V.** Chillicothe Independent School District (D-0653)  
Ferguson **V.** Ferguson (D-0212)  
Ferguson **V.** Ninth Court of Appeals (D-0363)  
Fidelity & Casualty of New York **V.** Stroman (D-0283)  
Finkelstein **V.** Carpenter (D-0471)  
Firestone Tire & Rubber Co. **V.** Littlejohn (D-0647)  
First American Title Insurance Co. **V.** Zimmerman (D-0084)  
First Baptist Church of Haltom City **V.** Birdville Independent School District (C-9991)  
First City Bank of Plano **V.** Stone (D-0351)  
First City, Texas-Dallas **V.** Wider (D-0908)  
First Interstate Bank of Texas **V.** Turner (D-0103)  
First Mortgage Investment Association **V.** Bradford (D-0981)  
First United Methodist Church of Laredo, TX **V.** Virjan (D-0369)  
Fisher **V.** Price (C-8760)  
Fisk **V.** John Pass Investments (D-0011)  
Fletcher **V.** District Board, United Pentecostal Church-Texas District (D-0442)  
Floren **V.** Schattman (C-9237)  
Florence **V.** Canup (D-0396)  
Flores **V.** Arrieta (D-0197)  
Flores **V.** H. E. Butt Stores, Inc. (D-0132)  
Flowers **V.** Caddell (C-8828)  
Flukinger **V.** Straughan (D-0330)  
Foreman **V.** Aetna Casualty and Surety Co. (C-8946)  
Forse; Ex parte **V.** (C-9007)  
Forster **V.** Ender (D-0724)  
Fortner **V.** Fortner (C-8687)  
Fox Vacuum, Inc. **V.** Midwest (D-0744)  
Fredenburgh **V.** Texas Employment Commission (D-0561)  
Freeman **V.** Briarcroft Property Owners, Inc. (C-8644)  
Freeman **V.** City of Pasadena, TX (C-8195)  
Freitag **V.** Trevathan (C-8777)  
French **V.** Community Broadcasting of Coastal Bend, Inc. (C-8565)  
Frito-Lay, Inc. **V.** American Alliance Insurance Co. (C-9907)  
Funderburg **V.** Lone Star Life Insurance Co. (C-8691)  
Furrs, Inc. **V.** Hinojosa (D-0748)

- G -

Gallaher **V.** Balasco (D-0082)  
Gallivan **V.** Nordhaus (D-0156)  
Galveston County **V.** Murphy (D-0018)  
Galveston Independent School District **V.** Bell Savings and Loan Association (C-9802)  
Gansle **V.** Strain (C-8612)  
Garcia **V.** City of Houston (D-0693)



## SUPREME COURT OF TEXAS CASES, 1990-91

### Petitioner - Respondent Case Table

Garcia **V.** Pacesetter Corp. (C-8375)  
Garcia **V.** Peterson (D-0850)  
Garcia **V.** Terry (D-0586)  
Garcia; Ex parte **V.** (D-0163)  
Gardner **V.** Fourth Court of Appeals (C-9055)  
Gardner **V.** Lawson (D-0230)  
Gardner **V.** Perez (C-9054)  
Garibay **V.** Khuri (D-0050)  
Garrett **V.** Henley (D-0143)  
Garza **V.** Allied Deer Park Bank (C-8481)  
Garza **V.** Fourth Court of Appeals (D-0873)  
Garza **V.** Fourth Court of Appeals (D-0887)  
Garza **V.** Garcia (C-9724)  
Garza **V.** Hinojosa (D-0518)  
Garza; Ex parte **V.** (C-8628)  
Gaubert **V.** Hall (D-0877)  
Gauntt **V.** Uribe (D-0194)  
Gerber **V.** Denny (C-9942)  
Gilcrease **V.** Jostens, Inc. (D-0703)  
Gill **V.** Cornyn (D-0104)  
Gill **V.** Peden (D-0774)  
Gill Savings Association **V.** Chair King, Inc. (C-9598)  
Gittelman **V.** First National Bank of Missouri City (C-9934)  
Gleason **V.** State of Texas (C-8564)  
Goeke **V.** Houston Lighting and Power Co. (C-8363)  
Goff **V.** Hurt (D-0644)  
Goheen **V.** Koester (D-0345)  
Gol **V.** Krueger (C-9855)  
Goldston Corp. **V.** Champlin Petroleum Co. (D-0546)  
Gonzales; et al. **V.** Mission American Insurance Co. (C-9476)  
Gonzales; Ex parte **V.** (C-8627)  
Gordon **V.** Street (D-0094)  
Gorman **V.** Life Insurance Co. of North America (C-7806)  
Granada Corp. **V.** West (D-0973)  
Gray **V.** Pilot Life Insurance Co. (C-9895)  
Great American Reserve Insurance Co. **V.** Lockhart (C-8666)  
Great North American Stationers, Inc. **V.** Ball (C-8782)  
Greater Houston Transportation Co. **V.** Phillips (C-9555)  
Greater Southwest Office Park, LTD. **V.** Texas Commerce Bank National Association (C-9736)  
Greater Texoma Utility Authority **V.** City of Bells, TX (D-0045)  
Grebe **V.** K-Mart Corporation (C-9851)  
Green **V.** Hassell (D-0125)  
Green Tree Acceptance, Inc. **V.** Holmes (D-0942)  
Greer; Ex parte **V.** (C-8940)  
Griego **V.** Dodson (D-0448)  
Grierson **V.** S.A.E. Office Associates (D-0558)  
Griffin **V.** Rio Development Corp. (D-0711)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Grisham; Ex parte **V.** (C-9865)  
Grisham; Ex parte **V.** (D-0505)  
Guerrero **V.** Texas Employers Insurance Association (D-0760)  
Guillory **V.** BancTexas Westheimer (D-0236)  
Gutierrez **V.** Texas Employers Insurance Association (D-0310)  
Gutierrez **V.** Vasquez (D-0380)  
Gutierrez **V.** York Plaza Hospital (D-0453)

**-H-**

H.E.B. Construction **V.** Casualty Indemnity Exchange (D-0256)  
H & F, Inc. **V.** Overhead Door Co. of San Antonio (D-0191)  
H.W. Mitchell **V.** Missouri-Kansas-Texas Railroad Co. (C-7286)  
Haddock **V.** Armspiger (C-8400)  
Haden **V.** Northpark National Bank of Dallas (D-0356)  
Hafdahl **V.** Long (D-0492)  
Hagaman; et al. **V.** Morgan; et al. (C-9297)  
Hahn **V.** Jacobson (D-0515)  
Hamilton **V.** City of Houston (D-0089)  
Hampton **V.** Minton (C-9757)  
Hanau **V.** Thirteenth Court of Appeals (D-0723)  
Hancock **V.** State of Texas (D-0741)  
Haney **V.** Vance (D-0023)  
Hardin **V.** Texas Employment Commission (C-9924)  
Hardt; Ex parte **V.** (D-0854)  
Harlingen Mall Co. **V.** Wright Way Construction Co., Inc. (D-0682)  
Harris **V.** Whitson (D-0274)  
Harris County Bail Bond Board **V.** Burns (D-0167)  
Harris County, TX **V.** Walsweer (D-0541)  
Hartford Casualty Insurance Co. **V.** Hunter (C-8792)  
Hartline **V.** Burnett (C-6672)  
Harvey **V.** Stanley (D-0930)  
Hayes **V.** Meurer (D-0535)  
HBA East, LTD. **V.** JEA Boxing Co., Inc. (D-0436)  
Heaton **V.** Fulton (C-8717)  
HECI Exploration Co. **V.** Kitzman (D-0324)  
Heights of Texas, F.S.B.; et al. **V.** Gutierrez; et al. (C-9915)  
Heine **V.** Schendel (D-0585)  
Henderson **V.** Lowry (D-0675)  
Henderson **V.** O'Neill (D-0321)  
Henry S. Miller Management Corp. **V.** Houston State Associates (C-9986)  
Hernandez **V.** City of Greenville (D-0169)  
Hernandez **V.** Hollowood (D-0160)  
Hervey **V.** St. Louis Pipe & Supply, Inc. (D-C485)  
Hicke **V.** Lowry (D-0366)  
Hickey **V.** Couchman (D-0528)  
Hicks **V.** Baylor University Medical Center (D-0067)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Higginbotham **V.** General Life and Accident Insurance Company (C-7641)  
Highland Park Subdivision Residents **V.** Central Education Agency (C-9182)  
Highlands State Bank **V.** G & H Investments (D-0486)  
Hill **V.** City of Houston (D-0182)  
Hill **V.** Lynaugh (C-8738)  
Hill **V.** Watts (D-0608)  
Hilton **V.** Dellana (C-8548)  
Hippler **V.** Aetna Casualty & Surety Co. (D-0186)  
HJS Industries, Inc. **V.** Tuscarora Corp. (D-0392)  
Hobgood **V.** Hobgood (D-0381)  
Holcomb **V.** Holcomb (D-0878)  
Holgin **V.** Texas Employers Insurance Association (D-0137)  
Holland-America Lloyds Insurance Co. **V.** Canal Indemnity Co. (C-9993)  
Hollaway **V.** Hollaway (D-0185)  
Holliday **V.** Federal Deposit Insurance Corp. (D-0771)  
Hollingsworth **V.** Mauro (C-9715)  
Holmes **V.** Harrison (C-9589)  
Home Federal Savings and Loan Association **V.** Georgetown Associates, LTD (D-0293)  
Home Insurance Co. **V.** Wahlberg, Morales, Wright, Waite & Associates (C-9955)  
Home Owners Warranty Corp. **V.** Hooper (C-9780)  
Hood **V.** St. Paul Insurance Co. (D-0121)  
Hoover **V.** Sims (D-0071)  
Hopper **V.** City of Coppell (C-9965)  
Horan **V.** Baxter (C-9940)  
Hot Shot Messenger Service, Inc. **V.** State of Texas (D-0766)  
Houston Building Service, Inc. **V.** American General Fire and Casualty Co. (D-0637)  
Houston Chronicle Publishing Co. **V.** Houston Independent School District (D-0589)  
Houston Lighting & Power Co. **V.** Salyer (D-0086)  
Houston Orthopedic Associates **V.** Burkhardt (D-0305)  
Houston Tractor Equipment, Inc. **V.** Cochran (C-9527)  
Howell **V.** Hecht (C-9142)  
Howell **V.** Phillips (C-9092)  
HSP of Texas, Inc. **V.** Hall (D-0810)  
HTM Restaurants, Inc. **V.** Goldman Sachs & Co. (D-0553)  
Hubbard **V.** Cambridge Mutual Fire Insurance Co. (D-0661)  
Huffman **V.** Moss (D-0832)  
Hunt **V.** HNG Oil Co. (C-9995)  
Hunter **V.** Koisch (D-0597)  
Huston **V.** Federal Deposit Insurance Corp. (C-8147)  
Hydril Co. **V.** Carroll Instrument Co., Inc. (D-0335)

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Ibarra **V.** Housing Authority of the City of Corpus Christi (D-0127)  
Illinois National Insurance Co. **V.** Perez (D-0117)  
INA of Texas **V.** Briscoe (D-0465)  
Independent State Life Insurance Co. **V.** Vaughn (C-8737)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

International Architectural Glass Co. V. Aztec Rental Center, Inc. (C-9498)  
International Bank of Corpus Christi V. Thirteenth Court of Appeals (D-0701)  
Irby V. Whittington (D-0815)  
Irving Hospital Foundation V. Huckabay (D-0859)  
ISS International Service System, Inc. V. Haws (C-9710)  
Isuani V. Manske-Sheffield Radiology Group, P.A. (D-0508)

**-J-**

J & J Equipment, Inc. V. Meyerson Construction Co. (D-0155)  
J.K. and Susie L. Wadley Research Institute V. Bosworth (D-0397)  
Jacaruso V. PWD Systems, Inc. (D-0933)  
Jandl V. NCL Studs, Inc. (D-0252)  
Jamigan V. First National Bank of Amarillo (D-0302)  
Jennings V. Jennings (D-0012)  
Jensen V. United Security Life Insurance Co. (D-0373)  
Jimmy Swaggart Evangelistic Association V. City of Shenandoah (C-9746)  
Jitkoff V. Pine Village North Corporation (C-9811)  
Johnson V. City of Fort Worth, TX (C-8607)  
Johnson V. Hoffman (C-7298)  
Johnson V. Keller Industries of Texas, Inc. (C-9974)  
Johnson V. Lynaugh (C-8538)  
Johnson V. Twelfth Court of Appeals (D-0484)  
Jones V. Estate of Beatrice Jones (C-9758)  
Jones V. Ignal (D-0737)  
Jones V. Southern Methodist University (D-0654)  
Jones V. Spangler (D-0435)  
Jones V. Specht (D-0079)  
Jones V. Strauss (C-9877)  
Jones V. Third Court of Appeals (D-0006)  
Jones V. Western Casualty Life Insurance Co. (D-0056)  
Jones, in the interest of V. Hamilton (C-8258)  
Jordan V. Central Mutual Insurance Co. (C-8663)  
Juliette Fowler Homes, Inc. V. Welch Associates, Inc. (C-7805)

**-K-**

Kale V. Palmer (D-0164)  
Kaminski V. Tope (D-0311)  
Kaufman & Broad Home Systems, Inc. V. Nowell (D-0565)  
Keith V. Maher (D-0925)  
Keith V. Metrocrest Transport Systems (D-0218)  
Keith Wood Agency, Inc. V. Farrar (D-0111)  
Kelsey-Hayes Co. V. Hunter (D-0292)  
Kim V. Trammell Crow Company No. 63A (C-9666)  
Kimble V. Aetna Casualty and Surety Co. (C-8712)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Kimmell **V.** Leoffler (D-0199)  
Kinerd **V.** Colonial Leasing Co. (C-6733)  
King **V.** Evans (D-0133)  
Kingwood Bank **V.** Texas Commerce Bank (D-0017)  
Kinnington **V.** Osborn (C-9805)  
Koenig **V.** Rauscher Pierce Refsnes, Inc. (D-0524)  
Koga **V.** Stine (D-0075)  
Kolle **V.** White (D-0414)  
Koral Industries, Inc. **V.** Security-Connecticut Life Insurance Co. (C-9997)  
Koslow's **V.** Mackie (C-9060)  
Kothmann **V.** Kothmann (D-0258)  
Koutzarov **V.** Stevenson (D-0343)  
Kravetz **V.** Ashworth (D-1011)  
Krenek **V.** Texstar North America, Inc. (C-9930)  
Kwiecien **V.** Garza-Vale (D-0445)

-L-

L. P. C. Distributing Co., Inc. **V.** Cadillac Insurance Co. (C-8900)  
La Prade **V.** La Prade (C-9777)  
Labenski **V.** Financial Commercial Corp. (D-0705)  
Lacey **V.** Baker (C-7760)  
Lake Vista Community Improvement Association **V.** Donaldson (D-0211)  
Lakeside Motel, Inc. **V.** Owen (C-8723)  
Lakeway Land Co. **V.** Kizer (D-0601)  
Lambourn **V.** Lambourn (C-9932)  
Lane **V.** Twelfth Court of Appeals (D-0250)  
Lassiter **V.** Quast & Glenn (C-8476)  
Lastu, Inc. **V.** Bank of Texas (C-9891)  
Latham **V.** A-1 Rentals, Inc. (D-0475)  
Lathan **V.** Home Depot, Inc. (D-0614)  
Lauterbach **V.** Lieber Enterprises, Inc. (C-8830)  
Lavender **V.** Williams (D-0663)  
Law **V.** Law (D-0037)  
Lawler **V.** Dallas Statler-Hilton Joint Venture (D-0159)  
Lawrence **V.** Texas Employment Commission (C-8802)  
Lawson **V.** Thompson (D-0404)  
Lawson-Avila Construction, Inc. **V.** Stoutamire (D-0154)  
Lawyer **V.** Lawyer (D-0691)  
LBL Oil Co. **V.** International Power Services, Inc. (C-8473)  
Leal; Ex parte **V.** (C-8629)  
Lechuga **V.** Texas Employers Insurance Association (D-0141)  
Lee **V.** Braeburn Valley West Civic Association (D-0406)  
Lee; Ex parte **V.** (C-9739)  
Leewright **V.** Cude (D-0361)  
Lewelling **V.** Lewelling (C-9104)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Liedtke **V.** Stovall (D-0327)  
Limon **V.** Pizza Hut North America Incorp. (D-0118)  
Linkous **V.** Linkous (D-0667)  
Liquid Energy Corp. **V.** Trans-Pan Gathering, Inc. (C-8025)  
Lively Energy and Development Corp. **V.** Lone Star Gas Co. (C-9610)  
Lively Energy & Development Corp. **V.** Fourth Court of Appeals (D-0636)  
Loggins **V.** Gilley (C-8735)  
Lone Star Greyhound Park, Inc. **V.** Bay Greyhound Racing Associates Limited Partnership  
(D-0286)  
Long **V.** City National Bank of Colorado City, TX (D-0298)  
Lowe **V.** Winfree (D-0676)  
Lower Neches Valley Authority **V.** Park (C-8233)  
Lucey **V.** Southeast Texas Emergency Physicians Associates (D-0827)  
Lucio **V.** City of Harlingen (C-8709)  
Luker **V.** Walker (C-8880)  
Lumbermen's Mutual Casualty Co. **V.** Cornyn (D-0350)  
Lumbermen's Mutual Casualty Co. **V.** Coleman (C-9806)

**- M -**

M & M Constuction Co. **V.** Great American Insurance Co. (C-7670)  
M.S. & T.S. **V.** All Saints Episcopal Hospital (D-0239)  
M. Tripp Enterprises, Inc. **V.** Mercury Metals, Inc. (D-0763)  
Mabra **V.** Pecan Crossing Partners (C-9892)  
Mackie **V.** Gurinsky (D-0342)  
Magnolia Retirement Services & Consulting Co. **V.** Farm & Home Savings Association  
(D-0031)  
Magnum Fabrications, Inc. **V.** Shioleno Industries, Inc. (D-0512)  
Malinowski **V.** Harris (C-8956)  
Malouf **V.** Mulaula (D-0481)  
Manax **V.** Ballew (D-0207)  
Mancorp, Inc. **V.** Culpepper (C-9515)  
Manpower, Inc. **V.** Texas Employment Commission (D-0501)  
Mar-Len of Louisiana, Inc. **V.** Gorman-Rupp Co. (D-0407)  
Mares **V.** Jackson (D-0790)  
Marmolejo **V.** Kennedy (D-0087)  
Marsh **V.** Travelers Indemnity Co. of Rhode Island (D-0078)  
Marshall **V.** Fifth Court of Appeals (D-0299)  
Martin **V.** City of Denton (D-0291)  
Martin **V.** Credit Protection Association, Inc. (C-7339)  
Martin **V.** First Gibraltar Bank, FSB (C-9702)  
Martin **V.** First RepublicBank Fort Worth (D-0686)  
Martin **V.** Stamford Memorial Hospital (D-0556)  
Martinez **V.** Banales (D-1031)  
Martinez **V.** National Convenience Stores, Inc. (C-9505)  
Martinez **V.** OCHS (D-0055)  
Mathai **V.** Marshall (C-8938)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Matsushita Electronic Corp. of America **V.** Barrientos (D-0339)  
Matthews Construction Co., Inc. **V.** Rosen (C-9216)  
Maxey **V.** Dewitt (D-0618)  
Maxville-Glasco Drilling Co., Inc. **V.** Royal Oil and Gas Corp. (D-0789)  
Mayfield **V.** Watson (C-8559)  
Mayhew **V.** Caprito (C-9559)  
Mazeika **V.** Ferbrache (C-9912)  
McBee Oil Co., Inc. **V.** Drennen (D-0066)  
McBride **V.** McBride (D-0574)  
McClendon **V.** State Farm Mutual Automobile Insurance Co. (D-0497)  
McConnell **V.** May (D-0215)  
McCormick **V.** McCormick (D-0210)  
McCoy **V.** Harris County, TX (D-0870)  
McCoy **V.** Texas Employers Insurance Association (D-0237)  
McDaniel **V.** State of Texas (D-0257)  
McDonald **V.** Hunter (D-0804)  
McDonald **V.** Linden (D-0260)  
McDonald **V.** Southwest Homes, Inc. (D-0266)  
McFerren **V.** Harris County, TX (C-9925)  
McGill **V.** Johnson (C-9223)  
McGuire **V.** Post Oak Lane Townhome Association, Phase II (D-0268)  
McHugh **V.** McHugh (D-0554)  
McIlvain **V.** Jacobs, Jr. (C-8149)  
McKeon **V.** McKeon (D-0193)  
McKinney **V.** Cooper (D-0780)  
McKinney **V.** Smith (D-0209)  
McMurrey **V.** Adams (D-0651)  
MCR International, Inc. **V.** Alamo Savings Association of Texas (C-9554)  
Mechinus **V.** Western Motors Imports, Inc. (C-9691)  
Med Center Bank **V.** Fleetwood (C-9927)  
Medical Center Southwest Joint Venture **V.** Otis Elevator Co. (D-0278)  
Meeks **V.** Meeks (C-9827)  
Melbert **V.** O'Neill (D-0784)  
Melenyzer **V.** Curry (C-7463)  
Melnick **V.** Piassick (D-0241)  
Mercy Hospital of Laredo **V.** Rios (C-9126)  
Mergele **V.** Culver (D-0115)  
Meridell Achievement Center, Inc. **V.** Lowry (D-0028)  
Metro Nissan of Montclair **V.** Slater (D-0819)  
Metropolitan National Bank-Casa Linda **V.** Texas Commerce Bank-Dallas (D-0488)  
Meuth **V.** Hartgrove (D-0285)  
Mewbourne Oil Co. **V.** Blackburn (D-0232)  
Meyer **V.** State Bar of Texas (C-8991)  
Mid-South Bottling Co. **V.** Cigainero (D-0665)  
Milam **V.** Milam (C-9840)  
Milam Development Corp. **V.** 7\*7\*0\*1 Wurzbach Tower Council of Co-owners, Inc. (D-0051)  
Miles Homes Division of INSILCO Corp. **V.** Smith (D-0134)  
Miller **V.** Kossey (D-0839)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Miller **V.** Lowry (D-0549)  
Miller **V.** University Savings Association & Landmark Savings Association (C-9765)  
Miller Power Saw Co., Inc. **V.** Southwestern Bell Media, Inc. (D-0527)  
Mills **V.** C.M.C. Trailers, Inc. (D-0706)  
Mills **V.** State of Texas (D-0200)  
Mills; Ex parte **V.** (D-0263)  
Milne **V.** Members Mutual Insurance Co. (D-0500)  
Milstein **V.** Miller (D-0041)  
Minnick **V.** State Bar of Texas (D-0175)  
Mitchell **V.** J.K. and Susie L. Wadley Research Institute (D-0959)  
Mitchell **V.** Sheppard Memorial Hospital (D-0384)  
Mitchell **V.** Taylor (D-0170)  
MJR's Fare of Dallas, Inc. **V.** City of Dallas (D-0227)  
Mohamed **V.** Exxon Corp. (D-0306)  
Moljo; Ex parte **V.** (C-8932)  
Montgomery; Ex parte **V.** (D-0249)  
Montez **V.** Bexar County Hospital District (D-0449)  
Montgomery Law Firm, P.C. **V.** Walker (D-0398)  
Montrose Service Center, Inc. **V.** Ryder Truck Rental, Inc. (D-0451)  
Moody **V.** Myrick (D-0833)  
Moody **V.** State of Texas (D-0240)  
Mooney Aircraft Corporation **V.** Doyle (C-9946)  
Moorhead; Ex parte **V.** (D-0921)  
Morris **V.** Texas Employers Insurance Association (C-8165)  
Morris **V.** Thirteenth Court of Appeals (D-0065)  
Mosharaf **V.** State Farm Life Insurance Co. (D-0331)  
Mosier **V.** Mosier (C-9380)  
Mottu **V.** Navistar International Transportation Corp. (D-0867)  
Mounger **V.** Bexar Electric Co., Inc. (C-9867)  
Mullen **V.** Marshall (C-8879)  
Multi-Moto Corp. **V.** ITT Commercial Finance Corp. (D-0862)  
Munn **V.** USLife Title Insurance Co. of Dallas (D-0195)  
Murphy **V.** Murphy (D-0318)  
Murphy **V.** Pen Foods, Inc. (D-0590)  
Murphy-Humphreys, Inc. **V.** H. D. Joint Venture (D-0213)  
Murray **V.** San Jacinto Agency, Inc. (C-8299)  
Musick **V.** Reynolds (D-0685)  
Musquiz **V.** City of Eagle Pass (D-0359)  
Musslewhite **V.** Casseb (C-8485)  
Musslewhite **V.** State Bar of Texas (C-9754)  
Mutual Life Insurance Co. of New York **V.** Frankoff (D-0192)  
Myer **V.** Davis (D-0847)

-N-

Nacol **V.** McNutt (D-0523)  
Nacol **V.** State of Texas (D-0267)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Nan Travis Memorial Hospital **V.** Touchy (D-0375)  
Nan Travis Memorial Hospital **V.** Tyson (C-8841)  
National Gypsum Co. **V.** Golden (D-0187)  
National Gypsum Co. **V.** Golden (D-0188)  
National Medical Enterprises, Inc. **V.** Contemporary Health Management, Inc. (D-0694)  
National Surety Corp. **V.** Kahn (D-0144)  
National Union Fire Insurance Co. of Pittsburgh **V.** Landry (D-0552)  
National Union Fire Insurance Co. of Pittsburgh, PA **V.** Terracina (D-0470)  
Nautical Landings Marina, Inc. **V.** First National Bank in Port Lavaca (D-0038)  
Nazarian **V.** Thomas (C-8710)  
NCNB Texas National Bank **V.** Sterling Projects, Inc. (C-9854)  
NCNB Texas National Bank **V.** United States Fidelity and Guaranty Co. (C-9047)  
Neece **V.** Neece (C-9828)  
Nelson **V.** Schanzer (C-9933)  
New York Underwriters Insurance Co. **V.** Brandon (D-0474)  
New York Underwriters Insurance Co. **V.** Sanchez (D-0046)  
Newberry **V.** Durish (D-0672)  
Newding **V.** Powell (C-8973)  
Newman **V.** Woodhaven National Bank, Inc. (C-9563)  
Newman **V.** Yates (D-0262)  
Niamatali **V.** Whittington (C-8412)  
Nichols **V.** Whitehead (C-8702)  
Nolan Chevrolet Leasing **V.** Cooke County Tax Appraisal District (D-0457)  
Norris **V.** Service Lloyds Insurance Co. (C-9764)  
North Alamo Water Supply Corp. **V.** Dibrell (C-9078)  
North Alamo Water Supply Corp. **V.** Willacy County Appraisal District (C-8789)  
North America Title Co., Inc. **V.** Guardian Title Co., Inc. (C-9602)  
North American Mortgage Co. **V.** Central Bank of Houston (C-9862)  
North Central Investment Corp. **V.** Bayoud (C-7757)

- O -

O'Connell **V.** Meyers (C-8989)  
O'Connor **V.** Smith (D-0909)  
Oak Hill Joint Venture **V.** Third Court of Appeals (D-0431)  
Oak Hollow Development Co., Inc. **V.** Madeley (D-0472)  
Occhipenti; Ex parte **V.** (D-0630)  
Odiome **V.** Rose (D-0576)  
Offenhauser **V.** Prokopuk (D-0633)  
OKC Corp. **V.** UPG, Inc. (D-0297)  
Olivares **V.** Kelly (C-9076)  
Olsovsky **V.** Greer (D-0135)  
One 1975 Chevrolet **V.** State of Texas (D-0888)  
Orion Investments, Inc. **V.** Dunaway and Associates, Inc. (C-8231)  
Orkin Exterminating Co., Inc. **V.** Williamson (C-9829)  
Ortiz **V.** Gutierrez (D-0202)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Ortiz **V.** State of Texas (D-0432)  
Osenbaugh **V.** Warren (D-0294)  
Osterman **V.** Fry (C-9864)  
Otis Elevator Co. **V.** Joseph (C-7490)  
Otis Elevator Company **V.** Bedre (C-8148)  
Oxy Cities Service NGL, Inc. **V.** Amoco Production Co. (D-1005)  
Ozuna **V.** South West Bio-Clinical Laboratories (C-8678)

**- P -**

Pace **V.** Huddleston (D-0058)  
Pacheco **V.** Eschenburg (D-0937)  
Paeen Enterprises Co., LTD. **V.** Chan (D-0110)  
Palmer Well Services, Inc. **V.** Mack Trucks, Inc. (C-8356)  
Pan American Life Insurance Co. **V.** Erbauer Construction Corp. (D-0032)  
Pan American Sales Corp. **V.** Rhea (D-0865)  
Pannell **V.** Hoffman (D-0114)  
Park Investors, Inc. **V.** Morse (D-0020)  
Parker **V.** Carnahan (C-8838)  
Parkway Racquet and Health Club, LTD. **V.** Club Corp. of America (C-9988)  
Partee **V.** Cothrum Drilling Co. (D-0102)  
Payne & Keller, Inc. **V.** P.P.G. Industries, Inc. (C-8711)  
Pearson **V.** Watkins (D-0476)  
Pecorino **V.** Raymark Industries, Inc. (C-8408)  
Pecos County Community Action Agency **V.** Casillas (D-0275)  
Pecos Development Corp. **V.** Hydrocarbon Horizons, Inc. (D-0522)  
Peek **V.** Walton (D-0221)  
Pentad Joint Venture **V.** First National Bank of LaGrange, TX (D-0439)  
Peoples **V.** Old Republic Insurance Co. (C-9880)  
Perales **V.** Westergren (C-9224)  
Perales **V.** Westergren (D-0551)  
Perales **V.** Westergren (D-0726)  
Perales **V.** Westergren (D-0792)  
Perales; Ex parte **V.** (D-0905)  
Peralta **V.** Bettis (C-6136)  
Peralta **V.** Texas Employment Commission (D-0583)  
Peters **V.** Gifford-Hill & Co., Inc. (D-0429)  
Pfaff **V.** Hall-Richey Oilfield Services, Inc. (D-0778)  
Pfaff **V.** Pfaff (D-0545)  
Phillips Petroleum Co. **V.** McIlhane (D-0123)  
Phoenician Imports, Inc. **V.** El Universal Compañía Periodística Nacional (D-0762)  
Piatt **V.** Lansaw (D-0659)  
Pioneer Corp. **V.** Bullock (C-9044)  
Poindexter **V.** Foster (C-8835)  
Point Isabel Independent School District **V.** Hinojosa (D-0529)  
Port of Houston Authority **V.** West (C-9550)  
Posey **V.** Monier Resources, Inc. (C-8706)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Post Oak/Memorial Centre, LTD. **V.** Wood (C-8537)  
Powers **V.** McDaniel (C-9881)  
Prairie Producing Co. **V.** Schlachter (C-9733)  
Prappas **V.** Meyerland Community Improvement Association (D-0334)  
Preston II Chrysler Dodge, Inc. **V.** Donwerth (C-9883)  
Priesmeyer **V.** Western Geophysical Co. (D-0563)  
Prihoda **V.** Marek (D-0578)  
Prosper Independent School District **V.** Central Education Agency (D-0775)  
Providence Valley Corp. **V.** Bruner (D-0097)  
Prudential Insurance Co. of America **V.** Brown (D-0364)  
Pryor; Ex parte **V.** (C-9981)  
Pulaski Bank & Trust Co. **V.** Texas American Bank/Fort Worth, N.A. (C-8209)  
Pye **V.** Zadow (D-0634)  
Pyle **V.** Maguglin (D-0707)  
Pyles **V.** United Services Automobile Association (D-0889)  
Pyles **V.** United Services Automobile Association (D-0146)

**- R -**

Rabe **V.** Guaranty National Insurance Co. (C-9951)  
Ragsdale **V.** Progressive Voters League (D-0171)  
Raintree Properties, Inc. **V.** Mack Trucks, Inc. (C-8654)  
Ramirez **V.** Killam & Hurd, Ltd. (C-9474)  
Ramirez **V.** Packer (D-0808)  
Ramirez **V.** Volkswagen of America, Inc. (C-9994)  
Ramos **V.** Gilleland (D-0389)  
Rancho Guadalupe, Inc. **V.** Johnson (D-0039)  
Ranton **V.** Wheelock (D-0340)  
Rath **V.** State of Texas (C-9807)  
Rayburn **V.** Omniflight Offshore, Inc. (D-0557)  
Reagan **V.** Vaughn (C-9548)  
Rearick & Lenihan, Inc. **V.** United Fidelity Life Insurance Co. (D-0568)  
Redus **V.** Redus (D-0459)  
Reid **V.** Best Waste Systems, Inc. (D-0742)  
Reily **V.** Coker (D-0710)  
Reiter **V.** Reiter (C-9990)  
Reliance Insurance Co. **V.** Capital Bancshares, Inc. (C-8962)  
Remington Arms Co., Inc. **V.** Caldwell (D-0964)  
Resource Materials Corp. **V.** Southern Pacific Transportation Co. (D-0411)  
Responsive Terminal Systems, Inc. **V.** Boy Scouts of America (D-0044)  
Reviea **V.** Marine Drilling Co. (D-0721)  
Reyes **V.** O'Neill (D-0984)  
Reyna **V.** Ayco Development Corp. (C-9976)  
Rhode **V.** Garza (C-8535)  
Rhodes **V.** Cahill (C-9064)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Rice, individually and as independent executor of the estate of Rice, deceased **V.** Gregory  
(C-9349)  
Riddle **V.** Cotton (D-0204)  
Right Away Foods Corp., Inc. **V.** Terminix, Inc. (C-8919)  
Riley **V.** Meriwether (C-9547)  
Risk Managers International, Inc. **V.** State of Texas (D-0440)  
Rittgers **V.** Rittgers (D-0837)  
Rives **V.** Wray (D-0731)  
Roberts **V.** Houston Independent School District (C-9919)  
Robinette **V.** Stewart (D-0323)  
Robinson **V.** Central Texas MHMR Center (D-0538)  
Robinson **V.** Intercontinental Insurance Co. (D-0684)  
Rocha **V.** McNeel (C-9478)  
Rock-Tenn Co. **V.** Packer (D-0719)  
Rocket, LTD. **V.** Meinrath (C-9973)  
Rodarte **V.** Carrier Corp. (C-9856)  
Roden **V.** Howard (C-8734)  
Rodriguez **V.** Adolph Coors Co. (C-9500)  
Rogers **V.** Clinton (C-8847)  
Rollingbrook Investment Co. **V.** Texas National Bank of Baytown (D-0140)  
Rose **V.** Doctors Hospital Facilities (C-6535)  
Rosenthal **V.** Bachler (D-0712)  
Ross **V.** City of Dallas (C-8764)  
Ross **V.** Texas One Partnership (D-0425)  
Rovner **V.** Rovner (D-0234)  
Royal Enterprises **V.** State of Texas (D-0818)  
Royal Insurance Co. **V.** First Court of Appeals (D-0510)  
Ruetter Construction, Inc. **V.** Kinnard (D-0782)  
Ruiz **V.** Terrell (C-8715)  
Russell **V.** Pritchett (D-0540)

-S-

Sabb, Inc. **V.** Federal Savings and Loan Insurance Corp. (C-8369)  
Sadler **V.** Sadler (C-9582)  
Sales **V.** Passmore (C-9786)  
Sallee **V.** Bank of the West, San Angelo, TX (C-9882)  
Salley **V.** Houston Lighting and Power Co. (D-0851)  
Samuels **V.** Fourteenth Court of Appeals (D-0308)  
San Antonio River Authority **V.** Kunz Construction Co., Inc. (D-0362)  
Saunders **V.** Lecroy (D-0314)  
Schager and Schagar **V.** FDIC, receiver for National Bank of Commerce of Brownsville  
(C-9618)  
Schein **V.** American Restaurant Group, Inc. (D-0394)  
Schulle **V.** Texas Employers Insurance Association (C-9978)  
Schwartz **V.** North American Mortgage Co. (D-0890)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Schwarz **V.** Kawaja (D-0131)  
Seal **V.** Pooley (D-0836)  
Seaman **V.** Kilpatrick's Plastic Processing Co. (D-0591)  
Sentry Construction Co., Inc. **V.** International Supply of San Antonio, Inc. (C-9869)  
Sentry Insurance **V.** Moss (D-0657)  
Service Insulated Glass, Inc. **V.** McCann (D-0674)  
Service Lloyds Insurance Co. **V.** Slay (D-0796)  
Sesco Production Company **V.** Atex Pipe and Supply, Inc. (C-6968)  
Sfair **V.** Texas Alcoholic Beverage Commission (C-9770)  
Sharif-Munir-Davidson Development Corp. **V.** Bell (C-9902)  
Sharyland Water Supply Corp. **V.** Hidalgo County Appraisal District; et al. (C-9525)  
Sheldon L. Pollack Corp. **V.** Falcon Industries, Inc. (D-0401)  
Shell Pipe Line Corp. **V.** Coastal State Trading, Inc. (D-0029)  
Shepard **V.** NCNB Texas National Bank (D-0152)  
Shepherd **V.** Gregory (D-0939)  
Shumway **V.** Horizon Credit Corp. (C-8669)  
Siegler **V.** Holland (D-0085)  
Sievers **V.** Sievers, estate of (C-9355)  
Simkins **V.** Spillman (C-8161)  
Simpson **V.** Canales (C-9256)  
Singleton **V.** APAC-Texas, Inc. (D-0463)  
Sitterle Properties **V.** Texas Savings and Loan Association (C-9184)  
Skees **V.** Wittie (C-9783)  
Skyline Equipment Co., Inc. **V.** Byrd (D-0280)  
Smith **V.** Beard (D-0077)  
Smith **V.** Collie (D-0444)  
Smith **V.** Holloway (C-9535)  
Smith **V.** Shar-Alan Oil Co. (D-0660)  
Smith **V.** Smith (D-0358)  
Smith **V.** Technibilt, Inc. (D-0179)  
Smith; Ex parte **V.** (D-0043)  
Snadon **V.** Joe T. Garcia's Enterprises, Inc. (C-7734)  
Sonic Drive-In of Raymondville, Texas, Inc. **V.** Hernandez (D-0581)  
Soto **V.** Clawson (C-8600)  
South Central Financial Group, Inc. **V.** Witt (C-8676)  
South Texas Cable Television, Inc. **V.** TCI Cablevision of Texas, Inc. (D-0178)  
Southern Pacific Transportation Co. **V.** King (C-9773)  
Southern Surety Co. **V.** McCollum (C-9923)  
Spears **V.** Fourth Court of Appeals (C-9782)  
Splettstosser **V.** Myer (D-0145)  
Spoon **V.** Hanes (D-0109)  
Spradley **V.** Hutchinson (C-9917)  
Springer **V.** Burgess (C-9701)  
Springpark Homeowners Association, Inc. **V.** Scoville (C-9664)  
St. Paul Companies **V.** Chevron U.S.A., Inc. (D-0593)  
Stabel **V.** Stabel (D-0312)  
Stafford **V.** Mobil Producing Texas and New Mexico, Inc. (D-0620)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Standard Brand Paint **V.** Torrez (D-0325)  
Stanford **V.** Lance (D-0519)  
Starnes **V.** Holloway (C-9285)  
State Department of Highways and Public Transportation **V.** Copeland (D-0139)  
State Department of Highways and Public Transportation **V.** Smith (D-0383)  
State Department of Highways and Public Transportation **V.** Thrasher (D-0548)  
State Department of Highways and Public Transportation **V.** King (D-0385)  
State Farm Lloyds, Inc. **V.** Williams (D-0068)  
State Farm Mutual Automobile Insurance Co. **V.** Briones (D-0198)  
State of Texas **V.** \$144,850.00 (D-0531)  
State of Texas **V.** \$50,600.00 (D-0534)  
State of Texas **V.** Barrera (D-0688)  
State of Texas **V.** C. E. J. (D-0009)  
State of Texas **V.** Davila (D-0402)  
State of Texas **V.** Ellison (C-9962)  
State of Texas **V.** Landry (D-0183)  
State of Texas **V.** Lopez (D-0533)  
State of Texas **V.** Lowry (C-9822)  
State of Texas **V.** Matyastik (C-9792)  
State of Texas **V.** Megason (D-0113)  
State of Texas for P. W. **V.** (C-9952)  
State of Texas Rivera **V.** (D-0728)  
Stauffer **V.** Henderson (C-7480)  
Stephanou **V.** Texas Medical Liability Insurance Underwriting Association (D-0036)  
Stephens **V.** Gilpin (D-0410)  
Stiles **V.** Royal Insurance Co. of America (D-0645)  
Stocker **V.** Magera (C-9866)  
Stracener **V.** United Services Automobile Association (C-7593)  
Strahan **V.** Principal Mutual Life Insurance Co. (D-0781)  
Strickland **V.** Navistar Financial Corp. (D-0588)  
Striplin **V.** Eighth Court of Appeals (C-8753)  
Studer **V.** Stancil (C-9694)  
Sun Exploration **V.** Paffett (D-0624)  
Sun Exploration & Production Co. **V.** Lujan (D-0625)  
Sun Marine Terminals, Inc. **V.** Artoc Bank and Trust, Limited (C-8271)  
Sunbelt Savings, FSB **V.** Marshall (D-0005)  
Sur **V.** R.W. Otts, Inc. (D-0696)  
Swanson **V.** Houston Independent School District (D-0718)  
Sweetwater Independent School District Board of Trustees **V.** Eleventh Court of Appeals  
(D-0985)  
Swofford **V.** Tri-State Chemicals, Inc. (C-8502)  
Syntek Corp. **V.** French (C-9846)

-T-

Talley **V.** Leach (D-0730)  
Tarrant Appraisal District **V.** May (D-0458)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Tarrant County Hospital District **V.** Armendarez (C-9411)  
Tascosa National Bank **V.** Employers Mutual Casualty Co. (C-8759)  
Tascosa National Bank of Amarillo **V.** Borg-Warner Acceptance Corp. (C-9737)  
Tate **V.** Sartain (D-0226)  
Taylor **V.** Bonilla (D-0739)  
Taylor **V.** Mahoney (C-9698)  
Taylor **V.** McCorkle (D-0295)  
Teague **V.** Bandy (D-0276)  
Tenny; Ex parte **V.** (D-0520)  
Terrell State Hospital of the Texas Department of Mental Health and Mental Retardation **V.**  
Ashworth (D-0246)  
Terry **V.** E-Z Mart Stores, Inc. (D-0225)  
Tesoro Petroleum **V.** Smith (D-0047)  
Tex Tire, Inc. **V.** El Dorado Tire Co. (C-7748)  
Texas American Title Co. **V.** Boatright (D-0027)  
Texas Association of Long Distance Telephone Companies **V.** Public Utility Commission of  
Texas (D-0652)  
Texas Association of School Boards **V.** Cooley (C-9916)  
Texas Beef Cattle Co. **V.** Woods (D-0166)  
Texas Commerce Bancshares, Inc. **V.** Phillips (D-0662)  
Texas Commerce Bank-Austin **V.** Third Court of Appeals (D-0709)  
Texas Department of Human Services; et al. **V.** E.B. (C-8617)  
Texas Department of Highways and Public Transportation **V.** City of Timpson (D-0377)  
Texas Employers Insurance Association **V.** Duree (D-0606)  
Texas Employers Insurance Association **V.** Sells (D-0248)  
Texas Employers Insurance Association **V.** Cooke (D-0116)  
Texas Instruments Inc. **V.** Packer (D-0229)  
Texas National Bank of Victoria **V.** Lewis (D-0048)  
Texas Real Estate Commission **V.** Palacios (D-0559)  
Texas Real Estate Commission **V.** Stein (D-1018)  
Texas State Board of Law Examiners **V.** Malloy (D-0322)  
Texas TX Marine Transportation, Inc. **V.** Manchester Terminal Corp. (C-9398)  
Texas-New Mexico Power Co. **V.** Texas Industrial Energy Consumers (C-9953)  
Thermex Energy Corp. **V.** Rantec Corp. (D-0042)  
Therrell **V.** Chandler (D-0158)  
Thies **V.** Sussman (D-0313)  
Third Party Administrators **V.** Beaumont Neurological Hospital (D-0773)  
Thomas **V.** Georgia Pacific Corp. (C-8657)  
Thomas **V.** Henderson (D-0419)  
Thomas **V.** Johnson Controls, Inc. (C-9890)  
Thomas **V.** Mireles (D-0857)  
Thomas; Ex parte **V.** (C-8718)  
Thompson **V.** Lynaugh (D-0864)  
Thompson; Ex parte **V.** (C-9996)  
Ticer **V.** White (D-0507)  
Ticor Title Insurance Co. **V.** Lacy (D-0434)  
Tidemark Exploration, Inc. **V.** Rees-Jones (D-0702)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Tiffan **V.** Mea Interests, Inc. (C-9745)  
Tiger Charter Corp. **V.** Mitsubishi Aircraft International, Inc. (D-0243)  
Time Insurance Co. **V.** Wilkins (C-9626)  
Timmons **V.** Twelfth Court of Appeals (D-0506)  
Tisdale **V.** Mahler (C-8725)  
TLL Energy Corp. **V.** Presnal (C-9963)  
Tom L. Scott, Inc. **V.** McIlhany (C-7824)  
Tomball Community Hospital **V.** Havens (D-0376)  
Toole **V.** Thomas (C-9801)  
Torres **V.** Hooper (D-0142)  
Town of Sunnyvale, TX; et al. **V.** Mayhew; et al. (C-9021)  
Townsend **V.** Texas Commerce Bank-New Braunfels, N.A. (C-9763)  
Toyota Motor Sales, U.S.A., Inc. **V.** Heard (C-8602)  
TPS Freight Distributors, Inc. **V.** Texas Commerce Bank-Dallas (C-9909)  
Trans Pacific Stores **V.** Wilson (C-9002)  
Transamerica Title Insurance Co. **V.** San Benito Bank & Trust Co. (C-7990)  
Transwestern Pipeline Co. **V.** Wood (C-9809)  
Travis **V.** Whitaker (D-0627)  
Tri-M Erectors, Inc. **V.** Clearwater Constructors, Inc. (D-0098)  
Tri-state car company, Inc. **V.** Eldridge (C-9945)  
Trinity National Bank **V.** Beneficial Standard Life Insurance Co. (C-8337)  
Triple T Inns of Texas, Inc. **V.** Roberts (D-0783)  
Truckstops Corp. of America **V.** Garza (D-0059)  
Tubular Products of Texas **V.** Brooks (C-9879)  
Tucker **V.** Atlantic Richfield Company (C-9931)  
Tumminello **V.** U.S. Home Corp. (D-0735)  
Turnco Inc. **V.** Macina (D-0259)  
Turner **V.** Owens-Corning Fiberglas Corp. (C-9227)  
Turner **V.** Pennington (D-0129)  
Turney **V.** 1800 West Loop Tower Associates (D-0148)  
Tyler **V.** Eleventh Court of Appeals (D-0003)  
Tyler **V.** Preston Ridge Financial Services Corp. (D-0550)  
Tyler **V.** Solis (D-0004)  
Tynan **V.** Lance (D-0800)

-U-

U.S. Home Corp. **V.** Park Meadows Civic Association, Inc. (D-0290)  
Underwood **V.** D. H. Shelton & Associates (C-9985)  
Union Carbide Corp. **V.** Moye (C-8787)  
Union Carbide Corp. **V.** Moye (C-9302)  
United States Fidelity & Guaranty Co. **V.** Gaulden (D-0861)  
United States Fire Insurance Co. **V.** Langley (D-0316)  
United States Insurance Group **V.** Lloyd (D-0794)  
Universal Stair Manufacturing Company **V.** Huneycutt (C-9634)  
Universal Underwriters Insurance co. **V.** Pierce (D-0638)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

**-V-**

Valdez **V.** First National Bank of Beeville (D-0224)  
Valero Transmission Co. **V.** Wagner & Brown II (D-0001)  
Vandenburg **V.** Sunbelt Service Corp. (C-9154)  
Vander Voort **V.** State Bar of Texas (D-0823)  
Vasquez **V.** Quintana (D-0609)  
Vastine **V.** Gateway National Bank (C-8588)  
Vaughan **V.** Ferguson (D-0936)  
Vela **V.** State of Texas (D-0884)  
Vela **V.** State of Texas (D-0901)  
Velasquez **V.** Kroger Co. (D-0265)  
Vescovo **V.** First State Bank (D-0168)  
Vickery **V.** Texas Carpet Co., Inc. (D-0189)  
Villarreal **V.** Harte-Hanks Communications, Inc. (C-9921)  
Virgin Vision, Inc. **V.** Curry (D-0326)  
Volunteer Council of Denton State School, Inc. **V.** Berry (D-0462)  
Von Behren **V.** Von Behren (D-0646)

**-W-**

Wade **V.** Director, State Employees Workers' Comp Division (C-9863)  
Wade **V.** State Farm Life Insurance Co. (D-0708)  
Waggoner **V.** Caldwell (D-0466)  
Walker **V.** Plaza National Bank (C-8637)  
Walker; Ex parte **V.** (C-7079)  
Walker; Ex parte **V.** (C-7088)  
Wallace Grain & Pea Co. **V.** Martinez (D-0673)  
Walton **V.** Hamischfeger (D-0447)  
Walton Pond Joint Venture **V.** Hiawatha Savings & Loan Association (C-9795)  
Ward **V.** Sinclair (D-0430)  
Warrilow **V.** Norrell (C-9843)  
Wavell **V.** Haynes (D-0289)  
Webb **V.** Powell (D-0801)  
Webster **V.** Lipsey (C-9720)  
Weeks **V.** Harris County Hospital Administration District (C-9712)  
Weisenbarger **V.** Gonzales Warm Springs Rehabilitation Hospital (D-0016)  
Welch **V.** Fry (D-0034)  
Wells **V.** HCA Health Services of Texas, Inc. (D-0768)  
Wells **V.** Second Court of Appeals (D-0491)  
Wells **V.** Towery (D-0910)  
West Belt Investment Corp. **V.** Harris County, TX (D-0122)  
West Texas Peterbilt, Inc. **V.** Paso Del Norte Oil Co. (C-8680)  
West University Bank **V.** Turk (D-0876)  
Westergren **V.** Thirteenth Court of Appeals (D-0165)  
Wetmore & Co. **V.** First Court of Appeals (D-0928)



SUPREME COURT OF TEXAS CASES, 1990-91

Petitioner - Respondent Case Table

Whetstein **V.** Travelers Indemnity Co. of Rhode Island (D-0736)  
Whitaker **V.** Huffaker (D-0035)  
White **V.** Independence Bank (D-0499)  
White **V.** Prescott (D-0024)  
White **V.** Rupard (C-9980)  
White **V.** Sonic-Jasper, Inc. (D-0468)  
White Budd Van Ness Partnership **V.** Major-Gladys Drive Joint Venture (D-0502)  
White; Ex parte **V.** (D-0955)  
Whitson **V.** Odiorne (D-0403)  
Wiegand **V.** Ramsey (C-8460)  
Willenbacher **V.** Mier (D-0513)  
Williams **V.** Crawford (D-0460)  
Williams **V.** Khalaf (C-8467)  
Williams **V.** Wendenburg (C-9686)  
Williams; Ex parte **V.** (D-0516)  
Willson **V.** Parks (D-0399)  
Wilson **V.** Dunn (C-7796)  
Wilson; Ex parte **V.** (C-9949)  
Windham **V.** Windham (C-9038)  
Wingate **V.** Hajdik (C-7880)  
Wingfield **V.** Bernos (D-0008)  
Winograd **V.** Willis (C-9977)  
Wintergreen/Hurst Joint Venture **V.** Commerce Title Co. of Tarrant County, Inc. (D-0428)  
Winters **V.** Houston Chronicle Publishing Co. (C-9468)  
Wion **V.** Ernst (D-0427)  
Witt **V.** Supreme Equipment & Systems Corp. (D-0421)  
Womack **V.** Ender (D-0612)  
Wood **V.** Republic Bankers Life Insurance Co. (D-0303)  
Woodley **V.** Bruton (D-0543)  
Worford **V.** Stamper (D-0002)  
Wyar **V.** First Court of Appeals (D-0727)  
Wynn **V.** Marshall (D-0348)

**-Y-Z-**

Yates **V.** Precision Sheet Metal Mfg. Co., Inc. (D-0337)  
Yepez **V.** Carrera (D-0026)  
Youngs **V.** Harris County Probate Courts (D-0437)  
Yow **V.** Costello (D-0479)  
Zarzour **V.** Tennant (D-0536)  
Zerda **V.** Gonzales (D-0895)  
Zovath **V.** Sprint Transportation (D-0567)







**RESPONDENT - PETITIONER CASE TABLE**







SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

104th District Court of Taylor County, TX ; Carson v. (C-9920)  
116th District Court of Dallas County ; Carson v. (D-0332)  
\$144,850.00 ; State of Texas v. (D-0531)  
1800 West Loop Tower Associates ; Turney v. (D-0148)  
244 Joint Venture ; City of Austin v. (C-9928)  
\$50,600.00 ; State of Texas v. (D-0534)  
7\*7\*0\*1 Wurzbach Tower Council of Co-owners, Inc. ; Milam Development Corp. v. (D-0051)  
73rd Judicial District Court ; Benavides v. (D-0683)  
747, Inc. ; 2618, Inc. v. (D-0655)

-A-

A.B.F. Freight Systems, Inc. ; Austrian Import Service, Inc. v. (D-0495)  
A.H.L. Properties Number One ; Blackstone v. (D-0069)  
A & P Holding Co., Inc. ; Anthony v. (D-0454)  
A-1 Rentals, Inc. ; Latham v. (D-0475)  
Abbott ; City of Princeton, TX v. (D-0222)  
ABJ Adjustors, Inc. ; Andrews v. (D-0700)  
Abramson ; Abramson v. (C-9816)  
Adams ; McMurrey v. (D-0651)  
Adolph Coors Co. ; Rodriguez v. (C-9500)  
Aetna Casualty and Surety Co. ; Foreman v. (C-8946)  
Aetna Casualty and Surety Co. ; Kimble v. (C-8712)  
Aetna Casualty and Surety Co.; et al. ; Bazile v. (C-9537)  
Aetna Casualty & Surety Co. ; Hippler v. (D-0186)  
Aetna Lloyds of Texas ; Bowden v. (C-9964)  
Agency Rent-A-Car, Inc. ; Bravo v. (C-8444)  
Alamo Savings Association of Texas ; MCR International, Inc. v. (C-9554)  
Alford ; Alford v. (C-9817)  
All Saints Episcopal Hospital ; M.S. & T.S. v. (D-0239)  
Allied Deer Park Bank ; Garza v. (C-8481)  
Allstate Insurance Co. ; Eshtary v. (C-8632)  
ALM ; Aluminum Co. of America v. (C-7889)  
Alvarado ; City of Wichita Falls, TX v. (D-0907)  
American Alliance Insurance Co. ; Frito-Lay, Inc. v. (C-9907)  
American General Fire and Casualty Co. ; Dolenz v. (D-0615)  
American General Fire and Casualty Co. ; Houston Building Service, Inc. v. (D-0637)  
American Restaurant Group, Inc. ; Schein v. (D-0394)  
American Savings and Loan Association of Brazoria County ; Amsav Group, Inc. v. (D-0352)  
Amoco Production Co. ; Oxy Cities Service NGL, Inc. v. (D-1005)  
Andrews ; Canmerica, Inc. v. (D-0054)  
Andrews ; City of Sachse v. (D-0014)  
APAC-Texas, Inc. ; Singleton v. (D-0463)  
Armendarez ; Tarrant County Hospital District v. (C-9411)  
Armspiger ; Haddock v. (C-8400)  
Arrieta ; Flores v. (D-0197)  
Artoc Bank and Trust, Limited ; Sun Marine Terminals, Inc. v. (C-8271)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Ashworth ; Kravetz v. (D-1011)  
Ashworth ; Terrell State Hospital of the Texas Department of Mental Health and Mental  
Retardation v. (D-0246)  
Atex Pipe and Supply, Inc. ; SESCO Production Company v. (C-6968)  
Atlantic Richfield Company ; Tucker v. (C-9931)  
Attar ; Brunner v. (C-9772)  
Autohaus, Inc. ; Aguilar v. (D-0271)  
Avis Rent A Car System, Inc. ; Advertising and Policy Committee of the Avis Rent A Car System  
v. (C-9242)  
Avis Rent A Car System, Inc. ; Advertising and Policy Committee of the Avis Rent A Car System  
v. (C-9243)  
Ayco Development Corp. ; Reyna v. (C-9976)  
Aztec Rental Center, Inc. ; International Architectural Glass Co. v. (C-9498)

-B-

Baber ; City of Rosser, TX v. (C-8855)  
Bachler ; Rosenthal v. (D-0712)  
Baker ; Lacey v. (C-7760)  
Balasco ; Gallaher v. (D-0082)  
Ball ; Great North American Stationers, Inc. v. (C-8782)  
Ballew ; Manax v. (D-0207)  
Banales ; Martinez v. (D-1031)  
BancTexas Westheimer ; Guillory v. (D-0236)  
Bandy ; Teague v. (D-0276)  
Bank of Dallas ; Carruth v. (D-0151)  
Bank of Texas ; Lastu, Inc. v. (C-9891)  
Bank of the West, San Angelo, TX ; Sallee v. (C-9882)  
Banque de Paris et des Pays-Bas ; Exxon Co., U.S.A. v. (C-8684)  
Barrera ; City of Garland v. (C-9225)  
Barrera ; State of Texas v. (D-0688)  
Barrientos ; Matsushita Electronic Corp. of America v. (D-0339)  
Barton Springs-Edwards Aquifer Conservation District ; Creedmoor Maha Water Supply Corp. v.  
(C-9719)  
Baxter ; Horan v. (C-9940)  
Bay Greyhound Racing Associates Limited Partnership ; Lone Star Greyhound Park, Inc. v.  
(D-0286)  
Baylor University Medical Center ; Davis v. (D-0357)  
Baylor University Medical Center ; Hicks v. (D-0067)  
Bayoud ; Bayoud v. (D-0587)  
Bayoud ; North Central Investment Corp. v. (C-7757)  
Bayoud, Jr ; Duran v. (C-9157)  
Beaird ; Smith v. (D-0077)  
Beaumont Neurological Hospital ; Third Party Administrators v. (D-0773)  
Bedre ; Otis Elevator Company v. (C-8148)  
Bell ; Sharif-Munir-Davidson Development Corp. v. (C-9902)  
Bell Savings and Loan Association ; Galveston Independent School District v. (C-9802)  
Benavides ; Benavides v. (C-7962)



## SUPREME COURT OF TEXAS CASES, 1990-91

### Respondent - Petitioner Case Table

Beneficial Standard Life Insurance Co. ; Trinity National Bank v. (C-8337)  
Benser ; Allee v. (C-6810)  
Bering ; Blue Moon, LTD. v. (D-0649)  
Bernos ; Wingfield v. (D-0008)  
Berry ; Volunteer Council of Denton State School, Inc. v. (D-0462)  
Best Waste Systems, Inc. ; Reid v. (D-0742)  
Bettis ; Peralta v. (C-6136)  
Bexar County Hospital District ; Montez v. (D-0449)  
Bexar Electric Co., Inc. ; Mounger v. (C-9867)  
Bieler and Associates ; Arkansas Federal Savings Bank v. (C-9134)  
Birdville Independent School District ; First Baptist Church of Haltom City v. (C-9991)  
Birdwell ; Aubin v. (D-0090)  
Blackburn ; Eye Site, Inc. v. (C-7611)  
Blackburn ; Mewbourne Oil Co. v. (D-0232)  
Blair ; Blair v. (D-0828)  
Blankenship ; Blankenship v. (C-8933)  
Blanton ; Diaz v. (D-0095)  
Boatright ; Texas American Title Co. v. (D-0027)  
Boles ; Enron Oil Trading & Transportation Co. v. (D-0374)  
Bonilla ; Taylor v. (D-0739)  
Borg-Warner Acceptance Corp. ; Tascosa National Bank of Amarillo v. (C-9737)  
Bosworth ; J.K. and Susie L. Wadley Research Institute v. (D-0397)  
Boy Scouts of America ; Responsive Terminal Systems, Inc. v. (D-0044)  
Bradford ; First Mortgage Investment Association v. (D-0981)  
Bradley ; Broach v. (D-0809)  
Braeburn Valley West Civic Association ; Lee v. (D-0406)  
Brandon ; New York Underwriters Insurance Co. v. (D-0474)  
Briarcroft Property Owners, Inc. ; Freeman v. (C-8644)  
Briercroft Service Corp. ; De Los Santos v. (C-9125)  
Brion ; Brion v. (D-0344)  
Briones ; State Farm Mutual Automobile Insurance Co. v. (D-0198)  
Briscoe ; INA of Texas v. (D-0465)  
Brooks ; Balawajder v. (D-0015)  
Brooks ; Brooks v. (C-9819)  
Brooks ; Tubular Products of Texas v. (C-9879)  
Brown ; Prudential Insurance Co. of America v. (D-0364)  
Bruner ; Providence Valley Corp. v. (D-0097)  
Bruton ; Woodley v. (D-0543)  
Buchanan/Soil Mechanics, Inc. ; Baytown Construction Company, Inc. v. (C-9642)  
Bufkin ; Cardenas v. (D-0279)  
Buller ; Beaumont Bank, N.A. v. (C-9202)  
Bullock ; A & T Consultants, Inc. v. (C-9085)  
Bullock ; A & T Consultants, Inc. v. (D-0214)  
Bullock ; Pioneer Corp. v. (C-9044)  
Burgess ; Springer v. (C-9701)  
Burkhardt ; Houston Orthopedic Associates v. (D-0305)  
Burnett ; Hartline v. (C-6672)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Burns ; Bell Helicopter/Textron, Inc. v. (D-0493)  
Burns ; Harris County Bail Bond Board v. (D-0167)  
Bush ; Brunswick Corp. v. (C-9645)  
Bush; et al. ; Brunswick Corporation; et al. v. (C-9645)  
Byrd ; Skyline Equipment Co., Inc. v. (D-0280)

-C-

C. E. J. ; State of Texas v. (D-0009)  
C.M.C. Trailers, Inc. ; Mills v. (D-0706)  
Caddell ; Flowers v. (C-8828)  
Cadillac Insurance Co. ; L. P. C. Distributing Co., Inc. v. (C-8900)  
Cahill ; Rhodes v. (C-9064)  
Caldwell ; Remington Arms Co., Inc. v. (D-0964)  
Caldwell ; Waggoner v. (D-0466)  
Callon ; Callon v. (C-8611)  
Cambridge Mutual Fire Insurance Co. ; Hubbard v. (D-0661)  
Canal Indemnity Co. ; Holland-America Lloyds Insurance Co. v. (C-9993)  
Canales ; Simpson v. (C-9256)  
Cann ; Dewbre v. (D-0452)  
Canup ; Florence v. (D-0396)  
Capital Bancshares, Inc. ; Reliance Insurance Co. v. (C-8962)  
Caprito ; Mayhew v. (C-9559)  
Camahan ; Parker v. (C-8838)  
Camer ; Barrow v. (D-0797)  
Carney ; Duncan v. (C-9659)  
Carpenter ; Finkelstein v. (D-0471)  
Carrera ; Yopez v. (D-0026)  
Carrier Corp. ; Rodarte v. (C-9856)  
Carroll Instrument Co., Inc. ; Hydril Co. v. (D-0335)  
Casillas ; Pecos County Community Action Agency v. (D-0275)  
Casseb ; American Medical International, Inc. v. (C-8736)  
Casseb ; Musslewhite v. (C-8485)  
Casualty Indemnity Exchange ; H.E.B. Construction v. (D-0256)  
Caton ; Curtis v. (C-8599)  
Caulley ; Caulley v. (C-9274)  
Central Bank of Houston ; North American Mortgage Co. v. (C-9862)  
Central Education Agency ; Highland Park Subdivision Residents v. (C-9182)  
Central Education Agency ; Prosper Independent School District v. (D-0775)  
Central Mutual Insurance Co. ; Jordan v. (C-8663)  
Central Texas MHMR Center ; Robinson v. (D-0538)  
Chair King, Inc. ; Gill Savings Association v. (C-9598)  
Chambers ; Burns Distributing, Inc. v. (D-0093)  
Champlin Petroleum Co. ; Goldston Corp. v. (D-0546)  
Chan ; Paeen Enterprises Co., LTD. v. (D-0110)  
Chandler ; Therrell v. (D-0158)  
Chase Leasing Co., Ltd. ; Autoplex, Ltd. v. (D-0315)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Cheatham ; Ephran v. (D-0751)  
Chehlaoui ; Coastal Corporation v. (C-9936)  
Chevron U.S.A., Inc. ; St. Paul Companies v. (D-0593)  
Chillicothe Independent School District ; Ferguson v. (D-0653)  
Cigainero ; Mid-South Bottling Co. v. (D-0665)  
City Lumber Co. ; Allen v. (D-0393)  
City National Bank of Colorado City, TX ; Long v. (D-0298)  
City of Bells, TX ; Greater Texoma Utility Authority v. (D-0045)  
City of Coppell ; Hopper v. (C-9965)  
City of Dallas ; 1720 Beaumont Street, Inc. v. (D-0223)  
City of Dallas ; MJR's Fare of Dallas, Inc. v. (D-0227)  
City of Dallas ; Ross v. (C-8764)  
City of Denton ; Martin v. (D-0291)  
City of Eagle Pass ; Musquiz v. (D-0359)  
City of El Paso, TX ; Ayoub v. (C-9960)  
City of Fort Worth, TX ; Johnson v. (C-8607)  
City of Greenville ; Hernandez v. (D-0169)  
City of Harlingen ; Lucio v. (C-8709)  
City of Houston ; Garcia v. (D-0693)  
City of Houston ; Hamilton v. (D-0089)  
City of Houston ; Hill v. (D-0182)  
City of Pasadena, TX ; Freeman v. (C-8195)  
City of Shenandoah ; Jimmy Swaggart Evangelistic Association v. (C-9746)  
City of Timpson ; Texas Department of Highways and Public Transportation v. (D-0377)  
Civil Service Commission of the City of Grand Prairie ; Arterburn v. (D-0108)  
Clarke ; Denton Publishing Co. v. (D-0319)  
Clawson ; Drew v. (C-9212)  
Clawson ; Soto v. (C-8600)  
Clearwater Constructors, Inc. ; Tri-M Erectors, Inc. v. (D-0098)  
Clinton ; Rogers v. (C-8847)  
Club Corp. of America ; Parkway Racquet and Health Club, LTD. v. (C-9988)  
Coastal State Trading, Inc. ; Shell Pipe Line Corp. v. (D-0029)  
Cochran ; Houston Tractor Equipment, Inc. v. (C-9527)  
Coke ; Coke v. (D-0623)  
Coker ; Culpepper v. (C-8513)  
Coker ; Reily v. (D-0710)  
Coleman ; Federal Deposit Insurance Corporation v. (C-8272)  
Coleman ; Lumbermen's Mutual Casualty Co. v. (C-9806)  
Collie ; Smith v. (D-0444)  
Collier ; Civil Service Commission of Wichita Falls, TX v. (C-8523)  
Colonial Leasing Co. ; Kinerd v. (C-6733)  
Commerce Title Co. of Tarrant County, Inc. ; Wintergreen/Hurst Joint Venture v. (D-0428)  
Community Broadcasting of Coastal Bend, Inc. ; French v. (C-8565)  
Connors ; Connors v. (D-0525)  
Contemporary Health Management, Inc. ; National Medical Enterprises, Inc. v. (D-0694)  
Cooke ; Texas Employers Insurance Association v. (D-0116)  
Cooke County Tax Appraisal District ; Nolan Chevrolet Leasing v. (D-0457)  
Cooley ; Texas Association of School Boards v. (C-9916)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Cooper ; Cooper v. (D-0409)  
Cooper ; McKinney v. (D-0780)  
Copeland ; State Department of Highways and Public Transportation v. (D-0139)  
Comyn ; Gill v. (D-0104)  
Comyn ; Lumbermen's Mutual Casualty Co. v. (D-0350)  
Cortes ; Casiano v. (C-9151)  
Costello ; Yow v. (D-0479)  
Cothrum Drilling Co. ; Partee v. (D-0102)  
Cotton ; Riddle v. (D-0204)  
Couchman ; Hickey v. (D-0528)  
County of Dallas ; Arrington v. (C-9972)  
Courtney ; City of Sherman, TX v. (D-0013)  
Craft ; Craft v. (D-0329)  
Crawford ; Williams v. (D-0460)  
Credit Protection Association, Inc. ; Martin v. (C-7339)  
Crowley ; Carter v. (C-7434)  
Cude ; Leewright v. (D-0361)  
Culbertson ; Brodsky v. (C-9954)  
Culpepper ; Mancorp, Inc. v. (C-9515)  
Culver ; Mergele v. (D-0115)  
Curry ; Melenzyer v. (C-7463)  
Curry ; Virgin Vision, Inc. v. (D-0326)

- D -

D. H. Shelton & Associates ; Underwood v. (C-9985)  
Dallas County Child Welfare Unit of the Texas Department of Human Services ; Adams v.  
(D-0564)  
Dallas Statler-Hilton Joint Venture ; Lawler v. (D-0159)  
Daniel Construction Co. ; American Stress, Inc. v. (D-0658)  
Dankworth ; Clinkscale v. (D-0247)  
David Goodbar Interests, Inc. ; Bankers Savings and Loan Association v. (C-8705)  
Davila ; State of Texas v. (D-0402)  
Davis ; City of Houston v. (C-9774)  
Davis ; Myer v. (D-0847)  
Dean ; Bushell v. (C-9522)  
Dellana ; Hilton v. (C-8548)  
Denny ; Gerber v. (C-9942)  
Dewitt ; Maxey v. (D-0618)  
Dibrell ; North Alamo Water Supply Corp. v. (C-9078)  
Director, State Employees Workers' Comp Division ; Wade v. (C-9863)  
District Attorney and Sheriff for Medina County, TX ; Creel v. (C-8799)  
District Board, United Pentecostal Church-Texas District ; Fletcher v. (D-0442)  
Doctors Hospital Facilities ; Rose v. (C-6535)  
Dodson ; Griego v. (D-0448)  
Donaldson ; Lake Vista Community Improvement Association v. (D-0211)  
Donwerth ; Preston II Chrysler Dodge, Inc. v. (C-9883)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Dorchester Master Limited Partnership ; Bullock v. (D-0390)  
Douglas ; City National Bank v. (D-0417)  
Doyle ; Mooney Aircraft Corporation v. (C-9946)  
Drennen ; McBee Oil Co., Inc. v. (D-0066)  
Dresser Industries, Inc. ; Davis v. (D-0812)  
Dunaway and Associates, Inc. ; Orion Investments, Inc. v. (C-8231)  
Dunker ; Central Mutual Insurance Co. v. (D-0613)  
Dunn ; Alonzo v. (D-0530)  
Dunn ; Wilson v. (C-7796)  
Duree ; Texas Employers Insurance Association v. (D-0606)  
Durfey ; All Valley Acceptance Co. v. (D-0793)  
Durish ; Banta v. (D-0216)  
Durish ; Newberry v. (D-0672)

**- E -**

E.B. ; Texas Department of Human Services; et al. v. (C-8617)  
E-Z Mart Stores, Inc. ; Terry v. (D-0225)  
Eagle Radio, Inc. ; Enloe v. (D-0455)  
Easley ; Canter v. (C-9834)  
Eighth Court of Appeals ; Boy Scouts of America v. (C-8720)  
Eighth Court of Appeals ; Striplin v. (C-8753)  
El Dorado Tire Co. ; Tex Tire, Inc. v. (C-7748)  
El Universal Compañía Periodística Nacional ; Phoenician Imports, Inc. v. (D-0762)  
Eldridge ; Tri-state car company, Inc. v. (C-9945)  
Eleventh Court of Appeals ; Sweetwater Independent School District Board of Trustees v.  
(D-0985)  
Eleventh Court of Appeals ; Tyler v. (D-0003)  
Ellison ; State of Texas v. (C-9962)  
Employers Mutual Casualty Co. ; Tascosa National Bank v. (C-8759)  
Ender ; Forster v. (D-0724)  
Ender ; Womack v. (D-0612)  
Erbauer Construction Corp. ; Pan American Life Insurance Co. v. (D-0032)  
Ernst ; Wion v. (D-0427)  
Eschenburg ; Pacheco v. (D-0937)  
Estate of Beatrice Jones ; Jones v. (C-9758)  
Evans ; Conlee v. (C-9929)  
Evans ; King v. (D-0133)  
Exxon Corp. ; Mohamed v. (D-0306)

**- F -**

F.E. Schmitz Co., Inc. ; Dentex Shoe Corp. v. (C-7373)  
Fabrique, Inc. ; Corman v. (D-0483)  
Fagan ; Fagan v. (D-0253)  
Falcon Industries, Inc. ; Sheldon L. Pollack Corp. v. (D-0401)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Farm & Home Savings Association ; Magnolia Retirement Services & Consulting Co. v. (D-0031)  
Farrar ; Keith Wood Agency, Inc. v. (D-0111)  
Fashing ; Farah, Inc. v. (D-0061)  
FDIC, receiver for National Bank of Commerce of Brownsville ; Schager and Schagar v. (C-9618)  
Federal Savings and Loan Insurance Corp. ; Sabb, Inc. v. (C-8369)  
Federal Deposit Insurance Corp. ; Holliday v. (D-0771)  
Federal Deposit Insurance Corp. ; Huston v. (C-8147)  
Federal National Mortgage Association ; Bryant v. (D-0699)  
Fenner ; Crabb v. (D-0395)  
Ferbrache ; Mazeika v. (C-9912)  
Ferguson ; Ferguson v. (D-0212)  
Ferguson ; Vaughan v. (D-0936)  
Fifth Court of Appeals ; Marshall v. (D-0299)  
Financial Commercial Corp. ; Labenski v. (D-0705)  
Finger ; Bancroft v. (D-0798)  
Finney ; Baylor Medical Center Grapevine v. (D-0309)  
First Court of Appeals ; Box v. (D-0418)  
First Court of Appeals ; Royal Insurance Co. v. (D-0510)  
First Court of Appeals ; Wetmore & Co. v. (D-0928)  
First Court of Appeals ; Wyar v. (D-0727)  
First Gibraltar Bank, FSB ; Martin v. (C-9702)  
First National Bank in Port Lavaca ; Blake v. (C-9914)  
First National Bank in Port Lavaca ; Nautical Landings Marina, Inc. v. (D-0038)  
First National Bank of Amarillo ; Jarnigan v. (D-0302)  
First National Bank of Beeville ; Valdez v. (D-0224)  
First National Bank of LaGrange, TX ; Pentad Joint Venture v. (D-0439)  
First National Bank of Missouri City ; Gittelman v. (C-9934)  
First Republic Bank Fort Worth ; Martin v. (D-0686)  
First State Bank ; Vescovo v. (D-0168)  
First Victoria National Bank ; Briones v. (C-9961)  
Fleetwood ; Med Center Bank v. (C-9927)  
Flurry ; Federal Land Bank Association of Dayton v. (D-0504)  
Fortner ; Fortner v. (C-8687)  
Foster ; American Home Assurance Co. v. (C-9775)  
Foster ; Poindexter v. (C-8835)  
Fourteenth Court of Appeals ; Dillard v. (D-0509)  
Fourteenth Court of Appeals ; Samuels v. (D-0308)  
Fourth Court of Appeals ; Gardner v. (C-9055)  
Fourth Court of Appeals ; Garza v. (D-0873)  
Fourth Court of Appeals ; Garza v. (D-0887)  
Fourth Court of Appeals ; Lively Energy & Development Corp. v. (D-0636)  
Fourth Court of Appeals ; Spears v. (C-9782)  
Frank B. Hall & Co. ; Bard v. (C-8635)  
Frankoff ; Mutual Life Insurance Co. of New York v. (D-0192)  
Freedman ; Dean v. (D-0738)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

French ; Syntek Corp. v. (C-9846)  
Frizzell ; Cook v. (D-0062)  
Fry ; Osterman v. (C-9864)  
Fry ; Welch v. (D-0034)  
Fuel Distributors, Inc. ; Boyd v. (D-0575)  
Fulton ; Heaton v. (C-8717)

**- G -**

G & H Investments ; Highlands State Bank v. (D-0486)  
Garcia ; Carrillo v. (D-0640)  
Garcia ; Garza v. (C-9724)  
Garza ; Rhode v. (C-8535)  
Garza ; Truckstops Corp. of America v. (D-0059)  
Garza-Vale ; Kwiecien v. (D-0445)  
Gateway National Bank ; Vastine v. (C-8588)  
Gaulden ; United States Fidelity & Guaranty Co. v. (D-0861)  
Gemini Drilling & Exploration Co., Inc. ; Adams v. (C-8555)  
General Council of the Assemblies of God ; Eckler v. (C-9609)  
General Life and Accident Insurance Company ; Higginbotham v. (C-7641)  
General Motors Acceptance Corp. ; Dominguez v. (D-0099)  
Georgetown Associates, LTD ; Home Federal Savings and Loan Association v. (D-0293)  
Georgia Pacific Corp. ; Thomas v. (C-8657)  
Gifford-Hill & Co., Inc. ; Peters v. (D-0429)  
Gilbreath ; Brooks v. (D-0177)  
Gilleland ; Ramos v. (D-0389)  
Gilley ; Loggins v. (C-8735)  
Gilliland Venture ; Crowbar, Inc. v. (C-9790)  
Gilpin ; Stephens v. (D-0410)  
Goings ; City of Houston v. (D-0416)  
Golden ; National Gypsum Co. v. (D-0187)  
Golden ; National Gypsum Co. v. (D-0188)  
Goldman Sachs & Co. ; HTM Restaurants, Inc. v. (D-0553)  
Gonzales ; Zerda v. (D-0895)  
Gonzales Warm Springs Rehabilitation Hospital ; Weisenbarger v. (D-0016)  
Gorman-Rupp Co. ; Mar-Len of Louisiana, Inc. v. (D-0407)  
Graham ; City of Lakewood Village, TX v. (D-0607)  
Great American Insurance Co. ; M & M Constuction Co. v. (C-7670)  
Greer ; Olsovsky v. (D-0135)  
Gregg County Appraisal District ; Cherokee Water Co. v. (C-9052)  
Gregory ; Rice, individually and as independent executor of the estate of Rice, deceased v.  
(C-9349)  
Gregory ; Shepherd v. (D-0939)  
Guaranty National Insurance Co. ; Rabe v. (C-9951)  
Guardian Title Co., Inc. ; North America Title Co., Inc. v. (C-9602)  
Gurinsky ; Mackie v. (D-0342)  
Gutierrez ; Ortiz v. (D-0202)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Gutierrez; et al. ; Heights of Texas, F.S.B.; et al. v. (C-9915)

**-H-**

H.A. Lott, Inc. ; Continental Steel Co. v. (C-8983)  
H. B. Zachry Co. ; Carlyle Joint Venture v. (D-0897)  
H. D. Joint Venture ; Murphy-Humphreys, Inc. v. (D-0213)  
H. E. Butt Stores, Inc. ; Flores v. (D-0132)  
Hajdik ; Wingate v. (C-7880)  
Hall ; Gaubert v. (D-0877)  
Hall ; HSP of Texas, Inc. v. (D-0810)  
Hall-Richey Oilfield Services, Inc. ; Pfaff v. (D-0778)  
Hamilton ; Jones, in the interest of v. (C-8258)  
Hammonds ; Breeden v. (C-6544)  
Hanes ; Spoon v. (D-0109)  
Harnischfeger ; Walton v. (D-0447)  
Harris ; Malinowski v. (C-8956)  
Harris County Appraisal District ; Consolidated Capital Properties, IV v. (D-0443)  
Harris County Hospital Administration District ; Weeks v. (C-9712)  
Harris County Probate Courts ; Youngs v. (D-0437)  
Harris County, TX ; McCoy v. (D-0870)  
Harris County, TX ; McFerren v. (C-9925)  
Harris County, TX ; West Belt Investment Corp. v. (D-0122)  
Harrison ; Holmes v. (C-9589)  
Harte-Hanks Communications, Inc. ; Villarreal v. (C-9921)  
Hartford Casualty Insurance Co. ; Budget Rent-A-Car Systems, Inc. v. (D-0338)  
Hartgrove ; Meuth v. (D-0285)  
Haskett ; Commonwealth Land Title Insurance Co. v. (D-0386)  
Hassell ; Green v. (D-0125)  
Hatfield ; Decker v. (D-0733)  
Havens ; Tomball Community Hospital v. (D-0376)  
Haws ; ISS International Service System, Inc. v. (C-9710)  
Haynes ; Wavell v. (D-0289)  
HCA Health Services of Texas, Inc. ; Wells v. (D-0768)  
Heard ; Toyota Motor Sales, U.S.A., Inc. v. (C-8602)  
Hecht ; Howell v. (C-9142)  
Henderson ; Delhi Gas Pipeline Corp. v. (D-0480)  
Henderson ; Stauffer v. (C-7480)  
Henderson ; Thomas v. (D-0419)  
Henley ; Garrett v. (D-0143)  
Hermann Hospital ; Aetna Life Insurance Co. v. (D-0765)  
Hernandez ; Edco Production, Inc. v. (D-0360)  
Hernandez ; Sonic Drive-In of Raymondville, Texas, Inc. v. (D-0581)  
Hiawatha Savings & Loan Association ; Walton Pond Joint Venture v. (C-9795)  
Hidalgo, Chambers & Company ; Federal Deposit Insurance Corporation v. (C-9958)  
Hidalgo County Appraisal District; et al. ; Sharyland Water Supply Corp. v. (C-9525)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Hilzendager ; Dungan v. (D-0441)  
Hinojosa ; Furrs, Inc. v. (D-0748)  
Hinojosa ; Garza v. (D-0518)  
Hinojosa ; Point Isabel Independent School District v. (D-0529)  
HNG Oil Co. ; Hunt v. (C-9995)  
Hobgood ; Hobgood v. (D-0381)  
Hoffman ; Johnson v. (C-7298)  
Hoffman ; Pannell v. (D-0114)  
Holcomb ; Holcomb v. (D-0878)  
Holland ; Siegler v. (D-0085)  
Hollaway ; Hollaway v. (D-0185)  
Holloway ; Smith v. (C-9535)  
Holloway ; Starnes v. (C-9285)  
Hollowood ; Hernandez v. (D-0160)  
Holmes ; Green Tree Acceptance, Inc. v. (D-0942)  
Home Depot, Inc. ; Lathan v. (D-0614)  
Hooper ; Home Owners Warranty Corp. v. (C-9780)  
Hooper ; Torres v. (D-0142)  
Horizon Credit Corp. ; Shumway v. (C-8669)  
Housing Authority of the City of Austin ; Caro v. (D-0482)  
Housing Authority of the City of Corpus Christi ; Ibarra v. (D-0127)  
Houston Chronicle Publishing Co. ; Winters v. (C-9468)  
Houston Independent School District ; Houston Chronicle Publishing Co. v. (D-0589)  
Houston Independent School District ; Roberts v. (C-9919)  
Houston Independent School District ; Swanson v. (D-0718)  
Houston Lighting and Power Co. ; Dickinson Independent School District v. (D-0254)  
Houston Lighting and Power Co. ; Goeke v. (C-8363)  
Houston Lighting and Power Co. ; Salley v. (D-0851)  
Houston State Associates ; Henry S. Miller Management Corp. v. (C-9986)  
Howard ; Roden v. (C-8734)  
Huckabay ; Irving Hospital Foundation v. (D-0859)  
Huddleston ; Pace v. (D-0058)  
Huffaker ; Whitaker v. (D-0035)  
Humble Pipeline Constructors, Inc. ; Columbia Gulf Transmission Co. v. (D-0786)  
Humphreys ; Artesia Waters, Inc. v. (C-8772)  
Humphreys ; Cheek v. (D-0697)  
Huneycutt ; Universal Stair Manufacturing Company v. (C-9634)  
Hunter ; Hartford Casualty Insurance Co. v. (C-8792)  
Hunter ; Kelsey-Hayes Co. v. (D-0292)  
Hunter ; McDonald v. (D-0804)  
Hurt ; Goff v. (D-0644)  
Hutcheson ; Athari v. (C-9211)  
Hutchinson ; Spradley v. (C-9917)  
Hyatt ; Cox v. (C-8761)  
Hydrocarbon Horizons, Inc. ; Pecos Development Corp. v. (D-0522)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

-I-

Ignal ; Jones v. (D-0737)  
Imperial Casualty and Indemnity Co., Inc. ; City of Mabank v. (D-0433)  
Independence Bank ; White v. (D-0499)  
Intercoastal Warehouse Corp. ; Barras v. (C-8386)  
Intercoastal Warehouse Corp. ; Barras v. (D-0517)  
Intercontinental Insurance Co. ; Robinson v. (D-0684)  
International Bank of Corpus Christi ; Erlandson v. (C-9808)  
International Power Services, Inc. ; LBL Oil Co. v. (C-8473)  
International Supply of San Antonio, Inc. ; Sentry Construction Co., Inc. v. (C-9869)  
ITT Commercial Finance Corp. ; Multi-Moto Corp. v. (D-0862)

-J-

J.K. and Susie L. Wadley Research Institute ; Mitchell v. (D-0959)  
Jackson ; Mares v. (D-0790)  
Jacobs, Jr. ; Mcllvain v. (C-8149)  
Jacobson ; Hahn v. (D-0515)  
JEA Boxing Co., Inc. ; HBA East, LTD. v. (D-0436)  
Jefferson ; Cedillo v. (D-0891)  
Jennings ; Jennings v. (D-0012)  
Jigna, Inc. ; Awalt v. (C-9743)  
Joe T. Garcia's Enterprises, Inc. ; Snadon v. (C-7734)  
John Pass Investments ; Fisk v. (D-0011)  
Johnson ; Attorney General of the State of Texas v. (D-0083)  
Johnson ; Commodore Financial Services Corp. v. (D-0346)  
Johnson ; McGill v. (C-9223)  
Johnson ; Rancho Guadalupe, Inc. v. (D-0039)  
Johnson Controls, Inc. ; Thomas v. (C-9890)  
Jones ; Balawajder v. (D-0010)  
Jones ; Cass v. (D-0105)  
Jones ; Cass v. (D-0106)  
Joseph ; Otis Elevator Co. v. (C-7490)  
Jostens, Inc. ; Gilcrease v. (D-0703)  
Judge Fite Company ; Armstrong v. (C-9893)

-K-

K-Mart Corporation ; Grebe v. (C-9851)  
Kahn ; National Surety Corp. v. (D-0144)  
Kawaja ; Schwarz v. (D-0131)  
Keller Industries of Texas, Inc. ; Johnson v. (C-9974)  
Kelly ; Dominguez v. (C-9787)  
Kelly ; Olivares v. (C-9076)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Kennedy ; Marmolejo v. (D-0087)  
Kerville, HRH, Inc. ; City of Kerrville, TX v. (D-0900)  
Khalaf ; Williams v. (C-8467)  
Khuri ; Garibay v. (D-0050)  
Killam & Hurd, Ltd. ; Ramirez v. (C-9474)  
Kilpatrick's Plastic Processing Co. ; Seaman v. (D-0591)  
King ; Southern Pacific Transportation Co. v. (C-9773)  
King ; State Department of Highways and Public Transportation v. (D-0385)  
Kinnard ; Rueter Construction, Inc. v. (D-0782)  
Kirby ; Edgewood Independent School District v. (D-0378)  
Kitzman ; HECI Exploration Co. v. (D-0324)  
Kizer ; Lakeway Land Co. v. (D-0601)  
Koester ; Goheen v. (D-0345)  
Koisch ; Hunter v. (D-0597)  
Kossey ; Miller v. (D-0839)  
Kothmann ; Kothmann v. (D-0258)  
Kroger Co. ; Velasquez v. (D-0265)  
Krueger ; Gol v. (C-9855)  
Kunz Construction Co., Inc. ; San Antonio River Authority v. (D-0362)

-L-

La Prade ; La Prade v. (C-9777)  
Lacy ; Ticor Title Insurance Co. v. (D-0434)  
Lambourn ; Lambourn v. (C-9932)  
Lance ; Stanford v. (D-0519)  
Lance ; Tynan v. (D-0800)  
Landry ; National Union Fire Insurance Co. of Pittsburgh v. (D-0552)  
Landry ; State of Texas v. (D-0183)  
Langford ; Blackman v. (D-0130)  
Langley ; Duggan v. (D-0777)  
Langley ; United States Fire Insurance Co. v. (D-0316)  
Lansaw ; Piatt v. (D-0659)  
Law ; Law v. (D-0037)  
Lawson ; Gardner v. (D-0230)  
Lawyer ; Lawyer v. (D-0691)  
Leach ; Talley v. (D-0730)  
Lecroy ; Saunders v. (D-0314)  
Leoffler ; Kimmell v. (D-0199)  
Lewelling ; Lewelling v. (C-9104)  
Lewis ; Texas National Bank of Victoria v. (D-0048)  
Lieber Enterprises, Inc. ; Lauterbach v. (C-8830)  
Life and Casualty Insurance Co. of Tennessee ; Adams v. (D-0372)  
Life Insurance Co. of North America ; Gorman v. (C-7806)  
Linden ; McDonald v. (D-0260)  
Linkous ; Linkous v. (D-0667)  
Lipsey ; Webster v. (C-9720)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Littlejohn ; Firestone Tire & Rubber Co. v. (D-0647)  
Lloyd ; Dresser Industries, Inc. v. (D-0228)  
Lloyd ; United States Insurance Group v. (D-0794)  
Lockhart ; Great American Reserve Insurance Co. v. (C-8666)  
Lone Star Gas Co. ; Chacon v. (C-9998)  
Lone Star Gas Co. ; Lively Energy and Development Corp. v. (C-9610)  
Lone Star Life Insurance Co. ; Funderburg v. (C-8691)  
Long ; Hafdahl v. (D-0492)  
Lopez ; State of Texas v. (D-0533)  
Lower Colorado River Authority ; Barstow v. (D-0172)  
Lowry ; Henderson v. (D-0675)  
Lowry ; Hicke v. (D-0366)  
Lowry ; Meridell Achievement Center, Inc. v. (D-0028)  
Lowry ; Miller v. (D-0549)  
Lowry ; State of Texas v. (C-9822)  
Lujan ; Sun Exploration & Production Co. v. (D-0625)  
Lumberton I.S.D. ; Bowman v. (C-7376)  
Lynaugh ; Hill v. (C-8738)  
Lynaugh ; Johnson v. (C-8538)  
Lynaugh ; Thompson v. (D-0864)

**- M -**

Macina ; Turmco Inc. v. (D-0259)  
Mack ; Ambrose v. (D-0787)  
Mack Trucks, Inc. ; Palmer Well Services, Inc. v. (C-8356)  
Mack Trucks, Inc. ; Raintree Properties, Inc. v. (C-8654)  
Mackie ; Koslow's v. (C-9060)  
Maddux ; Couser v. (D-0367)  
Madeley ; Oak Hollow Development Co., Inc. v. (D-0472)  
Magera ; Stocker v. (C-9866)  
Magnolia Fruit and Produce Co., Inc. ; Faour v. (C-9913)  
Maguglin ; Pyle v. (D-0707)  
Maher ; Keith v. (D-0925)  
Mahler ; Tisdale v. (C-8725)  
Mahoney ; Taylor v. (C-9698)  
Major-Gladys Drive Joint Venture ; White Budd Van Ness Partnership v. (D-0502)  
Mallaise ; Calder v. (D-0382)  
Malloy ; Texas State Board of Law Examiners v. (D-0322)  
Manchester Terminal Corp. ; Texas TX TX Marine Transportation, Inc. v. (C-9398)  
Mancias ; Enstar Petroleum Co. v. (C-8741)  
Manske-Sheffield Radiology Group, P.A. ; Isuani v. (D-0508)  
Marek ; Prihoda v. (D-0578)  
Marine Drilling Co. ; Reviea v. (D-0721)  
Marshall ; Castillow v. (D-0074)  
Marshall ; Mathai v. (C-8938)  
Marshall ; Mullen v. (C-8879)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Marshall ; Sunbelt Savings, FSB v. (D-0005)  
Marshall ; Wynn v. (D-0348)  
Martinez ; Wallace Grain & Pea Co. v. (D-0673)  
Mason ; Federal Deposit Insurance Corp. v. (D-0033)  
Mattox ; Arrington v. (C-8766)  
Matyastik ; State of Texas v. (C-9792)  
Mauro ; Hollingsworth v. (C-9715)  
May ; Dallas County Hospital District v. (C-8853)  
May ; McConnell v. (D-0215)  
May ; Tarrant Appraisal District v. (D-0458)  
Mayhew; et al. ; Town of Sunnyvale, TX; et al. v. (C-9021)  
McBride ; McBride v. (D-0574)  
McCann ; Service Insulated Glass, Inc. v. (D-0674)  
McCollum ; Southern Surety Co. v. (C-9923)  
McCorkle ; Taylor v. (D-0295)  
McCormick ; McCormick v. (D-0210)  
McCown ; Acheter, Inc. v. (D-0881)  
McDaniel ; Powers v. (C-9881)  
McDuffie ; Dean v. (D-0750)  
McHugh ; McHugh v. (D-0554)  
McIlhaney ; Phillips Petroleum Co. v. (D-0123)  
McIlhany ; Axelson, Inc. v. (C-7774)  
McIlhany ; Tom L. Scott, Inc. v. (C-7824)  
McKeon ; McKeon v. (D-0193)  
McNeel ; Rocha v. (C-9478)  
McNutt ; Nacol v. (D-0523)  
Mea Interests, Inc. ; Tiffan v. (C-9745)  
Meeks ; Meeks v. (C-9827)  
Megason ; State of Texas v. (D-0113)  
Meinrath ; Rocket, LTD. v. (C-9973)  
Members Mutual Insurance Co. ; Milne v. (D-0500)  
Memorial City General Hospital ; Askew v. (D-0073)  
Mercury Metals, Inc. ; M. Tripp Enterprises, Inc. v. (D-0763)  
Meriwether ; Riley v. (C-9547)  
Methodist Hospital ; Crosby v. (C-7916)  
Metrocrest Transport Systems ; Keith v. (D-0218)  
Metropolitan National Bank ; Cullen/Frost Bank of Dallas v. (D-0060)  
Meurer ; Hayes v. (D-0535)  
Meyerland Community Improvement Association ; Prappas v. (D-0334)  
Meyers ; Barnes v. (D-0875)  
Meyers ; O'Connell v. (C-8989)  
Meyerson Construction Co. ; J & J Equipment, Inc. v. (D-0155)  
Midwest ; Fox Vacuum, Inc. v. (D-0744)  
Mier ; Willenbacher v. (D-0513)  
Milam ; Milam v. (C-9840)  
Millard ; BHP Petroleum Co., Inc. v. (C-9504)  
Miller ; Milstein v. (D-0041)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Miller Pipeline Service Corp. ; Dow Chemical Co. v. (D-0594)  
Minton ; Hampton v. (C-9757)  
Mireles ; Alvarez v. (D-0063)  
Mireles ; Thomas v. (D-0857)  
Mission American Insurance Co. ; Gonzales; et al. v. (C-9476)  
Missouri Pacific Railroad Co. ; Brownfield v. (D-0300)  
Missouri-Kansas-Texas Railroad Co. ; H.W. Mitchell v. (C-7286)  
Mitsubishi Aircraft International, Inc. ; Tiger Charter Corp. v. (D-0243)  
Mobil Producing Texas and New Mexico, Inc. ; Stafford v. (D-0620)  
Monier Resources, Inc. ; Posey v. (C-8706)  
Moore ; Academy Corp. v. (D-0648)  
Moore ; Birdo v. (D-0072)  
Morgan; et al. ; Hagaman; et al. v. (C-9297)  
Mori Seiki Co., Ltd. ; Action Machine Shop, Inc. v. (D-0208)  
Morris ; Bennett v. (D-0112)  
Morse ; Park Investors, Inc. v. (D-0020)  
Morton Robber Industries, Inc. ; Biffle v. (D-0734)  
Morton Southwest Co. ; Ablin v. (D-0879)  
Mosier ; Mosier v. (C-9380)  
Moss ; Huffman v. (D-0832)  
Moss ; Sentry Insurance v. (D-0657)  
Moye ; Union Carbide Corp. v. (C-8787)  
Moye ; Union Carbide Corp. v. (C-9302)  
Mueller ; Allied Addicks Bank v. (C-9767)  
Mulaula ; Malouf v. (D-0481)  
Murphy ; Galveston County v. (D-0018)  
Murphy ; Murphy v. (D-0318)  
Musemeche ; Affiliated Capital Corp. v. (D-0915)  
Myer ; Splettstosser v. (D-0145)  
Myrick ; Moody v. (D-0833)

-N-

National Convenience Stores, Inc. ; Martinez v. (C-9505)  
Navistar Financial Corp. ; Strickland v. (D-0588)  
Navistar International Transportation Corp. ; Mottu v. (D-0867)  
NCH Corp. ; Common Carrier Motor Freight Association, Inc. v. (D-0030)  
NCL Studs, Inc. ; Jandl v. (D-0252)  
NCNB Texas National Bank ; Atchley v. (D-0469)  
NCNB Texas National Bank ; Campise v. (C-9922)  
NCNB Texas National Bank ; Shepard v. (D-0152)  
Neece ; Neece v. (C-9828)  
Nichols ; Falls City National Bank v. (D-0057)  
Ninth Court of Appeals ; Ferguson v. (D-0363)  
Nordhaus ; Gallivan v. (D-0156)  
Norrell ; Warrilow v. (C-9843)  
North American Mortgage Co. ; Schwartz v. (D-0890)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

North East Independent School District ; Bexar County v. (D-0885)  
Northern Telecom, Inc. ; Doles v. (D-0320)  
Northpark National Bank of Dallas ; Haden v. (D-0356)  
Northwest Tech Center Associates, LTD. ; Cassidy v. (C-9671)  
Northwestern Mutual Life Insurance Co. ; C.S. LTD. v. (D-0354)  
Nowell ; Kaufman & Broad Home Systems, Inc. v. (D-0565)

- O -

O'Neil ; Caldwell National Bank v. (C-9692)  
O'Neill ; Allen v. (D-0603)  
O'Neill ; Henderson v. (D-0321)  
O'Neill ; Melbert v. (D-0784)  
O'Neill ; Reyes v. (D-0984)  
OCHS ; Martinez v. (D-0055)  
Odiome ; Whitson v. (D-0403)  
Old Republic Insurance Co. ; Peoples v. (C-9880)  
Oliver ; Brown & Root, Inc. v. (C-9718)  
Omniflight Offshore, Inc. ; Rayburn v. (D-0557)  
Opperman ; Anderson v. (C-9614)  
Osborn ; Kinnington v. (C-9805)  
Oshman's Sporting Goods, Inc. ; Chapman v. (D-0181)  
Otis Elevator Co. ; Medical Center Southwest Joint Venture v. (D-0278)  
Overhead Door Co. of San Antonio ; H & F, Inc. v. (D-0191)  
Overholt ; Callaway v. (D-0617)  
Owen ; Lakeside Motel, Inc. v. (C-8723)  
Owens-Corning Fiberglas Corp. ; Turner v. (C-9227)

- P -

P.P.G. Industries, Inc. ; Payne & Keller, Inc. v. (C-8711)  
Pacesetter Corp. ; Garcia v. (C-8375)  
Pack ; Circle "D" Civic Association v. (D-0287)  
Packer ; Bennett v. (D-0349)  
Packer ; Ramirez v. (D-0808)  
Packer ; Rock-Tenn Co. v. (D-0719)  
Packer ; Texas Instruments Inc. v. (D-0229)  
Paffett ; Sun Exploration v. (D-0624)  
Palacios ; Texas Real Estate Commission v. (D-0559)  
Palmer ; Kale v. (D-0164)  
Paloff ; Cedillo v. (D-0304)  
Park ; Lower Neches Valley Authority v. (C-8233)  
Park Meadows Civic Association, Inc. ; U.S. Home Corp. v. (D-0290)  
Parker ; Enserch Corp. v. (C-9207)  
Parker County; et al. ; City of Weatherford v. (C-9217)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Parks ; Willson v. (D-0399)  
Paso Del Norte Oil Co. ; West Texas Peterbilt, Inc. v. (C-8680)  
Passmore ; Sales v. (C-9786)  
Patal Enterprises ; Don Dockstader Motors, Ltd. v. (C-9185)  
Peavy ; Clark v. (D-0539)  
Pecan Crossing Partners ; Mabra v. (C-9892)  
Peden ; Gill v. (D-0774)  
Peko Oil USA ; Evans v. (D-0622)  
Pen Foods, Inc. ; Murphy v. (D-0590)  
Pennington ; Turner v. (D-0129)  
Perez ; Dolenz v. (D-0755)  
Perez ; Gardner v. (C-9054)  
Perez ; Illinois National Insurance Co. v. (D-0117)  
Perkins ; Damme Partnership v. (D-0490)  
Perry ; Aggregate Plant Products Company v. (C-9768)  
Peterson ; Garcia v. (D-0850)  
Pfaff ; Pfaff v. (D-0545)  
Phillips ; Greater Houston Transportation Co. v. (C-9555)  
Phillips ; Howell v. (C-9092)  
Phillips ; Texas Commerce Bancshares, Inc. v. (D-0662)  
Piassick ; Melnick v. (D-0241)  
Pierce ; Universal Underwriters Insurance co. v. (D-0638)  
Pilot Life Insurance Co. ; Gray v. (C-9895)  
Pine Village North Corporation ; Jitkoff v. (C-9811)  
Pizza Hut North America Incorp. ; Limon v. (D-0118)  
Plantowsky ; Arrechea v. (D-0255)  
Plaza National Bank ; Walker v. (C-8637)  
Pollack ; Evans v. (C-8949)  
Pooley ; Seal v. (D-0836)  
Post Oak Lane Townhome Association, Phase II ; McGuire v. (D-0268)  
Powell ; Bureson v. (D-0759)  
Powell ; Newding v. (C-8973)  
Powell ; Webb v. (D-0801)  
Precision Sheet Metal Mfg. Co., Inc. ; Yates v. (D-0337)  
Prescott ; White v. (D-0024)  
Presnal ; TLL Energy Corp. v. (C-9963)  
Preston Ridge Financial Services Corp. ; Tyler v. (D-0550)  
Price ; Fisher v. (C-8760)  
Principal Mutual Life Insurance Co. ; Strahan v. (D-0781)  
Pritchett ; Russell v. (D-0540)  
Progressive Voters League ; Ragsdale v. (D-0171)  
Prokopuk ; Offenhauser v. (D-0633)  
Pruett ; Bartlett, Jr. v. (C-9941)  
Public Utility Commission of Texas ; Coalition of cities for affordable utility rates v. (C-9287)  
Public Utility Commission of Texas ; Texas Association of Long Distance Telephone Companies  
v. (D-0652)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Pulse ; Dolenz v. (D-0161)  
PWD Systems, Inc. ; Jacaruso v. (D-0933)

-Q-

Quast & Glenn ; Lassiter v. (C-8476)  
Quinet ; City of Bunker Hill Village v. (D-0415)  
Quintana ; Vasquez v. (D-0609)

-R-

R.W. Otts, Inc. ; Sur v. (D-0696)  
Ramsey ; Wiegand v. (C-8460)  
Rantec Corp. ; Thermex Energy Corp. v. (D-0042)  
Rauscher Pierce Refsnes, Inc. ; Koenig v. (D-0524)  
Raymark Industries, Inc. ; Pecorino v. (C-8408)  
Redus ; Redus v. (D-0459)  
Rees-Jones ; Tidemark Exploration, Inc. v. (D-0702)  
Reiter ; Reiter v. (C-9990)  
Reliable Life Insurance Co. ; Dillard v. (D-0231)  
Republic Bankers Life Insurance Co. ; Wood v. (D-0303)  
Responsible Dog Owners of Texas; et al. ; City of Richardson, TX v. (C-9464)  
Reynolds ; Beacon National Insurance co. v. (D-0643)  
Reynolds ; Musick v. (D-0685)  
Rhea ; Berthelot v. (D-0725)  
Rhea ; Pan American Sales Corp. v. (D-0865)  
Rice ; Champion International Corp. v. (D-0203)  
Rio Development Corp. ; Griffin v. (D-0711)  
Rios ; Mercy Hospital of Laredo v. (C-9126)  
Rittgers ; Rittgers v. (D-0837)  
Robbins ; Buffalo v. (D-0408)  
Roberson ; Bivins v. (C-8606)  
Roberts ; Triple T Inns of Texas, Inc. v. (D-0783)  
Robertson ; Cissne v. (C-9572)  
Rodriguez ; American General Fire & Casualty Co. v. (C-9984)  
Rodriguez ; City of Laredo v. (D-0269)  
Rodriguez ; County of El Paso v. (D-0288)  
Rose ; Dallas Brewery, LTD. v. (C-9460)  
Rose ; Odiome v. (D-0576)  
Rosen ; Matthews Construction Co., Inc. v. (C-9216)  
Rotana, Inc. ; Coleman v. (C-9206)  
Roush ; Buttram v. (D-0595)  
Rovner ; Rovner v. (D-0234)  
Royal Insurance Co. of America ; Stiles v. (D-0645)  
Royal Oil and Gas Corp. ; Maxville-Glasco Drilling Co., Inc. v. (D-0789)  
Ruddle ; Baxter v. (C-9422)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Rupard ; White v. (C-9980)  
Russell ; City of Bryan v. (D-0498)  
Ryan ; Devlin v. (C-8894)  
Ryder Truck Rental, Inc. ; Montrose Service Center, Inc. v. (D-0451)

-S-

S.A.E. Office Associates ; Grierson v. (D-0558)  
Sadler ; Sadler v. (C-9582)  
Salyer ; Dooley, Jr v. (C-8552)  
Salyer ; Houston Lighting & Power Co. v. (D-0086)  
San Benito Bank & Trust Co. ; Transamerica Title Insurance Co. v. (C-7990)  
San Jacinto Agency, Inc. ; Murray v. (C-8299)  
Sanborn ; Boring v. (D-0162)  
Sanchez ; New York Underwriters Insurance Co. v. (D-0046)  
Sanderson ; DeMary v. (D-0754)  
Sartain ; Tate v. (D-0226)  
Schanzer ; Nelson v. (C-9933)  
Scharbauer ; Eagle Properties, LTD v. (C-8203)  
Schattman ; Floren v. (C-9237)  
Schendel ; Heine v. (D-0585)  
Schlachter ; Prairie Producing Co. v. (C-9733)  
Schneider ; City of San Antonio, TX v. (C-9872)  
Schuble ; Chiles v. (D-0070)  
Scott ; Deerings West Nursing Center v. (C-9987)  
Scoville ; Springpark Homeowners Association, Inc. v. (C-9664)  
Seale ; American Motorists Insurance Co. v. (D-0605)  
Second Court of Appeals ; Wells v. (D-0491)  
Security-Connecticut Life Insurance Co. ; Koral Industries, Inc. v. (C-9997)  
Sells ; Texas Employers Insurance Association v. (D-0248)  
Service Lloyds Insurance Co. ; Norris v. (C-9764)  
Shah ; Dhanani v. (D-0769)  
Shar-Alan Oil Co. ; Smith v. (D-0660)  
Sheppard Memorial Hospital ; Mitchell v. (D-0384)  
Sherman Fitzpatrick & Company ; Berens v. (C-9959)  
Shioleno Industries, Inc. ; Magnum Fabrications, Inc. v. (D-0512)  
Shore ; Bacile v. (C-9729)  
Short ; Donaho v. (C-9956)  
Sievers, estate of ; Sievers v. (C-9355)  
Sims ; Airport Skateland, Inc. v. (C-8685)  
Sims ; Hoover v. (D-0071)  
Sinclair ; Ward v. (D-0430)  
Sklar ; Ephran v. (D-0670)  
Slater ; Metro Nissan of Montclair v. (D-0819)  
Slay ; Service Lloyds Insurance Co. v. (D-0796)  
Smith ; American Economy Insurance Co. v. (D-0424)  
Smith ; Beldon Roofing and Remodeling Co. v. (D-0317)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Smith ; Blackmon v. (D-0903)  
Smith ; Cecil v. (D-0100)  
Smith ; Daytona Group of Texas, Inc. v. (D-0681)  
Smith ; McKinney v. (D-0209)  
Smith ; Miles Homes Division of INSILCO Corp. v. (D-0134)  
Smith ; O'Connor v. (D-0909)  
Smith ; Smith v. (D-0358)  
Smith ; State Department of Highways and Public Transportation v. (D-0383)  
Smith ; Tesoro Petroleum v. (D-0047)  
Snyder National Bank ; Farm Credit Bank of Texas v. (D-0824)  
Solis ; Tyler v. (D-0004)  
Sonic-Jasper, Inc. ; White v. (D-0468)  
Sonnier ; Chevron Pipe Line Co. v. (D-0729)  
South West Bio-Clinical Laboratories ; Ozuna v. (C-8678)  
Southeast Texas Emergency Physicians Associates ; Lucey v. (D-0827)  
Southern Methodist University ; Jones v. (D-0654)  
Southern Pacific Transportation Co. ; Resource Materials Corp. v. (D-0411)  
Southwest Homes, Inc. ; McDonald v. (D-0266)  
Southwestern Bell Media, Inc. ; Miller Power Saw Co., Inc. v. (D-0527)  
Southwestern Bell Yellow Pages, Inc. ; A. Camera Center, Inc. v. (C-9894)  
Spangler ; Jones v. (D-0435)  
Spears ; Dickerson Brothers, Inc. v. (D-0120)  
Spears ; Express-News Corp. v. (C-8624)  
Specht ; Jones v. (D-0079)  
Spiller ; Dearing, Inc. v. (C-9848)  
Spillman ; Simkins v. (C-8161)  
Sprint Transportation ; Zovath v. (D-0567)  
St. Cyr ; Bell v. (C-8640)  
St. Joseph's Hospital, Inc. ; Bond v. (D-0238)  
St. Louis Pipe & Supply, Inc. ; Hervey v. (D-0485)  
St. Paul Insurance Co. ; Hood v. (D-0121)  
Stabel ; Stabel v. (D-0312)  
Stamford Memorial Hospital ; Martin v. (D-0556)  
Stamper ; Worford v. (D-0002)  
Standl ; Studer v. (C-9694)  
Stanley ; Harvey v. (D-0930)  
State Bar of Texas ; Meyer v. (C-8991)  
State Bar of Texas ; Minnick v. (D-0175)  
State Bar of Texas ; Musslewhite v. (C-9754)  
State Bar of Texas ; Vander Voort v. (D-0823)  
State Commission on Judicial Conduct ; Amend v. (D-0126)  
State Farm Insurance Co. ; Caserotti v. (D-0157)  
State Farm Life Insurance Co. ; Mosharaf v. (D-0331)  
State Farm Life Insurance Co. ; Wade v. (D-0708)  
State Farm Mutual Automobile Insurance Co. ; McClendon v. (D-0497)  
State of Texas ; Anderson v. (D-0438)  
State of Texas ; Castilleja v. (D-0101)  
State of Texas ; City of Bridge City, TX v. (D-0205)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

State of Texas ; Cowart; et al. v. (C-9833)  
State of Texas ; Emel v. (D-0173)  
State of Texas ; Gleason v. (C-8564)  
State of Texas ; Hancock v. (D-0741)  
State of Texas ; Hot Shot Messenger Service, Inc. v. (D-0766)  
State of Texas ; McDaniel v. (D-0257)  
State of Texas ; Mills v. (D-0200)  
State of Texas ; Moody v. (D-0240)  
State of Texas ; Nacol v. (D-0267)  
State of Texas ; One 1975 Chevrolet v. (D-0888)  
State of Texas ; Ortiz v. (D-0432)  
State of Texas ; Rath v. (C-9807)  
State of Texas ; Risk Managers International, Inc. v. (D-0440)  
State of Texas ; Royal Enterprises v. (D-0818)  
State of Texas ; Vela v. (D-0884)  
State of Texas ; Vela v. (D-0901)  
State of Texas; et al. ; E&B Carpet Mills v. (C-9149)  
Stein ; Texas Real Estate Commission v. (D-1018)  
Stem ; City of Hearne v. (C-8832)  
Stephens ; Fant v. (D-0244)  
Sterling Projects, Inc. ; NCNB Texas National Bank v. (C-9854)  
Stevenson ; Koutzarov v. (D-0343)  
Stewart ; AAAAction Plumbing Co. v. (D-0088)  
Stewart ; Robinette v. (D-0323)  
Stiles ; Chester v. (D-0580)  
Stine ; Koga v. (D-0075)  
Stone ; First City Bank of Plano v. (D-0351)  
Stoutamire ; Lawson-Avila Construction, Inc. v. (D-0154)  
Stovall ; Liedtke v. (D-0327)  
Strain ; Gansle v. (C-8612)  
Straughan ; Flukinger v. (D-0330)  
Strauss ; Jones v. (C-9877)  
Street ; Gordon v. (D-0094)  
Stroman ; Fidelity & Casualty of New York v. (D-0283)  
Sullivant ; Borden v. (C-7412)  
Sun Exploration and Production Co. ; C & C Partners; et al. v. (C-9633)  
Sunbelt Savings ; Cecil v. (C-9873)  
Sunbelt Service Corp. ; Vandenburg v. (C-9154)  
Supreme Equipment & Systems Corp. ; Witt v. (D-0421)  
Sussman ; Thies v. (D-0313)  
Swift-Eckrich, Inc. ; Brown v. (D-0007)

- T -

Tapiador ; Brodhead v. (D-0813)  
Tarrant County Hospital District ; Baker v. (D-0931)  
Tarrant County Water Control and Improvement District No. 1 ; Crossland v. (C-9503)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Taylor ; Mitchell v. (D-0170)  
TCI Cablevision of Texas, Inc. ; South Texas Cable Television, Inc. v. (D-0178)  
Technibilt, Inc. ; Smith v. (D-0179)  
Tennant ; Zarzour v. (D-0536)  
Terminix, Inc. ; Right Away Foods Corp., Inc. v. (C-8919)  
Terracina ; National Union Fire Insurance Co. of Pittsburgh, PA v. (D-0470)  
Terrell ; Ruiz v. (C-8715)  
Terry ; Banowsky v. (D-0405)  
Terry ; Garcia v. (D-0586)  
Texas Alcoholic Beverage Commission ; Sfair v. (C-9770)  
Texas American Bank/Fort Worth, N.A. ; Pulaski Bank & Trust Co. v. (C-8209)  
Texas Carpet Co., Inc. ; Vickery v. (D-0189)  
Texas Commerce Bank ; Kingwood Bank v. (D-0017)  
Texas Commerce Bank National Association ; Greater Southwest Office Park, LTD. v. (C-9736)  
Texas Commerce Bank-Austin, N.A. ; Cox v. (C-9584)  
Texas Commerce Bank-Dallas ; Carruth v. (D-0019)  
Texas Commerce Bank-Dallas ; Metropolitan National Bank-Casa Linda v. (D-0488)  
Texas Commerce Bank-Dallas ; TPS Freight Distributors, Inc. v. (C-9909)  
Texas Commerce Bank-New Braunfels, N.A. ; Townsend v. (C-9763)  
Texas Department of Human Services ; Castro v. (D-0680)  
Texas Department of Human Services ; Calhoun v. (D-0076)  
Texas Employers Insurance Association ; Morris v. (C-8165)  
Texas Employers Insurance Association ; Clement v. (C-9425)  
Texas Employers Insurance Association ; Claridy v. (D-0412)  
Texas Employers Insurance Association ; Guerrero v. (D-0760)  
Texas Employers Insurance Association ; Gutierrez v. (D-0310)  
Texas Employers Insurance Association ; Holgin v. (D-0137)  
Texas Employers Insurance Association ; Lechuga v. (D-0141)  
Texas Employers Insurance Association ; McCoy v. (D-0237)  
Texas Employers Insurance Association ; Schulle v. (C-9978)  
Texas Employment Commission ; Bradley v. (D-0196)  
Texas Employment Commission ; Cowan Boat Transfer, Inc. v. (D-0176)  
Texas Employment Commission ; Dyer v. (D-0456)  
Texas Employment Commission ; Fredenburgh v. (D-0561)  
Texas Employment Commission ; Hardin v. (C-9924)  
Texas Employment Commission ; Lawrence v. (C-8802)  
Texas Employment Commission ; Manpower, Inc. v. (D-0501)  
Texas Employment Commission ; Peralta v. (D-0583)  
Texas Industrial Energy Consumers ; Texas-New Mexico Power Co. v. (C-9953)  
Texas Instruments, Inc. ; Bennett v. (C-8863)  
Texas Medical Liability Insurance Underwriting Association ; Stephanou v. (D-0036)  
Texas National Bank of Baytown ; Rollingbrook Investment Co. v. (D-0140)  
Texas One Partnership ; Ross v. (D-0425)  
Texas Savings and Loan Association ; Sitterle Properties v. (C-9184)  
Texas Water Commission ; Channel Oaks Water System v. (D-0273)  
Texstar North America, Inc. ; Krenek v. (C-9930)  
Third Court of Appeals ; CIBA Pharmaceutical Co. v. (D-0582)  
Third Court of Appeals ; Davis v. (D-0598)



## SUPREME COURT OF TEXAS CASES, 1990-91

### Respondent - Petitioner Case Table

Third Court of Appeals ; Jones v. (D-0006)  
Third Court of Appeals ; Oak Hill Joint Venture v. (D-0431)  
Third Court of Appeals ; Texas Commerce Bank-Austin v. (D-0709)  
Thirteenth Court of Appeals ; Hanau v. (D-0723)  
Thirteenth Court of Appeals ; International Bank of Corpus Christi v. (D-0701)  
Thirteenth Court of Appeals ; Morris v. (D-0065)  
Thirteenth Court of Appeals ; Westergren v. (D-0165)  
Thomas ; Bank of Houston v. (C-9632)  
Thomas ; Nazarian v. (C-8710)  
Thomas ; Toole v. (C-9801)  
Thomason ; Cage v. (C-8634)  
Thompson ; Burrell Oil Co. v. (C-8623)  
Thompson ; Lawson v. (D-0404)  
Thrasher ; State Department of Highways and Public Transportation v. (D-0548)  
Tope ; Kaminski v. (D-0311)  
Torrez ; Standard Brand Paint v. (D-0325)  
Touchy ; Atlantic Richfield Co. v. (D-1015)  
Touchy ; Nan Travis Memorial Hospital v. (D-0375)  
Towery ; Wells v. (D-0910)  
Town of Corinth ; Brown v. (D-0841)  
Townbluff Homeowners Association, Inc. ; Burk v. (C-9562)  
Trailways, Inc. ; Clark v. (D-0391)  
Trammell Crow Company No. 63A ; Kim v. (C-9666)  
Trans-Pan Gathering, Inc. ; Liquid Energy Corp. v. (C-8025)  
Transcontinental Gas Pipe Line Corporation ; American National Petroleum Company v.  
(C-8350)  
Travelers Indemnity Co. of Rhode Island ; Marsh v. (D-0078)  
Travelers Indemnity Co. of Rhode Island ; Whetstein v. (D-0736)  
Trevathan ; Freitag v. (C-8777)  
Tri-State Chemicals, Inc. ; Swofford v. (C-8502)  
Trinity National Bank of Dallas ; Beneficial Standard Life Insurance Co. v. (C-8357)  
TRT Telecommunications Corp. ; Bennett v. (C-9860)  
Tunnell ; Emerson v. (C-9250)  
Turk ; West University Bank v. (D-0876)  
Turner ; First Interstate Bank of Texas v. (D-0103)  
Turner Construction Co. of Texas ; Barham v. (D-0825)  
Tuscarora Corp. ; HJS Industries, Inc. v. (D-0392)  
Twelfth Court of Appeals ; Brown v. (D-0745)  
Twelfth Court of Appeals ; Brown v. (D-0746)  
Twelfth Court of Appeals ; Circle Y of Yoakum v. (D-1007)  
Twelfth Court of Appeals ; Coats v. (D-0261)  
Twelfth Court of Appeals ; Johnson v. (D-0484)  
Twelfth Court of Appeals ; Lane v. (D-0250)  
Twelfth Court of Appeals ; Timmons v. (D-0506)  
Tyson ; Arrow Industries, Inc. v. (D-0631)  
Tyson ; Nan Travis Memorial Hospital v. (C-8841)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

**-U-**

U.S. Home Corp. ; Tumminello v. (D-0735)  
Underwood ; Brady v. (D-0632)  
Union State Bank ; Art v. (D-0577)  
United Fidelity Life Insurance Co. ; Rearick & Lenihan, Inc. v. (D-0568)  
United Security Life Insurance Co. ; Jensen v. (D-0373)  
United Services Automobile Association ; Pyles v. (D-0889)  
United Services Automobile Association ; Pyles v. (D-0146)  
United Services Automobile Association ; Stracener v. (C-7593)  
United States Fidelity and Guaranty Co. ; NCNB Texas National Bank v. (C-9047)  
University Savings Association & Landmark Savings Association ; Miller v. (C-9765)  
University Savings & Loan of Boerne, TX ; Evan v. (C-9604)  
UPG, Inc. ; OKC Corp. v. (D-0297)  
Uribe ; Gauntt v. (D-0194)  
USLife Title Insurance Co. of Dallas ; Munn v. (D-0195)  
Utica National Insurance Company of Texas ; Bergen v. (C-9797)

**-V-**

Valdez ; Brown v. (D-0426)  
Vance ; Haney v. (D-0023)  
Vasquez ; Gutierrez v. (D-0380)  
Vaughn ; Independent State Life Insurance Co. v. (C-8737)  
Vaughn ; Reagan v. (C-9548)  
Victoria Lloyds Insurance Co. ; Black v. (C-8805)  
Virjan ; First United Methodist Church of Laredo, TX v. (D-0369)  
Volkswagen of America, Inc. ; Ramirez v. (C-9994)  
Von Behren ; Von Behren v. (D-0646)

**-W-**

W.P. Ballard & Co., Inc. ; 4M Linen & Uniform Supply Co., Inc. v. (D-0245)  
W.S.C. ; Barnes v. (D-0806)  
Wadsworth Business Center - Willowbrook Limited Partnership ; Connell v. (C-8479)  
Wagner & Brown II ; Valero Transmission Co. v. (D-0001)  
Wahlberg, Morales, Wright, Waite & Associates ; Home Insurance Co. v. (C-9955)  
Wal-Mart Stores, Inc. ; Carrizales v. (D-0368)  
Walker ; Luker v. (C-8880)  
Walker ; Montgomery Law Firm, P.C. v. (D-0398)  
Walsweer ; Harris County, TX v. (D-0541)  
Walton ; Peek v. (D-0221)  
Warren ; Elkins v. (D-0388)  
Warren ; Osenbaugh v. (D-0294)  
Waterland Enterprises, Inc. ; Ervin Plumbing & Supply, Inc. v. (C-9896)  
Watkins ; Pearson v. (D-0476)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Watson ; Mayfield v. (C-8559)  
Watts ; Hill v. (D-0608)  
Webb ; Bosakewich v. (D-0704)  
Weitz Co., Inc. ; Dell Masonry, Inc. v. (D-0610)  
Welch Associates, Inc. ; Juliette Fowler Homes, Inc. v. (C-7805)  
Wells ; Austin Ranch Enterprises, Inc. v. (C-8184)  
Wendenburg ; Williams v. (C-9686)  
West ; Breitbach v. (D-0487)  
West ; Granada Corp. v. (D-0973)  
West ; Port of Houston Authority v. (C-9550)  
West Texas Microwave Co. ; Cobb v. (D-0284)  
Westergren ; Perales v. (D-0551)  
Westergren ; Perales v. (C-9224)  
Westergren ; Perales v. (D-0726)  
Westergren ; Perales v. (D-0792)  
Western Casualty Life Insurance Co. ; Jones v. (D-0056)  
Western Geophysical Co. ; Priesmeyer v. (D-0563)  
Western Motors Imports, Inc. ; Mechinus v. (C-9691)  
Wheelock ; Ranton v. (D-0340)  
Whitaker ; Travis v. (D-0627)  
White ; Kolle v. (D-0414)  
White ; Ticer v. (D-0507)  
Whitehead ; Nichols v. (C-8702)  
Whitson ; Harris v. (D-0274)  
Whittington ; Irby v. (D-0815)  
Whittington ; Niamatali v. (C-8412)  
Wider ; First City, Texas-Dallas v. (D-0908)  
Wilkins ; Time Insurance Co. v. (C-9626)  
Willacy County Appraisal District ; North Alamo Water Supply Corp. v. (C-8789)  
Williams ; City of Fort Worth, TX v. (C-9596)  
Williams ; City of Houston; et al. v. (C-9799)  
Williams ; Lavender v. (D-0663)  
Williams ; State Farm Lloyds, Inc. v. (D-0068)  
Williamson ; Orkin Exterminating Co., Inc. v. (C-9829)  
Willis ; Winograd v. (C-9977)  
Wilson ; Box v. (D-0217)  
Wilson ; Trans Pacific Stores v. (C-9002)  
Windham ; Windham v. (C-9038)  
Winfree ; Lowe v. (D-0676)  
Winn ; Diminno-Hudson v. (D-0521)  
Winn-Dixie Stores, Inc. ; Bryant v. (C-9911)  
Witt ; South Central Financial Group, Inc. v. (C-8676)  
Wittie ; Skees v. (C-9783)  
Wittig ; Bradt v. (D-0544)  
Wittig ; Bradt v. (D-0602)  
Wood ; Post Oak/Memorial Centre, LTD. v. (C-8537)  
Wood ; Transwestern Pipeline Co. v. (C-9809)



SUPREME COURT OF TEXAS CASES, 1990-91

Respondent - Petitioner Case Table

Wooddell ; Bailey v. (D-0365)  
Woodhaven National Bank, Inc. ; Newman v. (C-9563)  
Woodrum ; Bradley v. (D-0626)  
Woods ; Texas Beef Cattle Co. v. (D-0166)  
Woodward ; Brenner v. (C-8696)  
Wray ; Rives v. (D-0731)  
Wright Way Construction Co., Inc. ; Harlingen Mall Co. v. (D-0682)

**-Y-Z-**

Yates ; Newman v. (D-0262)  
York Plaza Hospital ; Gutierrez v. (D-0453)  
Young ; Clark v. (C-9918)  
Zadow ; Pye v. (D-0634)  
Zimmerman ; First American Title Insurance Co. v. (D-0084)







## **CASE TABLE BY APPEAL CITATION**

**NOTE:** On September 1, 1986, the Rules of Appellate Procedure became effective. The promulgation of these rules shifted Rule 452, formerly of the Rules of Civil Procedure, to Rule 90, Rules of Appellate Procedure. This change is reflected in citations of this index.







# SUPREME COURT DOCKETS, 1990-91

## Case Table by Appeal Citation

### **Rule 90**

1720 Beaumont Street, Inc. v. City of Dallas (D-0223)  
2618, Inc. v. 747, Inc. (D-0655)  
A. Camera Center, Inc. v. Southwestern Bell Yellow Pages, Inc.  
(C-9894)  
Academy Corp. v. Moore (D-0648)  
Action Machine Shop, Inc. v. Mori Seiki Co., Ltd. (D-0208)  
Adams v. Dallas County Child Welfare Unit of the Texas Department  
of Human Services (D-0564)  
Adams v. Gemini Drilling & Exploration Co., Inc. (C-8555)  
Adams v. Life and Casualty Insurance Co. of Tennessee (D-0372)  
Airport Skateland, Inc. v. Sims (C-8685)  
Alford v. Alford (C-9817)  
American Home Assurance Co. v. Foster (C-9775)  
American Stress, Inc. v. Daniel Construction Co. (D-0658)  
Anderson v. State of Texas (D-0438)  
Anthony v. A & P Holding Co., Inc. (D-0454)  
Arkansas Federal Savings Bank v. Bieler and Associates (C-9134)  
Art v. Union State Bank (D-0577)  
Armstrong v. Judge Fite Company (C-9893)  
Arrechea v. Plantowsky (D-0255)  
Arterburn v. Civil Service Commission of the City of Grand Prairie  
(D-0108)  
Askew v. Memorial City General Hospital (D-0073)  
Athari v. Hutcheson (C-9211)  
Atlantic Richfield Co. v. Touchy (D-1015)  
Aubin v. Birdwell (D-0090)  
Autoplex, Ltd. v. Chase Leasing Co., Ltd. (D-0315)  
Awalt v. Jigna, Inc. (C-9743)  
Bacile v. Shore (C-9729)  
Bailey v. Wooddell (D-0365)  
Bancroft v. Finger (D-0798)  
Bank of Houston v. Thomas (C-9632)  
Bankers Savings and Loan Association v. David Goodbar Interests,  
Inc. (C-8705)  
Banowsky v. Terry (D-0405)  
Banta v. Durish (D-0216)  
Barnes v. W.S.C. (D-0806)  
Barras v. Intercoastal Warehouse Corp. (C-8386)  
Barrow v. Carner (D-0797)  
Barstow v. Lower Colorado River Authority (D-0172)  
Bartlett, Jr. v. Pruiett (C-9941)  
Baytown Construction Company, Inc. v. Buchanan/Soil Mechanics,  
Inc. (C-9642)  
Beldon Roofing and Remodeling Co. v. Smith (D-0317)  
Bell Helicopter/Textron, Inc. v. Burns (D-0493)  
Benavides v. Benavides (C-7962)  
Bennett v. Texas Instruments, Inc. (C-8863)  
Bennett v. TRT Telecommunications Corp. (C-9860)  
Berens v. Sherman Fitzpatrick & Company (C-9959)  
Bergen v. Utica National Insurance Company of Texas (C-9797)  
Biffle v. Morton Robber Industries, Inc. (D-0734)  
Birido v. Moore (D-0072)  
Bivins v. Roberson (C-8606)  
Blackstone v. A.H.L. Properties Number One (D-0069)  
Blair v. Blair (D-0828)  
Blake v. First National Bank in Port Lavaca (C-9914)



## SUPREME COURT DOCKETS, 1990-91

### Case Table by Appeal Citation

#### Rule 90

Blankenship v. Blankenship (C-8933)  
Blue Moon, LTD. v. Bering (D-0649)  
Bond v. St. Joseph's Hospital, Inc. (D-0238)  
Boring v. Sanborn (D-0162)  
Bowden v. Aetna Lloyds of Texas (C-9964)  
Box v. Wilson (D-0217)  
Bradley v. Texas Employment Commission (D-0196)  
Bradley v. Woodrum (D-0626)  
Bradt v. Wittig (D-0602)  
Breedon v. Hammonds (C-6544)  
Breitbach v. West (D-0487)  
Brenner v. Woodward (C-8696)  
Brodhead v. Tapiador (D-0813)  
Brooks v. Gilbreath (D-0177)  
Brown v. Town of Corinth (D-0841)  
Brown & Root, Inc. v. Oliver (C-9718)  
Bryant v. Federal National Mortgage Association (D-0699)  
Buffalo v. Robbins (D-0408)  
Burk v. Townbluff Homeowners Association, Inc. (C-9562)  
Buttram v. Roush (D-0595)  
C.S. LTD. v. Northwestern Mutual Life Insurance Co. (D-0354)  
Cage v. Thomason (C-8634)  
Calder v. Mallaise (D-0382)  
Calhoun v. Texas Department of Human Services (D-0076)  
Callon v. Callon (C-8611)  
Cardenas v. Bufkin (D-0279)  
Carruth v. Bank of Dallas (D-0151)  
Carruth v. Texas Commerce Bank-Dallas (D-0019)  
Carson v. 104th District Court of Taylor County, TX (C-9920)  
Castillow v. Marshall (D-0074)  
Cecil v. Sunbelt Savings (C-9873)  
Chacon v. Lone Star Gas Co. (C-9998)  
Champion International Corp. v. Rice (D-0203)  
Chevron Pipe Line Co. v. Sonnier (D-0729)  
Chiles v. Schuble (D-0070)  
CIBA Pharmaceutical Co. v. Third Court of Appeals (D-0582)  
Circle "D" Civic Association v. Pack (D-0287)  
City of Austin v. 244 Joint Venture (C-9928)  
City of Bunker Hill Village v. Quinet (D-0415)  
City of Houston v. Davis (C-9774)  
City of Houston; et al. v. Williams (C-9799)  
City of Mabank v. Imperial Casualty and Indemnity Co., Inc. (D-0433)  
Clement v. Texas Employers Insurance Association (C-9425)  
Coastal Corporation v. Chehlaoui (C-9936)  
Cobb v. West Texas Microwave Co. (D-0284)  
Columbia Gulf Transmission Co. v. Humble Pipeline Constructors, Inc. (D-0786)  
Commodore Financial Services Corp. v. Johnson (D-0346)  
Commonwealth Land Title Insurance Co. v. Haskett (D-0386)  
Connell v. Wadsworth Business Center - Willowbrook Limited Partnership (C-8479)  
Cooper v. Cooper (D-0409)  
County of El Paso v. Rodriguez (D-0288)  
Couser v. Maddux (D-0367)  
Crabb v. Fenner (D-0395)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

**Rule 90**

Craft v. Craft (D-0329)  
 Creel v. District Attorney and Sheriff for Medina County, TX (C-8799)  
 Crosby v. Methodist Hospital (C-7916)  
 Crowbar, Inc. v. Gilliland Venture (C-9790)  
 Cullen/Frost Bank of Dallas v. Metropolitan National Bank (D-0060)  
 Dallas County Hospital District v. May (C-8853)  
 Damme Partnership v. Perkins (D-0490)  
 Davis v. Baylor University Medical Center (D-0357)  
 Davis v. Third Court of Appeals (D-0598)  
 Dean v. Freedman (D-0738)  
 Dearing, Inc. v. Spiller (C-9848)  
 Delhi Gas Pipeline Corp. v. Henderson (D-0480)  
 Dell Masonry, Inc. v. Weitz Co., Inc. (D-0610)  
 Dewbre v. Cann (D-0452)  
 Dhanani v. Shah (D-0769)  
 Dillard v. Reliable Life Insurance Co. (D-0231)  
 Diminno-Hudson v. Winn (D-0521)  
 Dolenz v. Perez (D-0755)  
 Doles v. Northern Telecom, Inc. (D-0320)  
 Dominguez v. General Motors Acceptance Corp. (D-0099)  
 Donaho v. Short (C-9956)  
 Dow Chemical Co. v. Miller Pipeline Service Corp. (D-0594)  
 Duggan v. Langley (D-0777)  
 Dungan v. Hilzendager (D-0441)  
 Dyer v. Texas Employment Commission (D-0456)  
 Emel v. State of Texas (D-0173)  
 Emerson v. Tunnell (C-9250)  
 Enloe v. Eagle Radio, Inc. (D-0455)  
 Enron Oil Trading & Transportation Co. v. Boles (D-0374)  
 Ephran v. Cheatham (D-0751)  
 Erlandson v. International Bank of Corpus Christi (C-9808)  
 Ervin Plumbing & Supply, Inc. v. Waterland Enterprises, Inc. (C-9896)  
 Evan v. University Savings & Loan of Boerne, TX (C-9604)  
 Evans v. Pollack (C-8949)  
 Fagan v. Fagan (D-0253)  
 Falls City National Bank v. Nichols (D-0057)  
 Fant v. Stephens (D-0244)  
 Federal Deposit Insurance Corp. v. Mason (D-0033)  
 Federal Land Bank Association of Dayton v. Flurry (D-0504)  
 Ferguson v. Ferguson (D-0212)  
 First United Methodist Church of Laredo, TX v. Virjan (D-0369)  
 Fisk v. John Pass Investments (D-0011)  
 Fletcher v. District Board, United Pentecostal Church-Texas District (D-0442)  
 Floren v. Schattman (C-9237)  
 Florence v. Canup (D-0396)  
 Flowers v. Caddell (C-8828)  
 Foreman v. Aetna Casualty and Surety Co. (C-8946)  
 Fortner v. Fortner (C-8687)  
 Fox Vacuum, Inc. v. Midwest (D-0744)  
 Freeman v. Briarcroft Property Owners, Inc. (C-8644)  
 Gallivan v. Nordhaus (D-0156)  
 Garcia v. Pacesetter Corp. (C-8375)  
 Garcia v. Peterson (D-0850)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

**Rule 90**

Gardner v. Lawson (D-0230)  
Garibay v. Khuri (D-0050)  
Garrett v. Henley (D-0143)  
Garza v. Allied Deer Park Bank (C-8481)  
Gauntt v. Uribe (D-0194)  
Gerber v. Denny (C-9942)  
Gleason v. State of Texas (C-8564)  
Gonzales; et al. v. Mission American Insurance Co. (C-9476)  
Granada Corp. v. West (D-0973)  
Gray v. Pilot Life Insurance Co. (C-9895)  
Great American Reserve Insurance Co. v. Lockhart (C-8666)  
Green v. Hassell (D-0125)  
Griego v. Dodson (D-0448)  
Grierson v. S.A.E. Office Associates (D-0558)  
Griffin v. Rio Development Corp. (D-0711)  
Guillory v. BancTexas Westheimer (D-0236)  
Gutierrez v. York Plaza Hospital (D-0453)  
H.E.B. Construction v. Casualty Indemnity Exchange (D-0256)  
H & F, Inc. v. Overhead Door Co. of San Antonio (D-0191)  
Haden v. Northpark National Bank of Dallas (D-0356)  
Hagaman; et al. v. Morgan; et al. (C-9297)  
Hahn v. Jacobson (D-0515)  
Hamilton v. City of Houston (D-0089)  
Hardin v. Texas Employment Commission (C-9924)  
Heaton v. Fulton (C-8717)  
Heights of Texas, F.S.B.; et al. v. Gutierrez; et al. (C-9915)  
Henry S. Miller Management Corp. v. Houston State Associates  
(C-9986)  
Hernandez v. Hollowood (D-0160)  
Hervey v. St. Louis Pipe & Supply, Inc. (D-0485)  
Highlands State Bank v. G & H Investments (D-0486)  
Hobgood v. Hobgood (D-0381)  
Holland-America Lloyds Insurance Co. v. Canal Indemnity Co.  
(C-9993)  
Holliday v. Federal Deposit Insurance Corp. (D-0771)  
Holmes v. Harrison (C-9589)  
Home Insurance Co. v. Wahlberg, Morales, Wright, Waite &  
Associates (C-9955)  
Hood v. St. Paul Insurance Co. (D-0121)  
Hopper v. City of Coppell (C-9965)  
Horan v. Baxter (C-9940)  
Hubbard v. Cambridge Mutual Fire Insurance Co. (D-0661)  
Huffman v. Moss (D-0832)  
Hydril Co. v. Carroll Instrument Co., Inc. (D-0335)  
INA of Texas v. Briscoe (D-0465)  
International Architectural Glass Co. v. Aztec Rental Center, Inc.  
(C-9498)  
International Bank of Corpus Christi v. Thirteenth Court of Appeals  
(D-0701)  
ISS International Service System, Inc. v. Haws (C-9710)  
J & J Equipment, Inc. v. Meyerson Construction Co. (D-0155)  
Jacaruso v. PWD Systems, Inc. (D-0933)  
Jennings v. Jennings (D-0012)  
Jensen v. United Security Life Insurance Co. (D-0373)  
Jitkoff v. Pine Village North Corporation (C-9811)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

**Rule 90**

Johnson v. Keller Industries of Texas, Inc. (C-9974)  
Johnson v. Twelfth Court of Appeals (D-0484)  
Jones v. Estate of Beatrice Jones (C-9758)  
Jones v. Southern Methodist University (D-0654)  
Jones v. Specht (D-0079)  
Jones v. Western Casualty Life Insurance Co. (D-0056)  
Jones, in the interest of v. Hamilton (C-8258)  
Jordan v. Central Mutual Insurance Co. (C-8663)  
Juliette Fowler Homes, Inc. v. Welch Associates, Inc. (C-7805)  
Kaufman & Broad Home Systems, Inc. v. Nowell (D-0565)  
Keith v. Maher (D-0925)  
Keith v. Metrocrest Transport Systems (D-0218)  
Kim v. Trammell Crow Company No. 63A (C-9666)  
Kolle v. White (D-0414)  
Kothmann v. Kothmann (D-0258)  
Labenski v. Financial Commercial Corp. (D-0705)  
Lake Vista Community Improvement Association v. Donaldson  
(D-0211)  
Lakeside Motel, Inc. v. Owen (C-8723)  
Lassiter v. Quast & Glenn (C-8476)  
Lastu, Inc. v. Bank of Texas (C-9891)  
Latham v. A-1 Rentals, Inc. (D-0475)  
Lathan v. Home Depot, Inc. (D-0614)  
Lauterbach v. Lieber Enterprises, Inc. (C-8830)  
Lawyer v. Lawyer (D-0691)  
LBL Oil Co. v. International Power Services, Inc. (C-8473)  
Liedtke v. Stovall (D-0327)  
Limon v. Pizza Hut North America Incorp. (D-0118)  
Linkous v. Linkous (D-0667)  
Lively Energy and Development Corp. v. Lone Star Gas Co.  
(C-9610)  
Lively Energy & Development Corp. v. Fourth Court of Appeals  
(D-0636)  
Loggins v. Gilley (C-8735)  
Lone Star Greyhound Park, Inc. v. Bay Greyhound Racing  
Associates Limited Partnership (D-0286)  
Long v. City National Bank of Colorado City, TX (D-0298)  
M. Tripp Enterprises, Inc. v. Mercury Metals, Inc. (D-0763)  
Mabra v. Pecan Crossing Partners (C-9892)  
Mackie v. Gurinsky (D-0342)  
Magnolia Retirement Services & Consulting Co. v. Farm & Home  
Savings Association (D-0031)  
Magnum Fabrications, Inc. v. Shioleno Industries, Inc. (D-0512)  
Martin v. City of Denton (D-0291)  
Martin v. Credit Protection Association, Inc. (C-7339)  
Matsushita Electronic Corp. of America v. Barrientos (D-0339)  
Maxey v. Dewitt (D-0618)  
Mayfield v. Watson (C-8559)  
Mayhew v. Caprito (C-9559)  
Mazeika v. Ferbrache (C-9912)  
McBee Oil Co., Inc. v. Drennen (D-0066)  
McCormick v. McCormick (D-0210)  
McDonald v. Southwest Homes, Inc. (D-0266)  
McHugh v. McHugh (D-0554)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

**Rule 90**

McKeon v. McKeon (D-0193)  
McKinney v. Cooper (D-0780)  
McMurrey v. Adams (D-0651)  
MCR International, Inc. v. Alamo Savings Association of Texas  
(C-9554)  
Mechinus v. Western Motors Imports, Inc. (C-9691)  
Medical Center Southwest Joint Venture v. Otis Elevator Co.  
(D-0278)  
Meeks v. Meeks (C-9827)  
Melnick v. Piassick (D-0241)  
Metropolitan National Bank-Casa Linda v. Texas Commerce Bank-  
Dallas (D-0488)  
Meuth v. Hartgrove (D-0285)  
Milam v. Milam (C-9840)  
Miller Power Saw Co., Inc. v. Southwestern Bell Media, Inc.  
(D-0527)  
Mills v. C.M.C. Trailers, Inc. (D-0706)  
Milne v. Members Mutual Insurance Co. (D-0500)  
Mitchell v. J.K. and Susie L. Wadley Research Institute (D-0959)  
Mitchell v. Taylor (D-0170)  
Montez v. Bexar County Hospital District (D-0449)  
Montrose Service Center, Inc. v. Ryder Truck Rental, Inc. (D-0451)  
Mounger v. Bexar Electric Co., Inc. (C-9867)  
Munn v. USLife Title Insurance Co. of Dallas (D-0195)  
Murphy v. Murphy (D-0318)  
Murphy v. Pen Foods, Inc. (D-0590)  
Murphy-Humphreys, Inc. v. H. D. Joint Venture (D-0213)  
Musquiz v. City of Eagle Pass (D-0359)  
Myer v. Davis (D-0847)  
National Medical Enterprises, Inc. v. Contemporary Health  
Management, Inc. (D-0694)  
National Surety Corp. v. Kahn (D-0144)  
National Union Fire Insurance Co. of Pittsburgh, PA v. Terracina  
(D-0470)  
Neece v. Neece (C-9828)  
Newding v. Powell (C-8973)  
Newman v. Woodhaven National Bank, Inc. (C-9563)  
Nichols v. Whitehead (C-8702)  
Nolan Chevrolet Leasing v. Cooke County Tax Appraisal District  
(D-0457)  
Norris v. Service Lloyds Insurance Co. (C-9764)  
North America Title Co., Inc. v. Guardian Title Co., Inc. (C-9602)  
North American Mortgage Co. v. Central Bank of Houston (C-9862)  
Oak Hill Joint Venture v. Third Court of Appeals (D-0431)  
Oak Hollow Development Co., Inc. v. Madeley (D-0472)  
Olsovsky v. Greer (D-0135)  
Ortiz v. State of Texas (D-0432)  
Osenbaugh v. Warren (D-0294)  
Oxy Cities Service NGL, Inc. v. Amoco Production Co. (D-1005)  
Pace v. Huddleston (D-0058)  
Paeon Enterprises Co., LTD. v. Chan (D-0110)  
Palmer Well Services, Inc. v. Mack Trucks, Inc. (C-8356)  
Park Investors, Inc. v. Morse (D-0020)  
Parkway Racquet and Health Club, LTD. v. Club Corp. of America  
(C-9988)  
Peek v. Walton (D-0221)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

**Rule 90**

Peoples v. Old Republic Insurance Co. (C-9880)  
 Perales v. Westergren (C-9224)  
 Peralta v. Bettis (C-6136)  
 Peralta v. Texas Employment Commission (D-0583)  
 Pfaff v. Hall-Richey Oilfield Services, Inc. (D-0778)  
 Pfaff v. Pfaff (D-0545)  
 Phillips Petroleum Co. v. McIlhaney (D-0123)  
 Piatt v. Lansaw (D-0659)  
 Preston II Chrysler Dodge, Inc. v. Donwerth (C-9883)  
 Providence Valley Corp. v. Bruner (D-0097)  
 Prudential Insurance Co. of America v. Brown (D-0364)  
 Pye v. Zadow (D-0634)  
 Pyle v. Maguglin (D-0707)  
 Pyles v. United Services Automobile Association (D-0146)  
 Raintree Properties, Inc. v. Mack Trucks, Inc. (C-8654)  
 Ramirez v. Killam & Hurd, Ltd. (C-9474)  
 Ramos v. Gilleland (D-0389)  
 Rayburn v. Omniflight Offshore, Inc. (D-0557)  
 Rearick & Lenihan, Inc. v. United Fidelity Life Insurance Co.  
 (D-0568)  
 Reily v. Coker (D-0710)  
 Resource Materials Corp. v. Southern Pacific Transportation Co.  
 (D-0411)  
 Rhode v. Garza (C-8535)  
 Rhodes v. Cahill (C-9064)  
 Riddle v. Cotton (D-0204)  
 Risk Managers International, Inc. v. State of Texas (D-0440)  
 Rives v. Wray (D-0731)  
 Robinson v. Central Texas MHMR Center (D-0538)  
 Robinson v. Intercontinental Insurance Co. (D-0684)  
 Rocha v. McNeel (C-9478)  
 Rocket, LTD. v. Meinrath (C-9973)  
 Rogers v. Clinton (C-8847)  
 Ross v. City of Dallas (C-8764)  
 Royal Enterprises v. State of Texas (D-0818)  
 Rueter Construction, Inc. v. Kinnard (D-0782)  
 Russell v. Pritchett (D-0540)  
 Sabb, Inc. v. Federal Savings and Loan Insurance Corp. (C-8369)  
 Sadler v. Sadler (C-9582)  
 Sallee v. Bank of the West, San Angelo, TX (C-9882)  
 San Antonio River Authority v. Kunz Construction Co., Inc.  
 (D-0362)  
 Schager and Schagar v. FDIC, receiver for National Bank of  
 Commerce of Brownsville (C-9618)  
 Schwartz v. North American Mortgage Co. (D-0890)  
 Schwarz v. Kawaja (D-0131)  
 Seaman v. Kilpatrick's Plastic Processing Co. (D-0591)  
 Sentry Construction Co., Inc. v. International Supply of San Antonio,  
 Inc. (C-9869)  
 Sentry Insurance v. Moss (D-0657)  
 Service Insulated Glass, Inc. v. McCann (D-0674)  
 Shepard v. NCNB Texas National Bank (D-0152)  
 Siegler v. Holland (D-0085)  
 Sievers v. Sievers, estate of (C-9355)  
 Singleton v. APAC-Texas, Inc. (D-0463)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

**Rule 90**

Sitterle Properties v. Texas Savings and Loan Association  
(C-9184)  
 Smith v. Beard (D-0077)  
 Smith v. Collie (D-0444)  
 Smith v. Holloway (C-9535)  
 South Central Financial Group, Inc. v. Witt (C-8676)  
 Southern Surety Co. v. McCollum (C-9923)  
 Spletstosser v. Myer (D-0145)  
 Spoon v. Hanes (D-0109)  
 Springer v. Burgess (C-9701)  
 Stabel v. Stabel (D-0312)  
 Stafford v. Mobil Producing Texas and New Mexico, Inc. (D-0620)  
 State Department of Highways and Public Transportation v.  
 Copeland (D-0139)  
 State of Texas v. \$144,850.00 (D-0531)  
 State of Texas v. Barrera (D-0688)  
 State of Texas v. Davila (D-0402)  
 State of Texas v. Matyastik (C-9792)  
 State of Texas for P. W. v. (C-9952)  
 Stephens v. Gilpin (D-0410)  
 Stocker v. Magera (C-9866)  
 Strickland v. Navistar Financial Corp. (D-0588)  
 Studer v. Stancil (C-9694)  
 Syntek Corp. v. French (C-9846)  
 Taylor v. Mahoney (C-9698)  
 Taylor v. McCorkle (D-0295)  
 Tex Tire, Inc. v. El Dorado Tire Co. (C-7748)  
 Texas Association of School Boards v. Cooley (C-9916)  
 Texas Commerce Bancshares, Inc. v. Phillips (D-0662)  
 Texas Commerce Bank-Austin v. Third Court of Appeals (D-0709)  
 Texas Real Estate Commission v. Stein (D-1018)  
 Thermex Energy Corp. v. Rantec Corp. (D-0042)  
 Therrell v. Chandler (D-0158)  
 Thomas v. Georgia Pacific Corp. (C-8657)  
 Thomas v. Johnson Controls, Inc. (C-9890)  
 Thompson v. Lynaugh (D-0864)  
 Tiffan v. Mea Interests, Inc. (C-9745)  
 Tiger Charter Corp. v. Mitsubishi Aircraft International, Inc. (D-0243)  
 Time Insurance Co. v. Wilkins (C-9626)  
 Toole v. Thomas (C-9801)  
 Trans Pacific Stores v. Wilson (C-9002)  
 Transwestern Pipeline Co. v. Wood (C-9809)  
 Travis v. Whitaker (D-0627)  
 Tri-state car company, Inc. v. Eldridge (C-9945)  
 Trinity National Bank v. Beneficial Standard Life Insurance Co.  
 (C-8337)  
 Tubular Products of Texas v. Brooks (C-9879)  
 Turnco Inc. v. Macina (D-0259)  
 Turney v. 1800 West Loop Tower Associates (D-0148)  
 Underwood v. D. H. Shelton & Associates (C-9985)  
 United States Fire Insurance Co. v. Langley (D-0316)  
 United States Insurance Group v. Lloyd (D-0794)  
 Universal Stair Manufacturing Company v. Huneycutt (C-9634)  
 Universal Underwriters Insurance co. v. Pierce (D-0638)  
 Valdez v. First National Bank of Beeville (D-0224)  
 Vasquez v. Quintana (D-0609)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

<b>Rule 90</b>	Vastine v. Gateway National Bank (C-8588)
	Vaughan v. Ferguson (D-0936)
	Vela v. State of Texas (D-0884)
	Vela v. State of Texas (D-0901)
	Velasquez v. Kroger Co. (D-0265)
	Vescovo v. First State Bank (D-0168)
	Wade v. State Farm Life Insurance Co. (D-0708)
	Wallace Grain & Pea Co. v. Martinez (D-0673)
	Walton Pond Joint Venture v. Hiawatha Savings & Loan Association (C-9795)
	Ward v. Sinclair (D-0430)
	Wavell v. Haynes (D-0289)
	Webb v. Powell (D-0801)
	Wells v. Towery (D-0910)
	West Belt Investment Corp. v. Harris County, TX (D-0122)
	Wetmore & Co. v. First Court of Appeals (D-0928)
	Whetstein v. Travelers Indemnity Co. of Rhode Island (D-0736)
	White v. Sonic-Jasper, Inc. (D-0468)
	Whitson v. Odiorne (D-0403)
	Wiegand v. Ramsey (C-8460)
	Willenbacher v. Mier (D-0513)
	Willson v. Parks (D-0399)
	Windham v. Windham (C-9038)
	Wingfield v. Bernos (D-0008)
	Wintergreen/Hurst Joint Venture v. Commerce Title Co. of Tarrant County, Inc. (D-0428)
	Witt v. Supreme Equipment & Systems Corp. (D-0421)
	Yow v. Costello (D-0479)
	Zarzour v. Tennant (D-0536)
	Zovath v. Sprint Transportation (D-0567)
733 S.W. 2d 671	Kinerd v. Colonial Leasing Co. (C-6733)
735 S.W. 2d 244	Rose v. Doctors Hospital Facilities (C-6535)
735 S.W. 2d 566	Allee v. Benser (C-6810)
736 S.W. 2d 914	Sesco Production Company v. Atex Pipe and Supply, Inc. (C-6968)
739 S.W. 2d 415	Walker; Ex parte v. (C-7079)
743 S.W. 2d 666	H.W. Mitchell v. Missouri-Kansas-Texas Railroad Co. (C-7286)
745 S.W. 2d 503	Dentex Shoe Corp. v. F.E. Schmitz Co., Inc. (C-7373)
746 S.W. 2d 524	Bowman v. Lumberton I.S.D. (C-7376)
746 S.W. 2d 533	Stauffer v. Henderson (C-7480)
749 S.W. 2d 158	Stracener v. United Services Automobile Association (C-7593)
749 S.W. 2d 526	M & M Constuction Co. v. Great American Insurance Co. (C-7670)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

749	S.W. 2d	920	Otis Elevator Co. v. Joseph (C-7490)
750	S.W. 2d	19	Higginbotham v. General Life and Accident Insurance Company (C-7641)
750	S.W. 2d	274	Eye Site, Inc. v. Blackburn (C-7611)
751	S.W. 2d	525	North Central Investment Corp. v. Bayoud (C-7757)
751	S.W. 2d	914	Snadon v. Joe T. Garcia's Enterprises, Inc. (C-7734)
752	S.W. 2d	15	Wilson v. Dunn (C-7796)
752	S.W. 2d	710	Gorman v. Life Insurance Co. of North America (C-7806)
753	S.W. 2d	199	Wingate v. Hajdik (C-7880)
753	S.W. 2d	478	Aluminum Co. of America v. ALM (C-7889)
755	S.W. 2d	170	Axelson, Inc. v. McIlhany (C-7774)
756	S.W. 2d	772	Transamerica Title Insurance Co. v. San Benito Bank & Trust Co. (C-7990)
758	S.W. 2d	645	Liquid Energy Corp. v. Trans-Pan Gathering, Inc. (C-8025)
758	S.W. 2d	911	Eagle Properties, LTD v. Scharbauer (C-8203)
758	S.W. 2d	953	Otis Elevator Company v. Bedre (C-8148)
759	S.W. 2d	14	Morris v. Texas Employers Insurance Association (C-8165)
759	S.W. 2d	467	McIlvain v. Jacobs, Jr. (C-8149)
759	S.W. 2d	723	Pulaski Bank & Trust Co. v. Texas American Bank/Fort Worth, N.A. (C-8209)
759	S.W. 2d	778	Murray v. San Jacinto Agency, Inc. (C-8299)
760	S.W. 2d	311	Sun Marine Terminals, Inc. v. Artoc Bank and Trust, Limited (C-8271)
760	S.W. 2d	703	Austin Ranch Enterprises, Inc. v. Wells (C-8184)
761	S.W. 2d	835	Goeke v. Houston Lighting and Power Co. (C-8363)
762	S.W. 2d	243	Federal Deposit Insurance Corporation v. Coleman (C-8272)
763	S.W. 2d	13	Haddock v. Arnsperger (C-8400)
763	S.W. 2d	561	Pecorino v. Raymark Industries, Inc. (C-8408)
763	S.W. 2d	590	Bravo v. Agency Rent-A-Car, Inc. (C-8444)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

763 S.W. 2d 809	American National Petroleum Company v. Transcontinental Gas Pipe Line Corporation (C-8350)
763 S.W. 2d 868	Williams v. Khalaf (C-8467)
765 S.W. 2d 558	Johnson v. City of Fort Worth, TX (C-8607)
766 S.W. 2d 330	French v. Community Broadcasting of Coastal Bend, Inc. (C-8565)
766 S.W. 2d 387	Texas Department of Human Services; et al. v. E.B. (C-8617)
766 S.W. 2d 393	Johnson v. Lynaugh (C-8538)
767 S.W. 2d 273	Nazarian v. Thomas (C-8710)
767 S.W. 2d 279	Tascosa National Bank v. Employers Mutual Casualty Co. (C-8759)
767 S.W. 2d 291	Eshtary v. Allstate Insurance Co. (C-8632)
767 S.W. 2d 839	Bard v. Frank B. Hall & Co. (C-8635)
768 S.W. 2d 380	West Texas Peterbilt, Inc. v. Paso Del Norte Oil Co. (C-8680)
768 S.W. 2d 387	Shumway v. Horizon Credit Corp. (C-8669)
768 S.W. 2d 915	Posey v. Monier Resources, Inc. (C-8706)
769 S.W. 2d 373	Culpepper v. Coker (C-8513)
769 S.W. 2d 690	North Alamo Water Supply Corp. v. Willacy County Appraisal District (C-8789)
769 S.W. 2d 949	Black v. Victoria Lloyds Insurance Co. (C-8805)
770 S.W. 2d 7	Lucio v. City of Harlingen (C-8709)
770 S.W. 2d 629	City of Rosser, TX v. Baber (C-8855)
770 S.W. 2d 631	Great North American Stationers, Inc. v. Ball (C-8782)
771 S.W. 2d 675	Right Away Foods Corp., Inc. v. Terminix, Inc. (C-8919)
772 S.W. 2d 151	Parker v. Carnahan (C-8838)
772 S.W. 2d 205	Poindexter v. Foster (C-8835)
772 S.W. 2d 513	Continental Steel Co. v. H.A. Lott, Inc. (C-8983)
773 S.W. 2d 662	Enstar Petroleum Co. v. Mancias (C-8741)
773 S.W. 2d 949	Cherokee Water Co. v. Gregg County Appraisal District (C-9052)
774 S.W. 2d 284	Town of Sunnyvale, TX; et al. v. Mayhew; et al. (C-9021)
774 S.W. 2d 302	Pioneer Corp. v. Bullock (C-9044)
774 S.W. 2d 741	Koslow's v. Mackie (C-9060)
774 S.W. 2d 801	Lewelling v. Lewelling (C-9104)
776 S.W. 2d 198	De Los Santos v. Briercroft Service Corp. (C-9125)
776 S.W. 2d 286	E&B Carpet Mills v. State of Texas; et al. (C-9149)
776 S.W. 2d 638	Enserch Corp. v. Parker (C-9207)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

776	S.W. 2d	652	City of Garland v. Barrera (C-9225)
776	S.W. 2d	726	Don Dockstader Motors, Ltd. v. Patal Enterprises (C-9185)
777	S.W. 2d	147	Caulley v. Caulley (C-9274)
777	S.W. 2d	434	Matthews Construction Co., Inc. v. Rosen (C-9216)
777	S.W. 2d	763	Beaumont Bank, N.A. v. Buller (C-9202)
777	S.W. 2d	792	Turner v. Owens-Corning Fiberglas Corp. (C-9227)
777	S.W. 2d	814	Coalition of cities for affordable utility rates v. Public Utility Commission of Texas (C-9287)
778	S.W. 2d	867	Coleman v. Rotana, Inc. (C-9206)
779	S.W. 2d	86	Stames v. Holloway (C-9285)
780	S.W. 2d	384	Rice, individually and as independent executor of the estate of Rice, deceased v. Gregory (C-9349)
780	S.W. 2d	391	Advertising and Policy Committee of the Avis Rent A Car System v. Avis Rent A Car System, Inc. (C-9242)
780	S.W. 2d	404	Advertising and Policy Committee of the Avis Rent A Car System v. Avis Rent A Car System, Inc. (C-9243)
780	S.W. 2d	477	Rodriguez v. Adolph Coors Co. (C-9500)
780	S.W. 2d	888	Baxter v. Ruddle (C-9422)
781	S.W. 2d	301	Tarrant County Hospital District v. Armendarez (C-9411)
781	S.W. 2d	408	Winters v. Houston Chronicle Publishing Co. (C-9468)
781	S.W. 2d	427	Crossland v. Tarrant County Water Control and Improvement District No. 1 (C-9503)
781	S.W. 2d	618	Mancorp, Inc. v. Culpepper (C-9515)
781	S.W. 2d	646	Texas TX TX Marine Transportation, Inc. v. Manchester Terminal Corp. (C-9398)
781	S.W. 2d	652	Bushell v. Dean (C-9522)
781	S.W. 2d	667	City of Richardson, TX v. Responsible Dog Owners of Texas; et al. (C-9464)
782	S.W. 2d	290	City of Fort Worth, TX v. Williams (C-9596)
782	S.W. 2d	912	Cissne v. Robertson (C-9572)
783	S.W. 2d	16	Cox v. Texas Commerce Bank-Austin, N.A. (C-9584)
783	S.W. 2d	261	Greater Houston Transportation Co. v. Phillips (C-9555)
783	S.W. 2d	297	Sharyland Water Supply Corp. v. Hidalgo County Appraisal District; et al. (C-9525)
783	S.W. 2d	674	Gill Savings Association v. Chair King, Inc. (C-9598)
783	S.W. 2d	707	C & C Partners; et al. v. Sun Exploration and Production Co. (C-9633)
783	S.W. 2d	724	Brunswick Corp. v. Bush (C-9645)
783	S.W. 2d	724	Brunswick Corporation; et al. v. Bush; et al. (C-9645)
784	S.W. 2d	88	Reagan v. Vaughn (C-9548)
784	S.W. 2d	488	Duncan v. Carney (C-9659)
784	S.W. 2d	498	Springpark Homeowners Association, Inc. v. Scoville (C-9664)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

784	S.W. 2d	555	Martin v. First Gibraltar Bank, FSB (C-9702)
784	S.W. 2d	705	Williams v. Wendenburg (C-9686)
784	S.W. 2d	935	Eckler v. General Council of the Assemblies of God (C-9609)
785	S.W. 2d	169	Weeks v. Harris County Hospital Administration District (C-9712)
785	S.W. 2d	407	Cassidy v. Northwest Tech Center Associates, LTD. (C-9671)
785	S.W. 2d	421	Garza v. Garcia (C-9724)
785	S.W. 2d	840	Caldwell National Bank v. O'Neil (C-9692)
785	S.W. 2d	854	Hampton v. Minton (C-9757)
785	S.W. 2d	899	Jimmy Swaggart Evangelistic Association v. City of Shenandoah (C-9746)
786	S.W. 2d	26	Sfair v. Texas Alcoholic Beverage Commission (C-9770)
786	S.W. 2d	35	Sales v. Passmore (C-9786)
786	S.W. 2d	53	Townsend v. Texas Commerce Bank-New Braunfels, N.A. (C-9763)
786	S.W. 2d	386	Greater Southwest Office Park, LTD. v. Texas Commerce Bank National Association (C-9736)
786	S.W. 2d	409	Prairie Producing Co. v. Schlachter (C-9733)
786	S.W. 2d	437	Musslewhite v. State Bar of Texas (C-9754)
786	S.W. 2d	445	Lumbermen's Mutual Casualty Co. v. Coleman (C-9806)
786	S.W. 2d	461	Miller v. University Savings Association & Landmark Savings Association (C-9765)
786	S.W. 2d	464	Skees v. Wittie (C-9783)
786	S.W. 2d	499	Brooks v. Brooks (C-9819)
786	S.W. 2d	749	Dominguez v. Kelly (C-9787)
786	S.W. 2d	761	Galveston Independent School District v. Bell Savings and Loan Association (C-9802)
786	S.W. 2d	784	Brunner v. Attar (C-9772)
786	S.W. 2d	795	Texas-New Mexico Power Co. v. Texas Industrial Energy Consumers (C-9953)
787	S.W. 2d	72	Canter v. Easley (C-9834)
787	S.W. 2d	122	Grebe v. K-Mart Corporation (C-9851)
787	S.W. 2d	138	Gol v. Krueger (C-9855)
787	S.W. 2d	417	Kinnington v. Osborn (C-9805)
787	S.W. 2d	431	Lambourn v. Lambourn (C-9932)
787	S.W. 2d	459	City of San Antonio, TX v. Schneider (C-9872)
787	S.W. 2d	553	Ayoub v. City of El Paso, TX (C-9960)
787	S.W. 2d	555	Tucker v. Atlantic Richfield Company (C-9931)
787	S.W. 2d	566	Krenek v. Texstar North America, Inc. (C-9930)
787	S.W. 2d	570	Conlee v. Evans (C-9929)
787	S.W. 2d	575	Rabe v. Guaranty National Insurance Co. (C-9951)
787	S.W. 2d	611	Valero Transmission Co. v. Wagner & Brown II (D-0001)
787	S.W. 2d	631	Webster v. Lipsey (C-9720)
788	S.W. 2d	26	First Baptist Church of Haltom City v. Birdville Independent School District (C-9991)
788	S.W. 2d	48	Rath v. State of Texas (C-9807)
788	S.W. 2d	76	McFerren v. Harris County, TX (C-9925)
788	S.W. 2d	81	Nelson v. Schanzer (C-9933)
788	S.W. 2d	107	Roberts v. Houston Independent School District (C-9919)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

788 S.W. 2d 115	Campise v. NCNB Texas National Bank (C-9922)
788 S.W. 2d 123	TLL Energy Corp. v. Presnal (C-9963)
788 S.W. 2d 131	Wade v. Director, State Employees Workers' Comp Division (C-9863)
788 S.W. 2d 136	Koral Industries, Inc. v. Security-Connecticut Life Insurance Co. (C-9997)
788 S.W. 2d 152	Frito-Lay, Inc. v. American Alliance Insurance Co. (C-9907)
788 S.W. 2d 156	Brodsky v. Culbertson (C-9954)
788 S.W. 2d 165	Gittelman v. First National Bank of Missouri City (C-9934)
788 S.W. 2d 175	White v. Rupard (C-9980)
788 S.W. 2d 456	TPS Freight Distributors, Inc. v. Texas Commerce Bank-Dallas (C-9909)
788 S.W. 2d 581	American General Fire & Casualty Co. v. Rodriguez (C-9984)
788 S.W. 2d 632	Briones v. First Victoria National Bank (C-9961)
788 S.W. 2d 700	Ramirez v. Volkswagen of America, Inc. (C-9994)
788 S.W. 2d 722	Reyna v. Ayco Development Corp. (C-9976)
788 S.W. 2d 837	Shell Pipe Line Corp. v. Coastal State Trading, Inc. (D-0029)
788 S.W. 2d 860	Abramson v. Abramson (C-9816)
788 S.W. 2d 868	State of Texas v. Ellison (C-9962)
788 S.W. 2d 916	New York Underwriters Insurance Co. v. Sanchez (D-0046)
788 S.W. 2d 938	Galveston County v. Murphy (D-0018)
789 S.W. 2d 304	Haney v. Vance (D-0023)
789 S.W. 2d 307	Winograd v. Willis (C-9977)
789 S.W. 2d 358	NCNB Texas National Bank v. Sterling Projects, Inc. (C-9854)
789 S.W. 2d 618	Gallaher v. Balasco (D-0082)
789 S.W. 2d 942	Milam Development Corp. v. 7*7*0*1 Wurzbach Tower Council of Co-owners, Inc. (D-0051)
789 S.W. 2d 947	Alvarez v. Mireles (D-0063)
789 S.W. 2d 949	Martinez v. OCHS (D-0055)
790 S.W. 2d 006	Greater Texoma Utility Authority v. City of Bells, TX (D-0045)
790 S.W. 2d 41	Cook v. Frizzell (D-0062)
790 S.W. 2d 375	Rollingbrook Investment Co. v. Texas National Bank of Baytown (D-0140)
790 S.W. 2d 690	First American Title Insurance Co. v. Zimmerman (D-0084)
790 S.W. 2d 700	Federal Deposit Insurance Corporation v. Hidalgo, Chambers & Company (C-9958)
790 S.W. 2d 709	Cecil v. Smith (D-0100)
790 S.W. 2d 730	Yepez v. Carrera (D-0026)
790 S.W. 2d 757	Torres v. Hooper (D-0142)
790 S.W. 2d 761	Whitaker v. Huffaker (D-0035)
790 S.W. 2d 796	Partee v. Cothrum Drilling Co. (D-0102)
790 S.W. 2d 862	Harris County Bail Bond Board v. Burns (D-0167)
791 S.W. 2d 146	Pan American Life Insurance Co. v. Erbauer Construction Corp. (D-0032)
791 S.W. 2d 160	Flores v. H. E. Butt Stores, Inc. (D-0132)
791 S.W. 2d 179	First Interstate Bank of Texas v. Turner (D-0103)
791 S.W. 2d 200	Attorney General of the State of Texas v. Johnson (D-0083)
791 S.W. 2d 221	State of Texas v. Megason (D-0113)
791 S.W. 2d 224	Ibarra v. Housing Authority of the City of Corpus Christi (D-0127)
791 S.W. 2d 247	Smith v. Technibilt, Inc. (D-0179)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

791	S.W. 2d	269	South Texas Cable Television, Inc. v. TCI Cablevision of Texas, Inc. (D-0178)
791	S.W. 2d	293	Nautical Landings Marina, Inc. v. First National Bank in Port Lavaca (D-0038)
791	S.W. 2d	321	M.S. & T.S. v. All Saints Episcopal Hospital (D-0239)
791	S.W. 2d	542	State Farm Lloyds, Inc. v. Williams (D-0068)
791	S.W. 2d	561	Caserotti v. State Farm Insurance Co. (D-0157)
791	S.W. 2d	584	Lawson-Avila Construction, Inc. v. Stoutamire (D-0154)
791	S.W. 2d	628	Kale v. Palmer (D-0164)
791	S.W. 2d	648	Kimmell v. Leoffler (D-0199)
792	S.W. 2d	118	Ortiz v. Gutierrez (D-0202)
792	S.W. 2d	135	City of Sherman, TX v. Courtney (D-0013)
792	S.W. 2d	150	Law v. Law (D-0037)
792	S.W. 2d	168	Hollaway v. Hollaway (D-0185)
792	S.W. 2d	171	Hoover v. Sims (D-0071)
792	S.W. 2d	176	Hill v. City of Houston (D-0182)
792	S.W. 2d	217	City of Bridge City, TX v. State of Texas (D-0205)
792	S.W. 2d	740	McKinney v. Smith (D-0209)
792	S.W. 2d	759	Vickery v. Texas Carpet Co., Inc. (D-0189)
792	S.W. 2d	785	Chapman v. Oshman's Sporting Goods, Inc. (D-0181)
792	S.W. 2d	810	Nacol v. State of Texas (D-0267)
792	S.W. 2d	822	U.S. Home Corp. v. Park Meadows Civic Association, Inc. (D-0290)
793	S.W. 2d	26	Payne & Keller, Inc. v. P.P.G. Industries, Inc. (C-8711)
793	S.W. 2d	27	Lawler v. Dallas Statler-Hilton Joint Venture (D-0159)
793	S.W. 2d	45	Tate v. Sartain (D-0226)
793	S.W. 2d	50	Teague v. Bandy (D-0276)
793	S.W. 2d	83	Texas National Bank of Victoria v. Lewis (D-0048)
793	S.W. 2d	281	State of Texas v. Landry (D-0183)
793	S.W. 2d	315	Kaminski v. Tope (D-0311)
793	S.W. 2d	320	4M Linen & Uniform Supply Co., Inc. v. W.P. Ballard & Co., Inc. (D-0245)
793	S.W. 2d	329	Denton Publishing Co. v. Clarke (D-0319)
793	S.W. 2d	337	Samuels v. Fourteenth Court of Appeals (D-0308)
793	S.W. 2d	735	Mewbourne Oil Co. v. Blackburn (D-0232)
793	S.W. 2d	753	Texas State Board of Law Examiners v. Malloy (D-0322)
794	S.W. 2d	54	Jamigan v. First National Bank of Amarillo (D-0302)
794	S.W. 2d	63	Terry v. E-Z Mart Stores, Inc. (D-0225)
794	S.W. 2d	66	McGuire v. Post Oak Lane Townhome Association, Phase II (D-0268)
794	S.W. 2d	78	Schein v. American Restaurant Group, Inc. (D-0394)
794	S.W. 2d	129	Carrizales v. Wal-Mart Stores, Inc. (D-0368)
794	S.W. 2d	373	Illinois National Insurance Co. v. Perez (D-0117)
794	S.W. 2d	380	Sheldon L. Pollack Corp. v. Falcon Industries, Inc. (D-0401)
794	S.W. 2d	402	Dickinson Independent School District v. Houston Lighting and Power Co. (D-0254)
794	S.W. 2d	435	HJS Industries, Inc. v. Tuscarora Corp. (D-0392)
794	S.W. 2d	459	Aguilar v. Autohaus, Inc. (D-0271)
794	S.W. 2d	479	Clark v. Trailways, Inc. (D-0391)
794	S.W. 2d	537	First City Bank of Plano v. Stone (D-0351)
794	S.W. 2d	545	Yates v. Precision Sheet Metal Mfg. Co., Inc. (D-0337)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

794 S.W. 2d 554	Bullock v. Dorchester Master Limited Partnership (D-0390)
794 S.W. 2d 574	American Economy Insurance Co. v. Smith (D-0424)
794 S.W. 2d 578	Mosharaf v. State Farm Life Insurance Co. (D-0331)
794 S.W. 2d 773	Brownfield v. Missouri Pacific Railroad Co. (D-0300)
794 S.W. 2d 781	Ticor Title Insurance Co. v. Lacy (D-0434)
794 S.W. 2d 793	Texas Employers Insurance Association v. Sells (D-0248)
794 S.W. 2d 823	Smith v. Smith (D-0358)
794 S.W. 2d 830	Goheen v. Koester (D-0345)
794 S.W. 2d 856	Peters v. Gifford-Hill & Co., Inc. (D-0429)
794 S.W. 2d 895	White v. Independence Bank (D-0499)
794 S.W. 2d 901	Caro v. Housing Authority of the City of Austin (D-0482)
794 S.W. 2d 937	Terrell State Hospital of the Texas Department of Mental Health and Mental Retardation v. Ashworth (D-0246)
795 S.W. 2d 5	Gutierrez v. Texas Employers Insurance Association (D-0310)
795 S.W. 2d 13	Standard Brand Paint v. Torrez (D-0325)
795 S.W. 2d 39	Consolidated Capital Properties, IV v. Harris County Appraisal District (D-0443)
795 S.W. 2d 210	Odiome v. Rose (D-0576)
795 S.W. 2d 221	Houston Orthopedic Associates v. Burkhardt (D-0305)
795 S.W. 2d 230	Volunteer Council of Denton State School, Inc. v. Berry (D-0462)
795 S.W. 2d 252	Home Federal Savings and Loan Association v. Georgetown Associates, LTD (D-0293)
795 S.W. 2d 257	Pearson v. Watkins (D-0476)
795 S.W. 2d 261	Manpower, Inc. v. Texas Employment Commission (D-0501)
795 S.W. 2d 266	Boyd v. Fuel Distributors, Inc. (D-0575)
795 S.W. 2d 313	Koutzarov v. Stevenson (D-0343)
795 S.W. 2d 336	Atchley v. NCNB Texas National Bank (D-0469)
795 S.W. 2d 343	New York Underwriters Insurance Co. v. Brandon (D-0474)
795 S.W. 2d 779	Flukinger v. Straughan (D-0330)
795 S.W. 2d 794	Prappas v. Meyerland Community Improvement Association (D-0334)
795 S.W. 2d 829	City of Houston v. Goings (D-0416)
795 S.W. 2d 888	State Department of Highways and Public Transportation v. King (D-0385)
795 S.W. 2d 897	Finkelstein v. Carpenter (D-0471)
796 S.W. 2d 206	Ross v. Texas One Partnership (D-0425)
796 S.W. 2d 225	Walton v. Harnischfeger (D-0447)
796 S.W. 2d 229	McClendon v. State Farm Mutual Automobile Insurance Co. (D-0497)
796 S.W. 2d 233	Connors v. Connors (D-0525)
796 S.W. 2d 269	Harris County, TX v. Walsweer (D-0541)
796 S.W. 2d 304	Woodley v. Bruton (D-0543)
796 S.W. 2d 482	Amsav Group, Inc. v. American Savings and Loan Association of Brazoria County (D-0352)
796 S.W. 2d 500	Kwiecien v. Garza-Vale (D-0445)
796 S.W. 2d 534	HBA East, LTD. v. JEA Boxing Co., Inc. (D-0436)
796 S.W. 2d 751	Mohamed v. Exxon Corp. (D-0306)
796 S.W. 2d 758	Allen v. City Lumber Co. (D-0393)
796 S.W. 2d 763	Budget Rent-A-Car Systems, Inc. v. Hartford Casualty Insurance Co. (D-0338)
796 S.W. 2d 772	Tyler v. Preston Ridge Financial Services Corp. (D-0550)
796 S.W. 2d 790	Corman v. Fabrique, Inc. (D-0483)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

796	S.W. 2d	805	Occhipenti; Ex parte v. (D-0630)
797	S.W. 2d	92	Pentad Joint Venture v. First National Bank of LaGrange, TX (D-0439)
797	S.W. 2d	103	Hickey v. Couchman (D-0528)
797	S.W. 2d	112	City of Bryan v. Russell (D-0498)
797	S.W. 2d	125	Jones v. Spangler (D-0435)
797	S.W. 2d	144	Mitchell v. Sheppard Memorial Hospital (D-0384)
797	S.W. 2d	165	Goldston Corp. v. Champlin Petroleum Co. (D-0546)
797	S.W. 2d	167	Texas Real Estate Commission v. Palacios (D-0559)
797	S.W. 2d	170	Prihoda v. Marek (D-0578)
797	S.W. 2d	176	Point Isabel Independent School District v. Hinojosa (D-0529)
797	S.W. 2d	184	Williams v. Crawford (D-0460)
797	S.W. 2d	254	Sonic Drive-In of Raymondville, Texas, Inc. v. Hernandez (D-0581)
797	S.W. 2d	265	Pecos Development Corp. v. Hydrocarbon Horizons, Inc. (D-0522)
797	S.W. 2d	272	State of Texas v. Lopez (D-0533)
797	S.W. 2d	278	Heine v. Schendel (D-0585)
797	S.W. 2d	304	Bayoud v. Bayoud (D-0587)
797	S.W. 2d	326	HTM Restaurants, Inc. v. Goldman Sachs & Co. (D-0553)
797	S.W. 2d	689	McBride v. McBride (D-0574)
798	S.W. 2d	4	St. Paul Companies v. Chevron U.S.A., Inc. (D-0593)
798	S.W. 2d	300	OKC Corp. v. UPG, Inc. (D-0297)
798	S.W. 2d	346	Isuani v. Manske-Sheffield Radiology Group, P.A. (D-0508)
798	S.W. 2d	382	American Motorists Insurance Co. v. Seale (D-0605)
798	S.W. 2d	573	Worford v. Stamper (D-0002)
798	S.W. 2d	580	Houston Chronicle Publishing Co. v. Houston Independent School District (D-0589)
798	S.W. 2d	606	Austrian Import Service, Inc. v. A.B.F. Freight Systems, Inc. (D-0495)
798	S.W. 2d	626	Musick v. Reynolds (D-0685)
798	S.W. 2d	637	Decker v. Hatfield (D-0733)
798	S.W. 2d	646	Rosenthal v. Bachler (D-0712)
798	S.W. 2d	661	Prosper Independent School District v. Central Education Agency (D-0775)
798	S.W. 2d	805	White Budd Van Ness Partnership v. Major-Gladys Drive Joint Venture (D-0502)
798	S.W. 2d	828	Sun Exploration & Production Co. v. Lujan (D-0625)
798	S.W. 2d	862	Dolenz v. American General Fire and Casualty Co. (D-0615)
798	S.W. 2d	875	Texas Association of Long Distance Telephone Companies v. Public Utility Commission of Texas (D-0652)
798	S.W. 2d	898	Jones v. Ignal (D-0737)
799	S.W. 2d	308	Houston Building Service, Inc. v. American General Fire and Casualty Co. (D-0637)
799	S.W. 2d	334	Central Mutual Insurance Co. v. Dunker (D-0613)
799	S.W. 2d	368	Smith v. Shar-Alan Oil Co. (D-0660)
799	S.W. 2d	390	Beacon National Insurance co. v. Reynolds (D-0643)
799	S.W. 2d	415	Harlingen Mall Co. v. Wright Way Construction Co., Inc. (D-0682)
799	S.W. 2d	482	Martin v. First RepublicBank Fort Worth (D-0686)
799	S.W. 2d	496	Garcia v. City of Houston (D-0693)



SUPREME COURT DOCKETS, 1990-91

Case Table by Appeal Citation

800	S.W. 2d	252	Revia v. Marine Drilling Co. (D-0721)
800	S.W. 2d	285	Daytona Group of Texas, Inc. v. Smith (D-0681)
800	S.W. 2d	359	Service Lloyds Insurance Co. v. Slay (D-0796)
800	S.W. 2d	371	Hanau v. Thirteenth Court of Appeals (D-0723)
800	S.W. 2d	380	Ambrose v. Mack (D-0787)
800	S.W. 2d	384	Maxville-Glasco Drilling Co., Inc. v. Royal Oil and Gas Corp. (D-0789)
800	S.W. 2d	567	Andrews v. ABJ Adjustors, Inc. (D-0700)
800	S.W. 2d	572	Evans v. Peko Oil USA (D-0622)
800	S.W. 2d	596	Cheek v. Humphreys (D-0697)
800	S.W. 2d	610	Newberry v. Durish (D-0672)
800	S.W. 2d	630	Swanson v. Houston Independent School District (D-0718)
800	S.W. 2d	644	Reid v. Best Waste Systems, Inc. (D-0742)
800	S.W. 2d	672	All Valley Acceptance Co. v. Durfey (D-0793)
800	S.W. 2d	681	Triple T Inns of Texas, Inc. v. Roberts (D-0783)
800	S.W. 2d	859	Guerrero v. Texas Employers Insurance Association (D-0760)
800	S.W. 2d	872	State of Texas v. \$50,600.00 (D-0534)
801	S.W. 2d	176	Hill v. Watts (D-0608)
801	S.W. 2d	186	Tumminello v. U.S. Home Corp. (D-0735)
801	S.W. 2d	253	Metro Nissan of Montclair v. Slater (D-0819)
801	S.W. 2d	538	Offenhauser v. Prokopuk (D-0633)
801	S.W. 2d	553	Taylor v. Bonilla (D-0739)
801	S.W. 2d	565	One 1975 Chevrolet v. State of Texas (D-0888)
802	S.W. 2d	21	Talley v. Leach (D-0730)
802	S.W. 2d	48	Mares v. Jackson (D-0790)
802	S.W. 2d	109	Rittgers v. Rittgers (D-0837)
802	S.W. 2d	270	Coke v. Coke (D-0623)
802	S.W. 2d	300	Lucey v. Southeast Texas Emergency Physicians Associates (D-0827)
802	S.W. 2d	390	Seal v. Pooley (D-0836)
802	S.W. 2d	424	City of Wichita Falls, TX v. Alvarado (D-0907)
802	S.W. 2d	709	Farm Credit Bank of Texas v. Snyder National Bank (D-0824)
802	S.W. 2d	735	Moody v. Myrick (D-0833)
802	S.W. 2d	758	Irving Hospital Foundation v. Huckabay (D-0859)
802	S.W. 2d	788	Ablin v. Morton Southwest Co. (D-0879)
802	S.W. 2d	794	Zerda v. Gonzales (D-0895)
802	S.W. 2d	799	Phoenician Imports, Inc. v. El Universal Compañía Periodística Nacional (D-0762)
802	S.W. 2d	854	Bexar County v. North East Independent School District (D-0885)
802	S.W. 2d	866	Cedillo v. Jefferson (D-0891)
802	S.W. 2d	873	Miller v. Kossey (D-0839)
803	S.W. 2d	351	Aetna Life Insurance Co. v. Hermann Hospital (D-0765)
803	S.W. 2d	377	City of Kerrville, TX v. Kerrville, HRH, Inc. (D-0900)
803	S.W. 2d	411	Holcomb v. Holcomb (D-0878)
803	S.W. 2d	458	Green Tree Acceptance, Inc. v. Holmes (D-0942)



**CASE TABLE BY SUPREME COURT DOCKET NUMBER**







SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-6136	Peralta v. Bettis
C-6535	Rose v. Doctors Hospital Facilities
C-6544	Breeden v. Hammonds
C-6672	Hartline v. Burnett
C-6733	Kinerd v. Colonial Leasing Co.
C-6810	Allee v. Benser
C-6968	Sesco Production Company v. Atex Pipe and Supply, Inc.
C-7079	Walker; Ex parte v.
C-7088	Walker; Ex parte v.
C-7286	H.W. Mitchell v. Missouri-Kansas-Texas Railroad Co.
C-7298	Johnson v. Hoffman
C-7339	Martin v. Credit Protection Association, Inc.
C-7373	Dentex Shoe Corp. v. F.E. Schmitz Co., Inc.
C-7376	Bowman v. Lumberton I.S.D.
C-7412	Borden v. Sullivant
C-7434	Carter v. Crowley
C-7463	Melenzyer v. Curry
C-7480	Stauffer v. Henderson
C-7490	Otis Elevator Co. v. Joseph
C-7593	Stracener v. United Services Automobile Association
C-7611	Eye Site, Inc. v. Blackburn
C-7641	Higginbotham v. General Life and Accident Insurance Company
C-7670	M & M Constuction Co. v. Great American Insurance Co.
C-7734	Snadon v. Joe T. Garcia's Enterprises, Inc.
C-7748	Tex Tire, Inc. v. El Dorado Tire Co.
C-7757	North Central Investment Corp. v. Bayoud
C-7760	Lacey v. Baker
C-7774	Axelsson, Inc. v. McIlhany
C-7796	Wilson v. Dunn
C-7805	Juliette Fowler Homes, Inc. v. Welch Associates, Inc.
C-7806	Gorman v. Life Insurance Co. of North America
C-7824	Tom L. Scott, Inc. v. McIlhany
C-7880	Wingate v. Hajdik
C-7889	Aluminum Co. of America v. ALM
C-7916	Crosby v. Methodist Hospital
C-7962	Benavides v. Benavides
C-7990	Transamerica Title Insurance Co. v. San Benito Bank & Trust Co.
C-8025	Liquid Energy Corp. v. Trans-Pan Gathering, Inc.
C-8147	Huston v. Federal Deposit Insurance Corp.
C-8148	Otis Elevator Company v. Bedre
C-8149	McIlvain v. Jacobs, Jr.
C-8161	Simkins v. Spillman
C-8165	Morris v. Texas Employers Insurance Association
C-8184	Austin Ranch Enterprises, Inc. v. Wells
C-8195	Freeman v. City of Pasadena, TX
C-8203	Eagle Properties, LTD v. Scharbauer
C-8209	Pulaski Bank & Trust Co. v. Texas American Bank/Fort Worth, N.A.
C-8231	Orion Investments, Inc. v. Dunaway and Associates, Inc.
C-8233	Lower Neches Valley Authority v. Park
C-8258	Jones, in the interest of v. Hamilton
C-8271	Sun Marine Terminals, Inc. v. Artoc Bank and Trust, Limited
C-8272	Federal Deposit Insurance Corporation v. Coleman
C-8299	Murray v. San Jacinto Agency, Inc.
C-8337	Trinity National Bank v. Beneficial Standard Life Insurance Co.
C-8350	American National Petroleum Company v. Transcontinental Gas Pipe Line Corporation



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-8356	Palmer Well Services, Inc. v. Mack Trucks, Inc.
C-8357	Beneficial Standard Life Insurance Co. v. Trinity National Bank of Dallas
C-8363	Goeke v. Houston Lighting and Power Co.
C-8369	Sabb, Inc. v. Federal Savings and Loan Insurance Corp.
C-8375	Garcia v. Pacesetter Corp.
C-8386	Barras v. Intercoastal Warehouse Corp.
C-8400	Haddock v. Arnspiger
C-8408	Pecorino v. Raymark Industries, Inc.
C-8412	Niamatali v. Whittington
C-8444	Bravo v. Agency Rent-A-Car, Inc.
C-8460	Wiegand v. Ramsey
C-8467	Williams v. Khalaf
C-8473	LBL Oil Co. v. International Power Services, Inc.
C-8476	Lassiter v. Quast & Glenn
C-8479	Connell v. Wadsworth Business Center - Willowbrook Limited Partnership
C-8481	Garza v. Allied Deer Park Bank
C-8485	Musslewhite v. Casseb
C-8502	Swofford v. Tri-State Chemicals, Inc.
C-8513	Culpepper v. Coker
C-8523	Civil Service Commission of Wichita Falls, TX v. Collier
C-8535	Rhode v. Garza
C-8537	Post Oak/Memorial Centre, LTD. v. Wood
C-8538	Johnson v. Lynaugh
C-8548	Hilton v. Dellana
C-8552	Dooley, Jr v. Salyer
C-8555	Adams v. Gemini Drilling & Exploration Co., Inc.
C-8559	Mayfield v. Watson
C-8564	Gleason v. State of Texas
C-8565	French v. Community Broadcasting of Coastal Bend, Inc.
C-8588	Vastine v. Gateway National Bank
C-8599	Curtis v. Caton
C-8600	Soto v. Clawson
C-8602	Toyota Motor Sales, U.S.A., Inc. v. Heard
C-8606	Bivins v. Roberson
C-8607	Johnson v. City of Fort Worth, TX
C-8611	Callon v. Callon
C-8612	Gansle v. Strain
C-8617	Texas Department of Human Services; et al. v. E.B.
C-8623	Burruss Oil Co. v. Thompson
C-8624	Express-News Corp. v. Spears
C-8627	Gonzales; Ex parte v.
C-8628	Garza; Ex parte v.
C-8629	Leal; Ex parte v.
C-8632	Eshtary v. Allstate Insurance Co.
C-8634	Cage v. Thomason
C-8635	Bard v. Frank B. Hall & Co.
C-8637	Walker v. Plaza National Bank
C-8640	Bell v. St. Cyr
C-8644	Freeman v. Briarcroft Property Owners, Inc.
C-8654	Raintree Properties, Inc. v. Mack Trucks, Inc.
C-8657	Thomas v. Georgia Pacific Corp.
C-8663	Jordan v. Central Mutual Insurance Co.
C-8666	Great American Reserve Insurance Co. v. Lockhart
C-8669	Shumway v. Horizon Credit Corp.
C-8676	South Central Financial Group, Inc. v. Witt
C-8678	Ozuna v. South West Bio-Clinical Laboratories



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-8680	West Texas Peterbilt, Inc. v. Paso Del Norte Oil Co.
C-8684	Exxon Co., U.S.A. v. Banque de Paris et des Pays-Bas
C-8685	Airport Skateland, Inc. v. Sims
C-8687	Fortner v. Fortner
C-8691	Funderburg v. Lone Star Life Insurance Co.
C-8696	Brenner v. Woodward
C-8702	Nichols v. Whitehead
C-8705	Bankers Savings and Loan Association v. David Goodbar Interests, Inc.
C-8706	Posey v. Monier Resources, Inc.
C-8709	Lucio v. City of Harlingen
C-8710	Nazarian v. Thomas
C-8711	Payne & Keller, Inc. v. P.P.G. Industries, Inc.
C-8712	Kimble v. Aetna Casualty and Surety Co.
C-8715	Ruiz v. Terrell
C-8717	Heaton v. Fulton
C-8718	Thomas; Ex parte v.
C-8720	Boy Scouts of America v. Eighth Court of Appeals
C-8723	Lakeside Motel, Inc. v. Owen
C-8725	Tisdale v. Mahler
C-8734	Roden v. Howard
C-8735	Loggins v. Gilley
C-8736	American Medical International, Inc. v. Casseb
C-8737	Independent State Life Insurance Co. v. Vaughn
C-8738	Hill v. Lynaugh
C-8741	Enstar Petroleum Co. v. Mancias
C-8753	Striplin v. Eighth Court of Appeals
C-8759	Tascosa National Bank v. Employers Mutual Casualty Co.
C-8760	Fisher v. Price
C-8761	Cox v. Hyatt
C-8764	Ross v. City of Dallas
C-8766	Arrington v. Mattox
C-8772	Artesia Waters, Inc. v. Humphreys
C-8777	Freitag v. Trevathan
C-8782	Great North American Stationers, Inc. v. Ball
C-8787	Union Carbide Corp. v. Moyer
C-8789	North Alamo Water Supply Corp. v. Willacy County Appraisal District
C-8792	Hartford Casualty Insurance Co. v. Hunter
C-8799	Creel v. District Attorney and Sheriff for Medina County, TX
C-8802	Lawrence v. Texas Employment Commission
C-8805	Black v. Victoria Lloyds Insurance Co.
C-8828	Flowers v. Caddell
C-8830	Lauterbach v. Lieber Enterprises, Inc.
C-8832	City of Hearne v. Stem
C-8835	Poindexter v. Foster
C-8838	Parker v. Carnahan
C-8841	Nan Travis Memorial Hospital v. Tyson
C-8847	Rogers v. Clinton
C-8853	Dallas County Hospital District v. May
C-8855	City of Rosser, TX v. Baber
C-8863	Bennett v. Texas Instruments, Inc.
C-8879	Mullen v. Marshall
C-8880	Luker v. Walker
C-8894	Devlin v. Ryan
C-8896	Aimsworth; Ex parte v.
C-8900	L. P. C. Distributing Co., Inc. v. Cadillac Insurance Co.
C-8919	Right Away Foods Corp., Inc. v. Terminix, Inc.



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-8932	Moljo; Ex parte v.
C-8933	Blankenship v. Blankenship
C-8938	Mathai v. Marshall
C-8940	Greer; Ex parte v.
C-8946	Foreman v. Aetna Casualty and Surety Co.
C-8949	Evans v. Pollack
C-8956	Malinowski v. Harris
C-8962	Reliance Insurance Co. v. Capital Bancshares, Inc.
C-8973	Newding v. Powell
C-8983	Continental Steel Co. v. H.A. Lott, Inc.
C-8989	O'Connell v. Meyers
C-8991	Meyer v. State Bar of Texas
C-9002	Trans Pacific Stores v. Wilson
C-9007	Forse; Ex parte v.
C-9021	Town of Sunnyvale, TX; et al. v. Mayhew; et al.
C-9038	Windham v. Windham
C-9044	Pioneer Corp. v. Bullock
C-9047	NCNB Texas National Bank v. United States Fidelity and Guaranty Co.
C-9052	Cherokee Water Co. v. Gregg County Appraisal District
C-9054	Gardner v. Perez
C-9055	Gardner v. Fourth Court of Appeals
C-9060	Koslow's v. Mackie
C-9064	Rhodes v. Cahill
C-9076	Olivares v. Kelly
C-9078	North Alamo Water Supply Corp. v. Dibrell
C-9085	A & T Consultants, Inc. v. Bullock
C-9092	Howell v. Phillips
C-9104	Lewelling v. Lewelling
C-9125	De Los Santos v. Briercroft Service Corp.
C-9126	Mercy Hospital of Laredo v. Rios
C-9134	Arkansas Federal Savings Bank v. Bieler and Associates
C-9142	Howell v. Hecht
C-9149	E&B Carpet Mills v. State of Texas; et al.
C-9151	Casiano v. Cortes
C-9154	Vandenburg v. Sunbelt Service Corp.
C-9157	Duran v. Bayoud, Jr
C-9182	Highland Park Subdivision Residents v. Central Education Agency
C-9184	Sitterle Properties v. Texas Savings and Loan Association
C-9185	Don Dockstader Motors, Ltd. v. Patal Enterprises
C-9202	Beaumont Bank, N.A. v. Buller
C-9206	Coleman v. Rotana, Inc.
C-9207	Enserch Corp. v. Parker
C-9211	Athari v. Hutcheson
C-9212	Drew v. Clawson
C-9216	Matthews Construction Co., Inc. v. Rosen
C-9217	City of Weatherford v. Parker County; et al.
C-9223	McGill v. Johnson
C-9224	Perales v. Westergren
C-9225	City of Garland v. Barrera
C-9227	Turner v. Owens-Corning Fiberglas Corp.
C-9237	Floren v. Schattman
C-9242	Advertising and Policy Committee of the Avis Rent A Car System v. Avis Rent A Car System, Inc.
C-9243	Advertising and Policy Committee of the Avis Rent A Car System v. Avis Rent A Car System, Inc.
C-9250	Emerson v. Tunnell



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-9256	Simpson v. Canales
C-9274	Caulley v. Caulley
C-9285	Starnes v. Holloway
C-9287	Coalition of cities for affordable utility rates v. Public Utility Commission of Texas
C-9297	Hagaman; et al. v. Morgan; et al.
C-9302	Union Carbide Corp. v. Moye
C-9349	Rice, individually and as independent executor of the estate of Rice, deceased v. Gregory
C-9355	Sievers v. Sievers, estate of
C-9372	Dunlap; Ex parte v.
C-9380	Mosier v. Mosier
C-9398	Texas TX TX Marine Transportation, Inc. v. Manchester Terminal Corp.
C-9411	Tarrant County Hospital District v. Armendarez
C-9422	Baxter v. Ruddle
C-9425	Clement v. Texas Employers Insurance Association
C-9460	Dallas Brewery, LTD. v. Rose
C-9464	City of Richardson, TX v. Responsible Dog Owners of Texas; et al.
C-9468	Winters v. Houston Chronicle Publishing Co.
C-9474	Ramirez v. Killam & Hurd, Ltd.
C-9476	Gonzales; et al. v. Mission American Insurance Co.
C-9478	Rocha v. McNeel
C-9498	International Architectural Glass Co. v. Aztec Rental Center, Inc.
C-9500	Rodriguez v. Adolph Coors Co.
C-9503	Crossland v. Tarrant County Water Control and Improvement District No. 1
C-9504	BHP Petroleum Co., Inc. v. Millard
C-9505	Martinez v. National Convenience Stores, Inc.
C-9515	Mancorp, Inc. v. Culpepper
C-9522	Bushell v. Dean
C-9525	Sharyland Water Supply Corp. v. Hidalgo County Appraisal District; et al.
C-9527	Houston Tractor Equipment, Inc. v. Cochran
C-9535	Smith v. Holloway
C-9537	Bazile v. Aetna Casualty and Surety Co.; et al.
C-9547	Riley v. Meriwether
C-9548	Reagan v. Vaughn
C-9550	Port of Houston Authority v. West
C-9554	MCR International, Inc. v. Alamo Savings Association of Texas
C-9555	Greater Houston Transportation Co. v. Phillips
C-9559	Mayhew v. Caprito
C-9562	Burk v. Townbluff Homeowners Association, Inc.
C-9563	Newman v. Woodhaven National Bank, Inc.
C-9572	Cissne v. Robertson
C-9582	Sadler v. Sadler
C-9584	Cox v. Texas Commerce Bank-Austin, N.A.
C-9589	Holmes v. Harrison
C-9596	City of Fort Worth, TX v. Williams
C-9598	Gill Savings Association v. Chair King, Inc.
C-9602	North America Title Co., Inc. v. Guardian Title Co., Inc.
C-9604	Evan v. University Savings & Loan of Boerne, TX
C-9609	Eckler v. General Council of the Assemblies of God
C-9610	Lively Energy and Development Corp. v. Lone Star Gas Co.
C-9614	Anderson v. Opperman
C-9618	Schager and Schagar v. FDIC, receiver for National Bank of Commerce of Brownsville
C-9626	Time Insurance Co. v. Wilkins
C-9632	Bank of Houston v. Thomas



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-9633	C & C Partners; et al. v. Sun Exploration and Production Co.
C-9634	Universal Stair Manufacturing Company v. Huneycutt
C-9642	Baytown Construction Company, Inc. v. Buchanan/Soil Mechanics, Inc.
C-9645	Brunswick Corp. v. Bush
C-9645	Brunswick Corporation; et al. v. Bush; et al.
C-9659	Duncan v. Carney
C-9664	Springpark Homeowners Association, Inc. v. Scoville
C-9666	Kim v. Trammell Crow Company No. 63A
C-9671	Cassidy v. Northwest Tech Center Associates, LTD.
C-9686	Williams v. Wendenburg
C-9691	Mechinus v. Western Motors Imports, Inc.
C-9692	Caldwell National Bank v. O'Neil
C-9694	Studer v. Stancil
C-9698	Taylor v. Mahoney
C-9701	Springer v. Burgess
C-9702	Martin v. First Gibraltar Bank, FSB
C-9710	ISS International Service System, Inc. v. Haws
C-9712	Weeks v. Harris County Hospital Administration District
C-9715	Hollingsworth v. Mauro
C-9718	Brown & Root, Inc. v. Oliver
C-9719	Creedmoor Maha Water Supply Corp. v. Barton Springs-Edwards Aquifer Conservation District
C-9720	Webster v. Lipsey
C-9724	Garza v. Garcia
C-9729	Bacile v. Shore
C-9733	Prairie Producing Co. v. Schlachter
C-9736	Greater Southwest Office Park, LTD. v. Texas Commerce Bank National Association
C-9737	Tascosa National Bank of Amarillo v. Borg-Warner Acceptance Corp.
C-9739	Lee; Ex parte v.
C-9743	Awalt v. Jigna, Inc.
C-9745	Tiffan v. Mea Interests, Inc.
C-9746	Jimmy Swaggart Evangelistic Association v. City of Shenandoah
C-9754	Musslewhite v. State Bar of Texas
C-9757	Hampton v. Minton
C-9758	Jones v. Estate of Beatrice Jones
C-9763	Townsend v. Texas Commerce Bank-New Braunfels, N.A.
C-9764	Norris v. Service Lloyds Insurance Co.
C-9765	Miller v. University Savings Association & Landmark Savings Association
C-9767	Allied Addicks Bank v. Mueller
C-9768	Aggregate Plant Products Company v. Perry
C-9770	Sfair v. Texas Alcoholic Beverage Commission
C-9772	Brunner v. Attar
C-9773	Southern Pacific Transportation Co. v. King
C-9774	City of Houston v. Davis
C-9775	American Home Assurance Co. v. Foster
C-9777	La Prade v. La Prade
C-9780	Home Owners Warranty Corp. v. Hooper
C-9782	Spears v. Fourth Court of Appeals
C-9783	Skees v. Wittie
C-9786	Sales v. Passmore
C-9787	Dominguez v. Kelly
C-9790	Crowbar, Inc. v. Gilliland Venture
C-9792	State of Texas v. Matyastik
C-9795	Walton Pond Joint Venture v. Hiawatha Savings & Loan Association
C-9797	Bergen v. Utica National Insurance Company of Texas



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-9799	City of Houston; et al. v. Williams
C-9801	Toole v. Thomas
C-9802	Galveston Independent School District v. Bell Savings and Loan Association
C-9805	Kinnington v. Osborn
C-9806	Lumbermen's Mutual Casualty Co. v. Coleman
C-9807	Rath v. State of Texas
C-9808	Erlandson v. International Bank of Corpus Christi
C-9809	Transwestern Pipeline Co. v. Wood
C-9811	Jitkoff v. Pine Village North Corporation
C-9816	Abramson v. Abramson
C-9817	Alford v. Alford
C-9819	Brooks v. Brooks
C-9822	State of Texas v. Lowry
C-9827	Meeks v. Meeks
C-9828	Neece v. Neece
C-9829	Orkin Exterminating Co., Inc. v. Williamson
C-9833	Cowart; et al. v. State of Texas
C-9834	Canter v. Easley
C-9840	Milam v. Milam
C-9843	Warrilow v. Norrell
C-9846	Syntek Corp. v. French
C-9848	Dearing, Inc. v. Spiller
C-9851	Grebe v. K-Mart Corporation
C-9854	NCNB Texas National Bank v. Sterling Projects, Inc.
C-9855	Gol v. Krueger
C-9856	Rodarte v. Carrier Corp.
C-9860	Bennett v. TRT Telecommunications Corp.
C-9862	North American Mortgage Co. v. Central Bank of Houston
C-9863	Wade v. Director, State Employees Workers' Comp Division
C-9864	Osterman v. Fry
C-9865	Grisham; Ex parte v.
C-9866	Stocker v. Magera
C-9867	Mounger v. Bexar Electric Co., Inc.
C-9869	Sentry Construction Co., Inc. v. International Supply of San Antonio, Inc.
C-9872	City of San Antonio, TX v. Schneider
C-9873	Cecil v. Sunbelt Savings
C-9877	Jones v. Strauss
C-9879	Tubular Products of Texas v. Brooks
C-9880	Peoples v. Old Republic Insurance Co.
C-9881	Powers v. McDaniel
C-9882	Sallee v. Bank of the West, San Angelo, TX
C-9883	Preston II Chrysler Dodge, Inc. v. Donwerth
C-9890	Thomas v. Johnson Controls, Inc.
C-9891	Lastu, Inc. v. Bank of Texas
C-9892	Mabra v. Pecan Crossing Partners
C-9893	Armstrong v. Judge Fite Company
C-9894	A. Camera Center, Inc. v. Southwestern Bell Yellow Pages, Inc.
C-9895	Gray v. Pilot Life Insurance Co.
C-9896	Ervin Plumbing & Supply, Inc. v. Waterland Enterprises, Inc.
C-9902	Sharif-Munir-Davidson Development Corp. v. Bell
C-9907	Frito-Lay, Inc. v. American Alliance Insurance Co.
C-9909	TPS Freight Distributors, Inc. v. Texas Commerce Bank-Dallas
C-9911	Bryant v. Winn-Dixie Stores, Inc.
C-9912	Mazeika v. Ferbrache
C-9913	Faour v. Magnolia Fruit and Produce Co., Inc.



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-9914	Blake v. First National Bank in Port Lavaca
C-9915	Heights of Texas, F.S.B.; et al. v. Gutierrez; et al.
C-9916	Texas Association of School Boards v. Cooley
C-9917	Spradley v. Hutchinson
C-9918	Clark v. Young
C-9919	Roberts v. Houston Independent School District
C-9920	Carson v. 104th District Court of Taylor County, TX
C-9921	Villarreal v. Harte-Hanks Communications, Inc.
C-9922	Campise v. NCNB Texas National Bank
C-9923	Southern Surety Co. v. McCollum
C-9924	Hardin v. Texas Employment Commission
C-9925	McFerren v. Harris County, TX
C-9927	Med Center Bank v. Fleetwood
C-9928	City of Austin v. 244 Joint Venture
C-9929	Conlee v. Evans
C-9930	Krenek v. Texstar North America, Inc.
C-9931	Tucker v. Atlantic Richfield Company
C-9932	Lambourn v. Lambourn
C-9933	Nelson v. Schanzer
C-9934	Gittelman v. First National Bank of Missouri City
C-9936	Coastal Corporation v. Chehlaoui
C-9940	Horan v. Baxter
C-9941	Bartlett, Jr. v. Pruiett
C-9942	Gerber v. Denny
C-9945	Tri-state car company, Inc. v. Eldridge
C-9946	Mooney Aircraft Corporation v. Doyle
C-9949	Wilson; Ex parte v.
C-9951	Rabe v. Guaranty National Insurance Co.
C-9952	State of Texas for P. W. v.
C-9953	Texas-New Mexico Power Co. v. Texas Industrial Energy Consumers
C-9954	Brodsky v. Culbertson
C-9955	Home Insurance Co. v. Wahlberg, Morales, Wright, Waite & Associates
C-9956	Donaho v. Short
C-9958	Federal Deposit Insurance Corporation v. Hidalgo, Chambers & Company
C-9959	Berens v. Sherman Fitzpatrick & Company
C-9960	Ayoub v. City of El Paso, TX
C-9961	Briones v. First Victoria National Bank
C-9962	State of Texas v. Ellison
C-9963	TLL Energy Corp. v. Presnal
C-9964	Bowden v. Aetna Lloyds of Texas
C-9965	Hopper v. City of Coppell
C-9972	Arrington v. County of Dallas
C-9973	Rocket, LTD. v. Meinrath
C-9974	Johnson v. Keller Industries of Texas, Inc.
C-9976	Reyna v. Ayco Development Corp.
C-9977	Winograd v. Willis
C-9978	Schulle v. Texas Employers Insurance Association
C-9980	White v. Rupard
C-9981	Pryor; Ex parte v.
C-9984	American General Fire & Casualty Co. v. Rodriguez
C-9985	Underwood v. D. H. Shelton & Associates
C-9986	Henry S. Miller Management Corp. v. Houston State Associates
C-9987	Deerings West Nursing Center v. Scott
C-9988	Parkway Racquet and Health Club, LTD. v. Club Corp. of America
C-9990	Reiter v. Reiter
C-9991	First Baptist Church of Haltom City v. Birdville Independent School District



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

C-9993	Holland-America Lloyds Insurance Co. v. Canal Indemnity Co.
C-9994	Ramirez v. Volkswagen of America, Inc.
C-9995	Hunt v. HNG Oil Co.
C-9996	Thompson; Ex parte v.
C-9997	Koral Industries, Inc. v. Security-Connecticut Life Insurance Co.
C-9998	Chacon v. Lone Star Gas Co.
D-0001	Valero Transmission Co. v. Wagner & Brown II
D-0002	Worford v. Stamper
D-0003	Tyler v. Eleventh Court of Appeals
D-0004	Tyler v. Solis
D-0005	Sunbelt Savings, FSB v. Marshall
D-0006	Jones v. Third Court of Appeals
D-0007	Brown v. Swift-Eckrich, Inc.
D-0008	Wingfield v. Bemos
D-0009	State of Texas v. C. E. J.
D-0010	Balawajder v. Jones
D-0011	Fisk v. John Pass Investments
D-0012	Jennings v. Jennings
D-0013	City of Sherman, TX v. Courtney
D-0014	City of Sachse v. Andrews
D-0015	Balawajder v. Brooks
D-0016	Weisenbarger v. Gonzales Warm Springs Rehabilitation Hospital
D-0017	Kingwood Bank v. Texas Commerce Bank
D-0018	Galveston County v. Murphy
D-0019	Carruth v. Texas Commerce Bank-Dallas
D-0020	Park Investors, Inc. v. Morse
D-0023	Haney v. Vance
D-0024	White v. Prescott
D-0026	Yopez v. Carrera
D-0027	Texas American Title Co. v. Boatright
D-0028	Meridell Achievement Center, Inc. v. Lowry
D-0029	Shell Pipe Line Corp. v. Coastal State Trading, Inc.
D-0030	Common Carrier Motor Freight Association, Inc. v. NCH Corp.
D-0031	Magnolia Retirement Services & Consulting Co. v. Farm & Home Savings Association
D-0032	Pan American Life Insurance Co. v. Erbauer Construction Corp.
D-0033	Federal Deposit Insurance Corp. v. Mason
D-0034	Welch v. Fry
D-0035	Whitaker v. Huffaker
D-0036	Stephanou v. Texas Medical Liability Insurance Underwriting Association
D-0037	Law v. Law
D-0038	Nautical Landings Marina, Inc. v. First National Bank in Port Lavaca
D-0039	Rancho Guadalupe, Inc. v. Johnson
D-0041	Milstein v. Miller
D-0042	Thermex Energy Corp. v. Rantec Corp.
D-0043	Smith; Ex parte v.
D-0044	Responsive Terminal Systems, Inc. v. Boy Scouts of America
D-0045	Greater Texoma Utility Authority v. City of Bells, TX
D-0046	New York Underwriters Insurance Co. v. Sanchez
D-0047	Tesoro Petroleum v. Smith
D-0048	Texas National Bank of Victoria v. Lewis
D-0050	Garibay v. Khuri
D-0051	Milam Development Corp. v. 7*7*0*1 Wurzbach Tower Council of Co-owners, Inc.
D-0054	Canmerica, Inc. v. Andrews
D-0055	Martinez v. OCHS



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0056	Jones v. Western Casualty Life Insurance Co.
D-0057	Falls City National Bank v. Nichols
D-0058	Pace v. Huddleston
D-0059	Truckstops Corp. of America v. Garza
D-0060	Cullen/Frost Bank of Dallas v. Metropolitan National Bank
D-0061	Farah, Inc. v. Fashing
D-0062	Cook v. Frizzell
D-0063	Alvarez v. Mireles
D-0065	Morris v. Thirteenth Court of Appeals
D-0066	McBee Oil Co., Inc. v. Drennen
D-0067	Hicks v. Baylor University Medical Center
D-0068	State Farm Lloyds, Inc. v. Williams
D-0069	Blackstone v. A.H.L. Properties Number One
D-0070	Chiles v. Schuble
D-0071	Hoover v. Sims
D-0072	Birdo v. Moore
D-0073	Askew v. Memorial City General Hospital
D-0074	Castillow v. Marshall
D-0075	Koga v. Stine
D-0076	Calhoun v. Texas Dept. of Human Services
D-0077	Smith v. Beard
D-0078	Marsh v. Travelers Indemnity Co. of Rhode Island
D-0079	Jones v. Specht
D-0082	Gallaher v. Balasco
D-0083	Attorney General of the State of Texas v. Johnson
D-0084	First American Title Insurance Co. v. Zimmerman
D-0085	Siegler v. Holland
D-0086	Houston Lighting & Power Co. v. Salyer
D-0087	Marmolejo v. Kennedy
D-0088	AAAction Plumbing Co. v. Stewart
D-0089	Hamilton v. City of Houston
D-0090	Aubin v. Birdwell
D-0093	Burns Distributing, Inc. v. Chambers
D-0094	Gordon v. Street
D-0095	Diaz v. Blanton
D-0097	Providence Valley Corp. v. Bruner
D-0098	Tri-M Erectors, Inc. v. Clearwater Constructors, Inc.
D-0099	Dominguez v. General Motors Acceptance Corp.
D-0100	Cecil v. Smith
D-0101	Castilleja v. State of Texas
D-0102	Partee v. Cothrum Drilling Co.
D-0103	First Interstate Bank of Texas v. Turner
D-0104	Gill v. Comyn
D-0105	Cass v. Jones
D-0106	Cass v. Jones
D-0108	Arterburn v. Civil Service Commission of the City of Grand Prairie
D-0109	Spoon v. Hanes
D-0110	Paeon Enterprises Co., LTD. v. Chan
D-0111	Keith Wood Agency, Inc. v. Farrar
D-0112	Bennett v. Morris
D-0113	State of Texas v. Megason
D-0114	Pannell v. Hoffman
D-0115	Mergele v. Culver
D-0116	Texas Employers Insurance Association v. Cooke
D-0117	Illinois National Insurance Co. v. Perez
D-0118	Limon v. Pizza Hut North America Incorp.



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0120	Dickerson Brothers, Inc. v. Spears
D-0121	Hood v. St. Paul Insurance Co.
D-0122	West Belt Investment Corp. v. Harris County, TX
D-0123	Phillips Petroleum Co. v. McIlhaney
D-0125	Green v. Hassell
D-0126	Amend v. State Commission on Judicial Conduct
D-0127	Ibarra v. Housing Authority of the City of Corpus Christi
D-0129	Turner v. Pennington
D-0130	Blackman v. Langford
D-0131	Schwarz v. Kawaja
D-0132	Flores v. H. E. Butt Stores, Inc.
D-0133	King v. Evans
D-0134	Miles Homes Division of INSILCO Corp. v. Smith
D-0135	Olsovsky v. Greer
D-0137	Holgin v. Texas Employers Insurance Association
D-0139	State Department of Highways and Public Transportation v. Copeland
D-0140	Rollingbrook Investment Co. v. Texas National Bank of Baytown
D-0141	Lechuga v. Texas Employers Insurance Association
D-0142	Torres v. Hooper
D-0143	Garrett v. Henley
D-0144	National Surety Corp. v. Kahn
D-0145	Spletstosser v. Myer
D-0146	Pyles v. United Services Automobile Association
D-0148	Turney v. 1800 West Loop Tower Associates
D-0151	Carruth v. Bank of Dallas
D-0152	Shepard v. NCNB Texas National Bank
D-0154	Lawson-Avila Construction, Inc. v. Stoutamire
D-0155	J & J Equipment, Inc. v. Meyerson Construction Co.
D-0156	Gallivan v. Nordhaus
D-0157	Caserotti v. State Farm Insurance Co.
D-0158	Therrell v. Chandler
D-0159	Lawler v. Dallas Statler-Hilton Joint Venture
D-0160	Hernandez v. Hollowood
D-0161	Dolenz v. Pulse
D-0162	Boring v. Sanborn
D-0163	Garcia; Ex parte v.
D-0164	Kale v. Palmer
D-0165	Westergren v. Thirteenth Court of Appeals
D-0166	Texas Beef Cattle Co. v. Woods
D-0167	Harris County Bail Bond Board v. Burns
D-0168	Vescovo v. First State Bank
D-0169	Hernandez v. City of Greenville
D-0170	Mitchell v. Taylor
D-0171	Ragsdale v. Progressive Voters League
D-0172	Barstow v. Lower Colorado River Authority
D-0173	Emel v. State of Texas
D-0175	Minnick v. State Bar of Texas
D-0176	Cowan Boat Transfer, Inc. v. Texas Employment Commission
D-0177	Brooks v. Gilbreath
D-0178	South Texas Cable Television, Inc. v. TCI Cablevision of Texas, Inc.
D-0179	Smith v. Technibilt, Inc.
D-0181	Chapman v. Oshman's Sporting Goods, Inc.
D-0182	Hill v. City of Houston
D-0183	State of Texas v. Landry
D-0185	Hollaway v. Hollaway
D-0186	Hippler v. Aetna Casualty & Surety Co.



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0187	National Gypsum Co. v. Golden
D-0188	National Gypsum Co. v. Golden
D-0189	Vickery v. Texas Carpet Co., Inc.
D-0191	H & F, Inc. v. Overhead Door Co. of San Antonio
D-0192	Mutual Life Insurance Co. of New York v. Frankoff
D-0193	McKeon v. McKeon
D-0194	Gauntt v. Uribe
D-0195	Munn v. USLife Title Insurance Co. of Dallas
D-0196	Bradley v. Texas Employment Commission
D-0197	Flores v. Arrieta
D-0198	State Farm Mutual Automobile Insurance Co. v. Briones
D-0199	Kimmell v. Leoffler
D-0200	Mills v. State of Texas
D-0202	Ortiz v. Gutierrez
D-0203	Champion International Corp. v. Rice
D-0204	Riddle v. Cotton
D-0205	City of Bridge City, TX v. State of Texas
D-0207	Manax v. Ballew
D-0208	Action Machine Shop, Inc. v. Mori Seiki Co., Ltd.
D-0209	McKinney v. Smith
D-0210	McCormick v. McCormick
D-0211	Lake Vista Community Improvement Association v. Donaldson
D-0212	Ferguson v. Ferguson
D-0213	Murphy-Humphreys, Inc. v. H. D. Joint Venture
D-0214	A & T Consultants, Inc. v. Bullock
D-0215	McConnell v. May
D-0216	Banta v. Durish
D-0217	Box v. Wilson
D-0218	Keith v. Metrocrest Transport Systems
D-0221	Peek v. Walton
D-0222	City of Princeton, TX v. Abbott
D-0223	1720 Beaumont Street, Inc. v. City of Dallas
D-0224	Valdez v. First National Bank of Beeville
D-0225	Terry v. E-Z Mart Stores, Inc.
D-0226	Tate v. Sartain
D-0227	MJR's Fare of Dallas, Inc. v. City of Dallas
D-0228	Dresser Industries, Inc. v. Lloyd
D-0229	Texas Instruments Inc. v. Packer
D-0230	Gardner v. Lawson
D-0231	Dillard v. Reliable Life Insurance Co.
D-0232	Mewbourne Oil Co. v. Blackburn
D-0234	Rovner v. Rovner
D-0236	Guillory v. BancTexas Westheimer
D-0237	McCoy v. Texas Employers Insurance Association
D-0238	Bond v. St. Joseph's Hospital, Inc.
D-0239	M.S. & T.S. v. All Saints Episcopal Hospital
D-0240	Moody v. State of Texas
D-0241	Melnick v. Piassick
D-0243	Tiger Charter Corp. v. Mitsubishi Aircraft International, Inc.
D-0244	Fant v. Stephens
D-0245	4M Linen & Uniform Supply Co., Inc. v. W.P. Ballard & Co., Inc.
D-0246	Terrell State Hospital of the Texas Dept. of Mental Health and Mental Retardation v. Ashworth
D-0247	Clinkscale v. Dankworth
D-0248	Texas Employers Insurance Association v. Sells
D-0249	Montgomery; Ex parte v.



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0250	Lane v. Twelfth Court of Appeals
D-0252	Jandl v. NCL Studs, Inc.
D-0253	Fagan v. Fagan
D-0254	Dickinson Independent School District v. Houston Lighting and Power Co.
D-0255	Arrechea v. Plantowsky
D-0256	H.E.B. Construction v. Casualty Indemnity Exchange
D-0257	McDaniel v. State of Texas
D-0258	Kothmann v. Kothmann
D-0259	Turnco Inc. v. Macina
D-0260	McDonald v. Linden
D-0261	Coats v. Twelfth Court of Appeals
D-0262	Newman v. Yates
D-0263	Mills; Ex parte v.
D-0265	Velasquez v. Kroger Co.
D-0266	McDonald v. Southwest Homes, Inc.
D-0267	Nacol v. State of Texas
D-0268	McGuire v. Post Oak Lane Townhome Association, Phase II
D-0269	City of Laredo v. Rodriguez
D-0271	Aguilar v. Autohaus, Inc.
D-0273	Channel Oaks Water System v. Texas Water Commission
D-0274	Harris v. Whitson
D-0275	Pecos County Community Action Agency v. Casillas
D-0276	Teague v. Bandy
D-0278	Medical Center Southwest Joint Venture v. Otis Elevator Co.
D-0279	Cardenas v. Bufkin
D-0280	Skyline Equipment Co., Inc. v. Byrd
D-0283	Fidelity & Casualty of New York v. Stroman
D-0284	Cobb v. West Texas Microwave Co.
D-0285	Meuth v. Hartgrove
D-0286	Lone Star Greyhound Park, Inc. v. Bay Greyhound Racing Associates Limited Partnership
D-0287	Circle "D" Civic Association v. Pack
D-0288	County of El Paso v. Rodriguez
D-0289	Wavell v. Haynes
D-0290	U.S. Home Corp. v. Park Meadows Civic Association, Inc.
D-0291	Martin v. City of Denton
D-0292	Kelsey-Hayes Co. v. Hunter
D-0293	Home Federal Savings and Loan Association v. Georgetown Associates, LTD
D-0294	Osenbaugh v. Warren
D-0295	Taylor v. McCorkle
D-0297	OKC Corp. v. UPG, Inc.
D-0298	Long v. City National Bank of Colorado City, TX
D-0299	Marshall v. Fifth Court of Appeals
D-0300	Brownfield v. Missouri Pacific Railroad Co.
D-0302	Jamigan v. First National Bank of Amarillo
D-0303	Wood v. Republic Bankers Life Insurance Co.
D-0304	Cedillo v. Paloff
D-0305	Houston Orthopedic Associates v. Burkhardt
D-0306	Mohamed v. Exxon Corp.
D-0308	Samuels v. Fourteenth Court of Appeals
D-0309	Baylor Medical Center Grapevine v. Finney
D-0310	Gutierrez v. Texas Employers Insurance Association
D-0311	Kaminski v. Tope
D-0312	Stabel v. Stabel
D-0313	Thies v. Sussman



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0314	Saunders v. Lecroy
D-0315	Autoplex, Ltd. v. Chase Leasing Co., Ltd.
D-0316	United States Fire Insurance Co. v. Langley
D-0317	Beldon Roofing and Remodeling Co. v. Smith
D-0318	Murphy v. Murphy
D-0319	Denton Publishing Co. v. Clarke
D-0320	Doles v. Northern Telecom, Inc.
D-0321	Henderson v. O'Neill
D-0322	Texas State Board of Law Examiners v. Malloy
D-0323	Robinette v. Stewart
D-0324	HECI Exploration Co. v. Kitzman
D-0325	Standard Brand Paint v. Torrez
D-0326	Virgin Vision, Inc. v. Curry
D-0327	Liedtke v. Stovall
D-0329	Craft v. Craft
D-0330	Flukinger v. Straughan
D-0331	Mosharaf v. State Farm Life Insurance Co.
D-0332	Carson v. 116th District Court of Dallas County
D-0334	Prappas v. Meyerland Community Improvement Association
D-0335	Hydril Co. v. Carroll Instrument Co., Inc.
D-0337	Yates v. Precision Sheet Metal Mfg. Co., Inc.
D-0338	Budget Rent-A-Car Systems, Inc. v. Hartford Casualty Insurance Co.
D-0339	Matsushita Electronic Corp. of America v. Barrientos
D-0340	Ranton v. Wheelock
D-0342	Mackie v. Gurinsky
D-0343	Koutzarov v. Stevenson
D-0344	Brion v. Brion
D-0345	Goheen v. Koester
D-0346	Commodore Financial Services Corp. v. Johnson
D-0348	Wynn v. Marshall
D-0349	Bennett v. Packer
D-0350	Lumbermen's Mutual Casualty Co. v. Cornyn
D-0351	First City Bank of Plano v. Stone
D-0352	Amsav Group, Inc. v. American Savings and Loan Association of Brazoria County
D-0354	C.S. LTD. v. Northwestern Mutual Life Insurance Co.
D-0356	Haden v. Northpark National Bank of Dallas
D-0357	Davis v. Baylor University Medical Center
D-0358	Smith v. Smith
D-0359	Musquiz v. City of Eagle Pass
D-0360	Edco Production, Inc. v. Hernandez
D-0361	Leewright v. Cude
D-0362	San Antonio River Authority v. Kunz Construction Co., Inc.
D-0363	Ferguson v. Ninth Court of Appeals
D-0364	Prudential Insurance Co. of America v. Brown
D-0365	Bailey v. Wooddell
D-0366	Hicke v. Lowry
D-0367	Couser v. Maddux
D-0368	Carrizales v. Wal-Mart Stores, Inc.
D-0369	First United Methodist Church of Laredo, TX v. Virjan
D-0372	Adams v. Life and Casualty Insurance Co. of Tennessee
D-0373	Jensen v. United Security Life Insurance Co.
D-0374	Enron Oil Trading & Transportation Co. v. Boles
D-0375	Nan Travis Memorial Hospital v. Touchy
D-0376	Tomball Community Hospital v. Havens
D-0377	Texas Dept. of Highways and Public Transportation v. City of Timpson



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0378	Edgewood Independent School District v. Kirby
D-0380	Gutierrez v. Vasquez
D-0381	Hobgood v. Hobgood
D-0382	Calder v. Mallaise
D-0383	State Department of Highways and Public Transportation v. Smith
D-0384	Mitchell v. Sheppard Memorial Hospital
D-0385	State Dept. of Highways and Public Transportation v. King
D-0386	Commonwealth Land Title Insurance Co. v. Haskett
D-0388	Elkins v. Warren
D-0389	Ramos v. Gilleland
D-0390	Bullock v. Dorchester Master Limited Partnership
D-0391	Clark v. Trailways, Inc.
D-0392	HJS Industries, Inc. v. Tuscarora Corp.
D-0393	Allen v. City Lumber Co.
D-0394	Schein v. American Restaurant Group, Inc.
D-0395	Crabb v. Fenner
D-0396	Florence v. Canup
D-0397	J.K. and Susie L. Wadley Research Institute v. Bosworth
D-0398	Montgomery Law Firm, P.C. v. Walker
D-0399	Willson v. Parks
D-0401	Sheldon L. Pollack Corp. v. Falcon Industries, Inc.
D-0402	State of Texas v. Davila
D-0403	Whitson v. Odiome
D-0404	Lawson v. Thompson
D-0405	Banowsky v. Terry
D-0406	Lee v. Braeburn Valley West Civic Association
D-0407	Mar-Len of Louisiana, Inc. v. Gorman-Rupp Co.
D-0408	Buffalo v. Robbins
D-0409	Cooper v. Cooper
D-0410	Stephens v. Gilpin
D-0411	Resource Materials Corp. v. Southern Pacific Transportation Co.
D-0412	Claridy v. Texas Employers Insurance Association
D-0414	Kolle v. White
D-0415	City of Bunker Hill Village v. Quinet
D-0416	City of Houston v. Goings
D-0417	City National Bank v. Douglas
D-0418	Box v. First Court of Appeals
D-0419	Thomas v. Henderson
D-0421	Witt v. Supreme Equipment & Systems Corp.
D-0424	American Economy Insurance Co. v. Smith
D-0425	Ross v. Texas One Partnership
D-0426	Brown v. Valdez
D-0427	Wion v. Ernst
D-0428	Wintergreen/Hurst Joint Venture v. Commerce Title Co. of Tarrant County, Inc.
D-0429	Peters v. Gifford-Hill & Co., Inc.
D-0430	Ward v. Sinclair
D-0431	Oak Hill Joint Venture v. Third Court of Appeals
D-0432	Ortiz v. State of Texas
D-0433	City of Mabank v. Imperial Casualty and Indemnity Co., Inc.
D-0434	Ticor Title Insurance Co. v. Lacy
D-0435	Jones v. Spangler
D-0436	HBA East, LTD. v. JEA Boxing Co., Inc.
D-0437	Youngs v. Harris County Probate Courts
D-0438	Anderson v. State of Texas
D-0439	Pentad Joint Venture v. First National Bank of LaGrange, TX



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0440	Risk Managers International, Inc. v. State of Texas
D-0441	Dungan v. Hilzendager
D-0442	Fletcher v. District Board, United Pentecostal Church-Texas District
D-0443	Consolidated Capital Properties, IV v. Harris County Appraisal District
D-0444	Smith v. Collie
D-0445	Kwiecien v. Garza-Vale
D-0447	Walton v. Harnischfeger
D-0448	Griego v. Dodson
D-0449	Montez v. Bexar County Hospital District
D-0451	Montrose Service Center, Inc. v. Ryder Truck Rental, Inc.
D-0452	Dewbre v. Cann
D-0453	Gutierrez v. York Plaza Hospital
D-0454	Anthony v. A & P Holding Co., Inc.
D-0455	Enloe v. Eagle Radio, Inc.
D-0456	Dyer v. Texas Employment Commission
D-0457	Nolan Chevrolet Leasing v. Cooke County Tax Appraisal District
D-0458	Tarrant Appraisal District v. May
D-0459	Redus v. Redus
D-0460	Williams v. Crawford
D-0462	Volunteer Council of Denton State School, Inc. v. Berry
D-0463	Singleton v. APAC-Texas, Inc.
D-0465	INA of Texas v. Briscoe
D-0466	Waggoner v. Caldwell
D-0468	White v. Sonic-Jasper, Inc.
D-0469	Atchley v. NCNB Texas National Bank
D-0470	National Union Fire Insurance Co. of Pittsburgh, PA v. Terracina
D-0471	Finkelstein v. Carpenter
D-0472	Oak Hollow Development Co., Inc. v. Madeley
D-0474	New York Underwriters Insurance Co. v. Brandon
D-0475	Latham v. A-1 Rentals, Inc.
D-0476	Pearson v. Watkins
D-0479	Yow v. Costello
D-0480	Delhi Gas Pipeline Corp. v. Henderson
D-0481	Malouf v. Mulaula
D-0482	Caro v. Housing Authority of the City of Austin
D-0483	Corman v. Fabrique, Inc.
D-0484	Johnson v. Twelfth Court of Appeals
D-0485	Hervey v. St. Louis Pipe & Supply, Inc.
D-0486	Highlands State Bank v. G & H Investments
D-0487	Breitbach v. West
D-0488	Metropolitan National Bank-Casa Linda v. Texas Commerce Bank-Dallas
D-0490	Damme Partnership v. Perkins
D-0491	Wells v. Second Court of Appeals
D-0492	Hafdahl v. Long
D-0493	Bell Helicopter/Textron, Inc. v. Burns
D-0495	Austrian Import Service, Inc. v. A.B.F. Freight Systems, Inc.
D-0497	McClendon v. State Farm Mutual Automobile Insurance Co.
D-0498	City of Bryan v. Russell
D-0499	White v. Independence Bank
D-0500	Milne v. Members Mutual Insurance Co.
D-0501	Manpower, Inc. v. Texas Employment Commission
D-0502	White Budd Van Ness Partnership v. Major-Gladys Drive Joint Venture
D-0504	Federal Land Bank Association of Dayton v. Flurry
D-0505	Grisham; Ex parte v.
D-0506	Timmons v. Twelfth Court of Appeals
D-0507	Ticer v. White



## SUPREME COURT DOCKETS, 1990-91

### Case Table by Supreme Court Docket Number

D-0508	Isuani v. Manske-Sheffield Radiology Group, P.A.
D-0509	Dillard v. Fourteenth Court of Appeals
D-0510	Royal Insurance Co. v. First Court of Appeals
D-0512	Magnum Fabrications, Inc. v. Shiolen Industries, Inc.
D-0513	Willenbacher v. Mier
D-0515	Hahn v. Jacobson
D-0516	Williams; Ex parte v.
D-0517	Barras v. Intercoastal Warehouse Corp.
D-0518	Garza v. Hinojosa
D-0519	Stanford v. Lance
D-0520	Tenny; Ex parte v.
D-0521	Diminno-Hudson v. Winn
D-0522	Pecos Development Corp. v. Hydrocarbon Horizons, Inc.
D-0523	Nacol v. McNutt
D-0524	Koenig v. Rauscher Pierce Refsnes, Inc.
D-0525	Connors v. Connors
D-0527	Miller Power Saw Co., Inc. v. Southwestern Bell Media, Inc.
D-0528	Hickey v. Couchman
D-0529	Point Isabel Independent School District v. Hinojosa
D-0530	Alonzo v. Dunn
D-0531	State of Texas v. \$144,850.00
D-0533	State of Texas v. Lopez
D-0534	State of Texas v. \$50,600.00
D-0535	Hayes v. Meurer
D-0536	Zarzour v. Tennant
D-0538	Robinson v. Central Texas MHMR Center
D-0539	Clark v. Peavy
D-0540	Russell v. Pritchett
D-0541	Harris County, TX v. Walsweer
D-0543	Woodley v. Bruton
D-0544	Bradt v. Wittig
D-0545	Pfaff v. Pfaff
D-0546	Goldston Corp. v. Champlin Petroleum Co.
D-0548	State Department of Highways and Public Transportation v. Thrasher
D-0549	Miller v. Lowry
D-0550	Tyler v. Preston Ridge Financial Services Corp.
D-0551	Perales v. Westergren
D-0552	National Union Fire Insurance Co. of Pittsburgh v. Landry
D-0553	HTM Restaurants, Inc. v. Goldman Sachs & Co.
D-0554	McHugh v. McHugh
D-0556	Martin v. Stamford Memorial Hospital
D-0557	Rayburn v. Omniflight Offshore, Inc.
D-0558	Grierson v. S.A.E. Office Associates
D-0559	Texas Real Estate Commission v. Palacios
D-0561	Fredenburgh v. Texas Employment Commission
D-0563	Priesmeyer v. Western Geophysical Co.
D-0564	Adams v. Dallas County Child Welfare Unit of the Texas Dept. of Human Services
D-0565	Kaufman & Broad Home Systems, Inc. v. Nowell
D-0567	Zovath v. Sprint Transportation
D-0568	Rearick & Lenihan, Inc. v. United Fidelity Life Insurance Co.
D-0574	McBride v. McBride
D-0575	Boyd v. Fuel Distributors, Inc.
D-0576	Odiome v. Rose
D-0577	Art v. Union State Bank
D-0578	Prihoda v. Marek



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0580	Chester v. Stiles
D-0581	Sonic Drive-In of Raymondville, Texas, Inc. v. Hernandez
D-0582	CIBA Pharmaceutical Co. v. Third Court of Appeals
D-0583	Peralta v. Texas Employment Commission
D-0585	Heine v. Schendel
D-0586	Garcia v. Terry
D-0587	Bayoud v. Bayoud
D-0588	Strickland v. Navistar Financial Corp.
D-0589	Houston Chronicle Publishing Co. v. Houston Independent School District
D-0590	Murphy v. Pen Foods, Inc.
D-0591	Seaman v. Kilpatrick's Plastic Processing Co.
D-0593	St. Paul Companies v. Chevron U.S.A., Inc.
D-0594	Dow Chemical Co. v. Miller Pipeline Service Corp.
D-0595	Buttram v. Roush
D-0596	Boyd; Ex parte v.
D-0597	Hunter v. Koisch
D-0598	Davis v. Third Court of Appeals
D-0601	Lakeway Land Co. v. Kizer
D-0602	Bradt v. Wittig
D-0603	Allen v. O'Neill
D-0605	American Motorists Insurance Co. v. Seale
D-0606	Texas Employers Insurance Association v. Duree
D-0607	City of Lakewood Village, TX v. Graham
D-0608	Hill v. Watts
D-0609	Vasquez v. Quintana
D-0610	Dell Masonry, Inc. v. Weitz Co., Inc.
D-0612	Womack v. Ender
D-0613	Central Mutual Insurance Co. v. Dunker
D-0614	Lathan v. Home Depot, Inc.
D-0615	Dolenz v. American General Fire and Casualty Co.
D-0617	Callaway v. Overholt
D-0618	Maxey v. Dewitt
D-0620	Stafford v. Mobil Producing Texas and New Mexico, Inc.
D-0622	Evans v. Peko Oil USA
D-0623	Coke v. Coke
D-0624	Sun Exploration v. Paffett
D-0625	Sun Exploration & Production Co. v. Lujan
D-0626	Bradley v. Woodrum
D-0627	Travis v. Whitaker
D-0630	Occhipenti; Ex parte v.
D-0631	Arrow Industries, Inc. v. Tyson
D-0632	Brady v. Underwood
D-0633	Offenhauser v. Prokopuk
D-0634	Pye v. Zadow
D-0636	Lively Energy & Development Corp. v. Fourth Court of Appeals
D-0637	Houston Building Service, Inc. v. American General Fire and Casualty Co.
D-0638	Universal Underwriters Insurance co. v. Pierce
D-0640	Carrillo v. Garcia
D-0643	Beacon National Insurance co. v. Reynolds
D-0644	Goff v. Hurt
D-0645	Stiles v. Royal Insurance Co. of America
D-0646	Von Behren v. Von Behren
D-0647	Firestone Tire & Rubber Co. v. Littlejohn
D-0648	Academy Corp. v. Moore
D-0649	Blue Moon, LTD. v. Bering
D-0651	McMurrey v. Adams



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0652	Texas Association of Long Distance Telephone Companies v. Public Utility Commission of TX
D-0653	Ferguson v. Chillicothe Independent School District
D-0654	Jones v. Southern Methodist University
D-0655	2618, Inc. v. 747, Inc.
D-0657	Sentry Insurance v. Moss
D-0658	American Stress, Inc. v. Daniel Construction Co.
D-0659	Platt v. Lansaw
D-0660	Smith v. Shar-Alan Oil Co.
D-0661	Hubbard v. Cambridge Mutual Fire Insurance Co.
D-0662	Texas Commerce Bancshares, Inc. v. Phillips
D-0663	Lavender v. Williams
D-0665	Mid-South Bottling Co. v. Cigainero
D-0667	Linkous v. Linkous
D-0670	Ephran v. Sklar
D-0672	Newberry v. Durish
D-0673	Wallace Grain & Pea Co. v. Martinez
D-0674	Service Insulated Glass, Inc. v. McCann
D-0675	Henderson v. Lowry
D-0676	Lowe v. Winfree
D-0680	Castro v. Texas Department of Human Services
D-0681	Daytona Group of Texas, Inc. v. Smith
D-0682	Harlingen Mall Co. v. Wright Way Construction Co., Inc.
D-0683	Benavides v. 73rd Judicial District Court
D-0684	Robinson v. Intercontinental Insurance Co.
D-0685	Musick v. Reynolds
D-0686	Martin v. First RepublicBank Fort Worth
D-0688	State of Texas v. Barrera
D-0691	Lawyer v. Lawyer
D-0693	Garcia v. City of Houston
D-0694	National Medical Enterprises, Inc. v. Contemporary Health Management, Inc.
D-0696	Sur v. R.W. Otts, Inc.
D-0697	Cheek v. Humphreys
D-0699	Bryant v. Federal National Mortgage Association
D-0700	Andrews v. ABJ Adjustors, Inc.
D-0701	International Bank of Corpus Christi v. Thirteenth Court of Appeals
D-0702	Tidemark Exploration, Inc. v. Rees-Jones
D-0703	Gilcrease v. Jostens, Inc.
D-0704	Bosakewich v. Webb
D-0705	Labenski v. Financial Commercial Corp.
D-0706	Mills v. C.M.C. Trailers, Inc.
D-0707	Pyle v. Maguglin
D-0708	Wade v. State Farm Life Insurance Co.
D-0709	Texas Commerce Bank-Austin v. Third Court of Appeals
D-0710	Reily v. Coker
D-0711	Griffin v. Rio Development Corp.
D-0712	Rosenthal v. Bachler
D-0718	Swanson v. Houston Independent School District
D-0719	Rock-Tenn Co. v. Packer
D-0721	Reviea v. Marine Drilling Co.
D-0723	Hanau v. Thirteenth Court of Appeals
D-0724	Forster v. Ender
D-0725	Berthelot v. Rhea
D-0726	Perales v. Westergren
D-0727	Wyar v. First Court of Appeals



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0728	State of Texas Rivera v.
D-0729	Chevron Pipe Line Co. v. Sonnier
D-0730	Talley v. Leach
D-0731	Rives v. Wray
D-0733	Decker v. Hatfield
D-0734	Biffle v. Morton Robber Industries, Inc.
D-0735	Tumminello v. U.S. Home Corp.
D-0736	Whetstein v. Travelers Indemnity Co. of Rhode Island
D-0737	Jones v. Ignal
D-0738	Dean v. Freedman
D-0739	Taylor v. Bonilla
D-0741	Hancock v. State of Texas
D-0742	Reid v. Best Waste Systems, Inc.
D-0744	Fox Vacuum, Inc. v. Midwest
D-0745	Brown v. Twelfth Court of Appeals
D-0746	Brown v. Twelfth Court of Appeals
D-0748	Furrs, Inc. v. Hinojosa
D-0750	Dean v. McDuffie
D-0751	Ephran v. Cheatham
D-0754	DeMary v. Sanderson
D-0755	Dolenz v. Perez
D-0759	Burleson v. Powell
D-0760	Guerrero v. Texas Employers Insurance Association
D-0762	Phoenician Imports, Inc. v. El Universal Compañía Periodística Nacional
D-0763	M. Tripp Enterprises, Inc. v. Mercury Metals, Inc.
D-0765	Aetna Life Insurance Co. v. Hermann Hospital
D-0766	Hot Shot Messenger Service, Inc. v. State of Texas
D-0768	Wells v. HCA Health Services of Texas, Inc.
D-0769	Dhanani v. Shah
D-0771	Holliday v. Federal Deposit Insurance Corp.
D-0773	Third Party Administrators v. Beaumont Neurological Hospital
D-0774	Gill v. Peden
D-0775	Prosper Independent School District v. Central Education Agency
D-0777	Duggan v. Langley
D-0778	Pfaff v. Hall-Richey Oilfield Services, Inc.
D-0780	McKinney v. Cooper
D-0781	Strahan v. Principal Mutual Life Insurance Co.
D-0782	Rueter Construction, Inc. v. Kinnard
D-0783	Triple T Inns of Texas, Inc. v. Roberts
D-0784	Melbert v. O'Neill
D-0786	Columbia Gulf Transmission Co. v. Humble Pipeline Constructors, Inc.
D-0787	Ambrose v. Mack
D-0789	Maxville-Glasco Drilling Co., Inc. v. Royal Oil and Gas Corp.
D-0790	Mares v. Jackson
D-0792	Perales v. Westergren
D-0793	All Valley Acceptance Co. v. Durfey
D-0794	United States Insurance Group v. Lloyd
D-0796	Service Lloyds Insurance Co. v. Slay
D-0797	Barrow v. Camer
D-0798	Bancroft v. Finger
D-0800	Tynan v. Lance
D-0801	Webb v. Powell
D-0804	McDonald v. Hunter
D-0806	Barnes v. W.S.C.
D-0808	Ramirez v. Packer
D-0809	Broach v. Bradley



SUPREME COURT DOCKETS, 1990-91

Case Table by Supreme Court Docket Number

D-0810	HSP of Texas, Inc. v. Hall
D-0812	Davis v. Dresser Industries, Inc.
D-0813	Brodhead v. Tapiador
D-0815	Irby v. Whittington
D-0818	Royal Enterprises v. State of Texas
D-0819	Metro Nissan of Montclair v. Slater
D-0823	Vander Voort v. State Bar of Texas
D-0824	Farm Credit Bank of Texas v. Snyder National Bank
D-0825	Barham v. Turner Construction Co. of Texas
D-0827	Lucey v. Southeast Texas Emergency Physicians Associates
D-0828	Blair v. Blair
D-0832	Huffman v. Moss
D-0833	Moody v. Myrick
D-0836	Seal v. Pooley
D-0837	Rittgers v. Rittgers
D-0839	Miller v. Kossey
D-0841	Brown v. Town of Corinth
D-0847	Myer v. Davis
D-0850	Garcia v. Peterson
D-0851	Salley v. Houston Lighting and Power Co.
D-0854	Hardt; Ex parte v.
D-0857	Thomas v. Mireles
D-0859	Irving Hospital Foundation v. Huckabay
D-0861	United States Fidelity & Guaranty Co. v. Gauden
D-0862	Multi-Moto Corp. v. ITT Commercial Finance Corp.
D-0864	Thompson v. Lynaugh
D-0865	Pan American Sales Corp. v. Rhea
D-0867	Mottu v. Navistar International Transportation Corp.
D-0870	McCoy v. Harris County, TX
D-0873	Garza v. Fourth Court of Appeals
D-0875	Barnes v. Meyers
D-0876	West University Bank v. Turk
D-0877	Gaubert v. Hall
D-0878	Holcomb v. Holcomb
D-0879	Ablin v. Morton Southwest Co.
D-0881	Acheter, Inc. v. McCown
D-0884	Vela v. State of Texas
D-0885	Bexar County v. North East Independent School District
D-0887	Garza v. Fourth Court of Appeals
D-0888	One 1975 Chevrolet v. State of Texas
D-0889	Pyles v. United Services Automobile Association
D-0890	Schwartz v. North American Mortgage Co.
D-0891	Cedillo v. Jefferson
D-0895	Zerda v. Gonzales
D-0897	Carlyle Joint Venture v. H. B. Zachry Co.
D-0900	City of Kerrville, TX v. Kerville, HRH, Inc.
D-0901	Vela v. State of Texas
D-0903	Blackmon v. Smith
D-0905	Perales; Ex parte v.
D-0907	City of Wichita Falls, TX v. Alvarado
D-0908	First City, Texas-Dallas v. Wider
D-0909	O'Connor v. Smith
D-0910	Wells v. Towery
D-0915	Affiliated Capital Corp. v. Musemeche
D-0921	Moorhead; Ex parte v.
D-0925	Keith v. Maher



## SUPREME COURT DOCKETS, 1990-91

### Case Table by Supreme Court Docket Number

D-0928	Wetmore & Co. v. First Court of Appeals
D-0930	Harvey v. Stanley
D-0931	Baker v. Tarrant County Hospital District
D-0933	Jacaruso v. PWD Systems, Inc.
D-0936	Vaughan v. Ferguson
D-0937	Pacheco v. Eschenburg
D-0939	Shepherd v. Gregory
D-0942	Green Tree Acceptance, Inc. v. Holmes
D-0955	White; Ex parte v.
D-0959	Mitchell v. J.K. and Susie L. Wadley Research Institute
D-0964	Remington Arms Co., Inc. v. Caldwell
D-0973	Granada Corp. v. West
D-0981	First Mortgage Investment Association v. Bradford
D-0984	Reyes v. O'Neill
D-0985	Sweetwater Independent School District Board of Trustees v. Eleventh Court of Appeals
D-1005	Oxy Cities Service NGL, Inc. v. Amoco Production Co.
D-1007	Circle Y of Yoakum v. Twelfth Court of Appeals
D-1011	Kravetz v. Ashworth
D-1015	Atlantic Richfield Co. v. Touchy
D-1018	Texas Real Estate Commission v. Stein
D-1031	Martinez v. Banales







