

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Brenda Wood, by and through her Legal Guardian, Paul Green, and
BSW Management, LLC v. Dalhart R&R Machine Works, Inc.,
Wesley S. Wood, Individually, Wade R. Wood, Individually, and Lisa
Wood, Individually

Wood v. Dalhart R&R Machine Works · No. 07-07-0244-CV · Decided May 27, 2008

SUMMARY

The Texas Seventh Court of Appeals held that the Lubbock County constitutional county court, which initiated Brenda Wood’s guardianship, had exclusive jurisdiction over disputes incident to her guardianship estate. The court reversed the Dallam County trial court’s denial of the plea to the jurisdiction and its summary judgment, and dismissed the declaratory action for want of jurisdiction.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Brian Quinn, Chief Justice; Campbell, Justice; Boyd, Senior Justice
JURISDICTION	Texas
DECIDED	May 27, 2008
DOCKET	07-07-0244-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Dalhart R&R Machine Works filed a declaratory action in the 69th District Court of Dallam County concerning the value and return of stock owned by Brenda Wood, who was subject to an ongoing guardianship in Lubbock County. Wood's guardian moved to dismiss for lack of jurisdiction, arguing that the Lubbock County guardianship court had exclusive jurisdiction over the dispute. After the motion was denied, the Dallam County court granted summary judgment for Dalhart R&R Machine Works. The court of appeals reversed and dismissed the cause for want of jurisdiction.
STANDARD OF REVIEW	The court reviewed the trial court's subject-matter jurisdiction de novo. Because the jurisdictional issue was dispositive, the court reversed the

	denial of the plea to the jurisdiction and the summary judgment and dismissed the action.
PRECEDENTIAL VALUE	published
PARTIES	Brenda Wood, by and through her Legal Guardian, Paul Green, BSW Management, LLC v. Dalhart R&R Machine Works, Inc., Wesley S. Wood, Individually, Wade R. Wood, Individually, Lisa Wood, Individually

TOPICS

guardianship procedure probate procedure subject matter jurisdiction estate litigation appellate procedure

PRACTICE AREAS

guardianships probate civil procedure appellate procedure commercial litigation

QUESTIONS PRESENTED

1. Whether the Lubbock County court that initiated Brenda Wood's guardianship acquired exclusive jurisdiction over claims concerning the guardianship estate and its property.
2. Whether the Dallam County district court had subject-matter jurisdiction over Dalhart R&R Machine Works' declaratory action concerning stock owned by the ward.
3. Whether the Dallam County trial court's summary judgment could stand after determining that it lacked jurisdiction.

HOLDINGS

1. The court in which a guardianship is initiated acquires exclusive jurisdiction over the guardianship estate and matters relating to its administration, including claims or property disputes incident to the estate.
2. The 69th District Court of Dallam County lacked subject-matter jurisdiction to entertain Dalhart R&R Machine Works' declaratory action against Brenda Wood and her guardian.
3. The trial court's order denying the plea to the jurisdiction and its summary judgment were reversed, and the cause was dismissed for want of jurisdiction.

KEY QUOTATIONS

“Simply put, the body of law discussing concepts of jurisdiction as it relates to the administration of decedent estates provides us guidance through the maze of like issues involving guardianship estates.”

“It is difficult to read this statute as suggesting something other than that the court in which the guardianship is initiated acquires exclusive jurisdiction over the estate and issues relating to its administration.”

“So, the 69th District Court of Dallam County lacked jurisdiction to entertain the declaratory action against Brenda Wood and her guardian.”

FACTUAL BACKGROUND

Brenda Wood owned stock in Dalhart R&R Machine Works and was placed under a guardianship in Lubbock County on December 8, 2005. Paul Green was initially appointed temporary guardian of her estate, and the temporary designation was removed on March 6, 2006. About three weeks later, Dalhart R&R Machine Works filed a Dallam County declaratory action seeking to determine the stock's value and compel its return, despite the pending Lubbock County guardianship.

PROCEDURAL HISTORY

Brenda Wood became the ward of Paul Green through a guardianship proceeding initiated in the constitutional County Court of Lubbock County. After Green's appointment became permanent, Dalhart R&R Machine Works filed suit in Dallam County seeking a declaration concerning stock owned by Wood and an order compelling its return. The Dallam County district court denied the jurisdictional dismissal motion and granted summary judgment for Dalhart R&R Machine Works. The court of appeals reversed the jurisdictional ruling and summary judgment and dismissed the action for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Bailey v. Cherokee County Appraisal Dist., 862 S.W.2d 581 (Tex. 1993)
- Hailey v. Siglar, 194 S.W.3d 74, 80-81 (Tex. App.—Texarkana 2006, pet. denied)
- Howe State Bank v. Crookham, 873 S.W.2d 745, 748-50 (Tex. App.—Dallas 1994, no writ)
- Miller v. Woods, 872 S.W.2d 343, 345 (Tex. App.—Beaumont 1994, orig. proceeding)

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