

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG

Marquis Construction Services, LLC v. Jesus Torres

Marquis Construction Services, LLC v. Torres, No. 13-23-00266-CV (Tex. App.—Corpus Christi–Edinburg Jan. 8, 2026) · No. 13-23-00266-CV · Decided January 8, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas held that Hidalgo County was not a proper venue for Jesus Torres’s workers’ compensation retaliation claim against Marquis Construction Services, LLC. The court concluded that the relevant events occurred primarily in Calhoun County and that Brazoria County was a proper venue because Marquis maintained its principal office there. The court reversed the trial court’s judgment and remanded with instructions to transfer the case to Brazoria County.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	L. Aron Peña Jr.; Chief Justice Tijerina; Justice Peña; Justice West
JURISDICTION	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
DECIDED	January 8, 2026
DOCKET	13-23-00266-CV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Marquis appealed after a jury verdict for Torres in a Texas workers' compensation retaliation action, challenging the denial of its motion to transfer venue from Hidalgo County to Brazoria County.
STANDARD OF REVIEW	The denial of a motion to transfer venue is reviewed de novo. The appellate court considers the entire record, including the trial on the merits; if venue was improper, the error is reversible and cannot be harmless.
PRECEDENTIAL VALUE	published
PARTIES	Marquis Construction Services, LLC v. Jesus Torres

TOPICS

- venue
- appellate procedure
- standard of review
- civil procedure
- workers compensation

PRACTICE AREAS

civil procedure

appellate procedure

employment law

workers compensation

construction law

QUESTIONS PRESENTED

1. Whether Hidalgo County was a proper venue under Texas Civil Practice and Remedies Code section 15.002(a)(1) because all or a substantial part of the events or omissions giving rise to Torres's workers' compensation retaliation claim occurred there.
2. Whether Brazoria County was a proper venue under section 15.002(a)(3) because Marquis maintained its principal office there.
3. Whether the trial court erred by denying Marquis's motion to transfer venue.
4. Whether Marquis was entitled to appellate review of its directed-verdict challenges to causation and its discharge defense.

HOLDINGS

1. Hidalgo County was not a proper venue because the record did not contain probative evidence connecting a substantial part of the essential events underlying Torres's workers' compensation retaliation claim to Hidalgo County.
2. Brazoria County was a proper venue under section 15.002(a)(3) because Marquis's principal office and central decision makers were located there.
3. The trial court erred by denying Marquis's motion to transfer venue.

KEY QUOTATIONS

"If the plaintiff fails to establish proper venue, the trial court must transfer venue to the county specified in the defendant's motion to transfer, provided that the defendant has requested transfer to another county of proper venue." (at 3)

"We review the trial court's denial of a motion to transfer venue de novo." (at 4)

"For the reasons described above, we hold that the facts alleged did not constitute probative evidence that venue was proper in Hidalgo County." (at 12)

"We reverse the judgment of the trial court and remand the case to the trial court with instructions to transfer the cause to Brazoria County." (at 14)

FACTUAL BACKGROUND

Marquis hired Torres to work at the Formosa Plant in Calhoun County, where Torres was injured on the job. Marquis later terminated Torres after he missed three consecutive workdays, with the termination decision made by management in Calhoun County and communicated to Torres at the Formosa Plant. Torres subsequently filed for workers' compensation benefits and sued Marquis in Hidalgo County, relying on his Hidalgo County domicile, medical treatment there, communications from there, and the formal filing of his workers' compensation claim there.

PROCEDURAL HISTORY

Torres sued Marquis in Hidalgo County under Texas Labor Code section 451.001. Marquis denied that Hidalgo County was a proper venue and moved to transfer the case to Brazoria County; the trial court denied the motion. After a jury found that Marquis discharged Torres because he filed or caused to be instituted a workers' compensation claim and awarded \$225,000 in damages, Marquis appealed. The court of appeals reversed and remanded with instructions to transfer the case to Brazoria County.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand to the trial court with instructions to transfer the cause to Brazoria County.

CASES CITED

- Wilson v. Tex. Parks & Wildlife Dep't, 886 S.W.2d 259, 260 (Tex. 1994)
- Nalle Plastics Fam. Ltd. P'ship v. Porter, Rogers, Dahlman, & Gordon, P.C., 406 S.W.3d 186, 194-95 (Tex. App.—Corpus Christi—Edinburg 2013, pet. denied)
- Cantu v. Howard S. Grossman, P.A., 251 S.W.3d 731, 751 (Tex. App.—Houston [14th Dist.] 2008, pet. denied)
- GeoChem Tech Corp. v. Verseckes, 962 S.W.2d 541, 544 (Tex. 1998)
- Ruiz v. Conoco, Inc., 868 S.W.2d 752, 757 (Tex. 1993)
- Chiriboga v. State Farm Mut. Auto. Ins. Co., 96 S.W.3d 673, 678, 680-83 (Tex. App.—Austin 2002, no pet.)
- Vaughn v. Vaughn, 710 S.W.3d 412, 418 (Tex. App.—Eastland 2025, pet. denied)
- Quick v. City of Austin, 7 S.W.3d 109, 116 (Tex. 1999)
- Double Diamond-Del., Inc. v. Alfonso, 487 S.W.3d 265, 271 (Tex. App.—Corpus Christi—Edinburg 2016, no pet.)
- Arellano v. Americanos USA, LLC, 334 S.W.3d 326, 333 (Tex. App.—El Paso 2010, no pet.)
- Aust v. Conroe Indep. Sch. Dist., 153 S.W.3d 222, 227 (Tex. App.—Beaumont 2004, no pet.)
- Rivas v. Sw. Key Programs, Inc., 507 S.W.3d 777, 779 (Tex. App.—El Paso 2015, no pet.)
- Salas v. Fluor Daniel Servs. Corp., 616 S.W.3d 137, 148 (Tex. App.—Houston [14th Dist.] 2020, no pet.)
- Worsham Steel Co. v. Arias, 831 S.W.2d 81, 84 (Tex. App.—El Paso 1992, no writ)
- KW Constr. v. Stephens & Sons Concrete Contractors, Inc., 165 S.W.3d 874, 882-83 (Tex. App.—Texarkana 2005, pet. denied)
- Colonial Cnty. Mut. Ins. Co. v. Valdez, 30 S.W.3d 514, 527 (Tex. App.—Corpus Christi—Edinburg 2000, no pet.)
- Cmty. Initiatives, Inc. v. Chase Bank of Tex., 153 S.W.3d 270, 283 (Tex. App.—El Paso 2004, no pet.)
- Vacarro v. Raymond James & Assocs., Inc., 655 S.W.3d 485, 491-92 (Tex. App.—Fort Worth 2022, no pet.)
- Fortenberry v. Great Divide Ins., 664 S.W.3d 807, 811 (Tex. 2023)

- Union Pac. R. Co. v. Cezar, 293 S.W.3d 800, 819 (Tex. App.—Beaumont 2009, no pet.)
- Siemens Corp. v. Bartek, No. 03-04-00613-CV, 2006 WL 1126219, at *5 (Tex. App.—Austin Apr. 28, 2006, no pet.)

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