

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT  
AMARILLO

Terri Blevins v. Beverly Brown

No. 07-25-00199-CV · No. 07-25-00199-CV · Decided March 19, 2026

SUMMARY

The Seventh District Court of Appeals of Texas affirmed dismissal under Texas Rule of Civil Procedure 91a of Terri Blevins’s claims for slander and tortious interference with employment. The majority held that Blevins’s amended petition was untimely and that his original petition lacked sufficient factual allegations to support either claim. A dissent would have permitted the slander claim to proceed, concluding that the petition provided adequate notice under Texas fair-notice pleading standards.

CASE DETAILS

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|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals for the Seventh District of Texas at Amarillo                                                                                                                                                                                                         |
| WRITING FOR THE COURT | Judy C. Parker; Judy C. Parker, C.J.; Lawrence M. Doss, J.; Yarbrough, J.                                                                                                                                                                                              |
| JURISDICTION          | Court of Appeals for the Seventh District of Texas at Amarillo                                                                                                                                                                                                         |
| DECIDED               | March 19, 2026                                                                                                                                                                                                                                                         |
| DOCKET                | 07-25-00199-CV                                                                                                                                                                                                                                                         |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | Blevins appealed the County Court at Law No. 1 of Potter County's order granting Brown's Texas Rule of Civil Procedure 91a motion to dismiss Blevins's claims for slander and tortious interference with employment, and the denial of Blevins's motion for new trial. |
| STANDARD OF REVIEW    | The court reviewed de novo whether the pleaded causes of action had a basis in law or fact under Rule 91a. The court also applied error-preservation principles to the complaints concerning judicial bias and due process.                                            |
| PRECEDENTIAL VALUE    | Published opinion; precedential under Texas law                                                                                                                                                                                                                        |
| PARTIES               | Terri Blevins v. Beverly Brown                                                                                                                                                                                                                                         |

TOPICS

motions to dismiss

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## PRACTICE AREAS

civil procedure

appellate procedure

defamation

employment law

constitutional law

## QUESTIONS PRESENTED

1. Whether the trial court erred by refusing to consider Blevins's amended petition filed on the day of the Rule 91a hearing.
2. Whether Blevins's original petition stated claims for slander and tortious interference with an employment relationship sufficient to survive dismissal under Rule 91a.
3. Whether Blevins preserved complaints that the trial court's conduct demonstrated partiality, denied him due process, or treated him disparately as a pro se litigant.

## HOLDINGS

1. The trial court properly refused to consider Blevins's amended petition because Rule 91a.5 requires an amendment filed in response to a Rule 91a motion to be filed at least three days before the hearing unless otherwise permitted by the rule or agreed to by the parties.
2. The trial court properly dismissed the slander claim because Blevins's petition did not identify the alleged defamatory statement or plead sufficient factual allegations supporting the elements of slander.
3. The trial court properly dismissed Blevins's claim for tortious interference with an employment relationship because the petition did not plead specific facts showing Brown's intentional interference, the action taken, or how the action caused Blevins's injury.
4. Blevins waived his complaints concerning judicial bias, partiality, disparate treatment, and due process because he did not object in the trial court or move to recuse or remove the judge.

## KEY QUOTATIONS

*“A cause of action has no basis in law if the allegations, taken as true, together with inferences reasonably drawn from them, do not entitle the claimant to the relief sought.” (4)*

*“The pleading of a legal theory, without more, does not provide notice of the facts that could be pleaded to support that theory.” (5)*

*“An objection is generally required to preserve complaints about judicial misconduct, such as bias.” (7)*

## FACTUAL BACKGROUND

Blevins and Brown were coworkers employed as customer service agents by Southwest Airlines. Blevins alleged that Brown made false and defamatory statements concerning workplace conversations and sexual-harassment allegations, causing an investigation, administrative leave, and Blevins's termination. Blevins's original petition did not identify the specific statements Brown allegedly made or provide specific facts concerning the alleged interference.

## PROCEDURAL HISTORY

Blevins sued Brown for slander and tortious interference with employment. Brown filed a Rule 91a motion to dismiss. Although Blevins filed an amended petition on the day of the hearing, the trial court considered only the original petition, granted the motion, and later denied Blevins's motion for new trial. The court of appeals affirmed, over a dissent as to the slander claim.

## DISPOSITION

affirmed

## CASES CITED

- City of Houston v. State Farm Mutual Automobile Insurance Co., 712 S.W.3d 707, 717 (Tex. App.—Houston [14th Dist.] 2025, no pet.)
- Wells v. Sumruld, No. 11-23-00281-CV, 2025 Tex. App. LEXIS 1503, at \*5–6 (Tex. App.—Eastland Mar. 6, 2025, no pet.) (mem. op.)
- Odam v. Texans Credit Union, No. 05-16-00077-CV, 2017 Tex. App. LEXIS 8189, at \*12 (Tex. App.—Dallas Aug. 24, 2017, no pet.) (mem. op.)
- City of Dallas v. Sanchez, 494 S.W.3d 722, 724 (Tex. 2016) (per curiam)
- Campbell v. Salazar, 960 S.W.2d 719, 725–26 (Tex. App.—El Paso 1997, pet. denied)
- Innovative Block of South Texas, Ltd. v. Valley Builders Supply, Inc., 603 S.W.3d 409, 417 (Tex. 2020)
- Hancock v. Variyam, 400 S.W.3d 59, 63 (Tex. 2013)
- GoDaddy.com, LLC v. Toupes, 429 S.W.3d 752, 754 (Tex. App.—Beaumont 2014, pet. denied)
- Ashcroft v. Iqbal, 556 U.S. 662, 678, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (2009)
- Kinder Morgan SACROC, LP v. Scurry County, 622 S.W.3d 835, 849–50 (Tex. 2021)
- In re First Reserve Management, L.P., 671 S.W.3d 653, 662 (Tex. 2023)
- ACS Investors, Inc. v. McLaughlin, 943 S.W.2d 426, 430 (Tex. 1997)
- Statler v. Challis, No. 02-18-00374-CV, 2020 Tex. App. LEXIS 8519, at \*32 (Tex. App.—Fort Worth Oct. 29, 2020, pet. denied) (mem. op.)
- In re M.J.M., 406 S.W.3d 292, 299–300 (Tex. App.—San Antonio 2013, no pet.)
- Jonson v. Duong, 642 S.W.3d 189, 195 (Tex. App.—El Paso 2021, no pet.)
- Kinney v. Batten, No. 01-11-00393-CV, 2012 Tex. App. LEXIS 5778, at \*11 (Tex. App.—Houston [1st Dist.] July 19, 2012, pet. denied) (mem. op.)
- Davis v. Homeowners of America Insurance Co., 700 S.W.3d 837, 842 (Tex. App.—Dallas 2023, no pet.)
- Darnell v. Rogers, 588 S.W.3d 295, 301 (Tex. App.—El Paso 2019, no pet.)
- WFAA-TV, Inc. v. McLemore, 978 S.W.2d 568, 571 (Tex. 1998)
- City of Madisonville v. Hernandez, No. 10-22-00151-CV, 2022 Tex. App. LEXIS 8931, at \*14–15 (Tex. App.—Waco Dec. 7, 2022, pet. denied)
- In re Shire PLC, 633 S.W.3d 1, 24 (Tex. App.—Texarkana 2021, no pet.)

- Yazdchi v. Wells Fargo Bank, NA, No. 01-18-01023-CV, 2020 Tex. App. LEXIS 5000, at \*21–22 (Tex. App.—Houston [1st Dist.] July 7, 2020, no pet.)
- Reaves v. City of Corpus Christi, 518 S.W.3d 594, 609–12 (Tex. App.—Corpus Christi–Edinburg 2017, no pet.)
- Aguilar v. Morales, 545 S.W.3d 670, 677 (Tex. App.—El Paso 2017, pet. denied)
- Baylor University v. Sonnichsen, 221 S.W.3d 632, 635 (Tex. 2007)
- Montelongo v. Abrea, 622 S.W.3d 290, 300 (Tex. 2021)

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