

SUPREME COURT OF TEXAS

West Hardin County Consolidated Independent School District v.
Wallace Maury Poole d/b/a L&B Production

384 S.W.3d 816 (Tex. 2012) · No. No. 11-0362 · Decided October 26, 2012

SUMMARY

The Supreme Court of Texas held that Wallace Maury Poole's allegations concerning costs incurred after a school district foreclosed on an oil and gas lease did not constitute a takings claim for which governmental immunity was waived under the Texas Constitution. The Court also rejected the characterization of the action as a collateral attack on the prior tax judgment. It reversed the court of appeals and rendered judgment dismissing the case.

CASE DETAILS

COURT	Supreme Court of Texas
JURISDICTION	Texas
DECIDED	October 26, 2012
DOCKET	No. 11-0362
DISPOSITION	reversed
PROCEDURAL POSTURE	The Supreme Court of Texas granted the District's petition for review without oral argument and reviewed the court of appeals' reversal of the trial court's dismissal for want of jurisdiction.
STANDARD OF REVIEW	The court reviewed whether the trial court had subject-matter jurisdiction over Poole's takings claim and whether governmental immunity from suit was waived under article I, section 17 of the Texas Constitution.
PRECEDENTIAL VALUE	Published Texas Supreme Court opinion; precedential.
PARTIES	West Hardin County Consolidated Independent School District v. Wallace Maury Poole d/b/a L&B Production

TOPICS

- takings clause
- subject matter jurisdiction
- tax liens
- appellate procedure
- civil procedure

PRACTICE AREAS

constitutional law

tax law

mineral rights

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether Poole's claim for damages allegedly caused by the District's post-foreclosure conduct constituted a takings claim for which governmental immunity from suit was waived under article I, section 17 of the Texas Constitution.
2. Whether the trial court correctly dismissed Poole's action for want of jurisdiction.

HOLDINGS

1. Poole's allegations asserted that the District injured him through its conduct, not that the District took his property without compensation; therefore, the allegations did not state a takings claim for which governmental immunity from suit was waived.
2. The trial court correctly dismissed Poole's case for want of jurisdiction.

KEY QUOTATIONS

“The “text of section 17 waives immunity only when one seeks adequate compensation for property lost” to a governmental entity.” (817)

“Poole thus contends only that the District has injured him, not that it has taken his property without compensation.” (817)

FACTUAL BACKGROUND

The School District obtained an in rem delinquent property-tax judgment against Poole's oil-and-gas lease and foreclosed its judgment lien, taking ownership of the leasehold. The Railroad Commission later ordered Poole to plug a well and assessed a penalty after he failed to comply. Poole settled the Commission's enforcement action and then sued the District for damages, including well-plugging and lease-cleanup costs, alleging that the District's conduct had caused those expenses.

PROCEDURAL HISTORY

The trial court dismissed Poole's suit against the School District for want of jurisdiction. The Ninth District Court of Appeals reversed and remanded as to Poole's takings claim. The Supreme Court of Texas reversed the court of appeals and rendered judgment dismissing the case.

DISPOSITION

reversed

REMAND INSTRUCTIONS

None; the Supreme Court rendered judgment dismissing the case.

CASES CITED

- City of Beaumont v. Bouillion, 896 S.W.2d 143, 149 (Tex. 1995)

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