

SUPREME COURT OF TEXAS

Ashish Patel, Anverali Satani, Nazira Momin, Minaz Chamadia, and
Vijay Lakshmi Yogi v. Texas Department of Licensing and Regulation

469 S.W.3d 69 (Tex. 2015) · No. 12-0657 · Decided June 29, 2015

SUMMARY

The Texas Supreme Court considered whether Texas cosmetology licensing statutes and regulations, as applied to commercial eyebrow threaders and salon owners, violated the Texas Constitution’s due course of law provision. The Court rejected the State’s jurisdictional objections, including sovereign immunity, standing, ripeness, and redundant remedies. It held that the challenged licensing scheme was unconstitutional as applied and reversed and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of Texas
WRITING FOR THE COURT	Justice Phil Johnson; Chief Justice Hecht; Justice Green; Justice Willett; Justice Lehrmann; Justice Boyd; Justice Devine; Justice Guzman; Justice Brown
JURISDICTION	Texas
DECIDED	June 29, 2015
DOCKET	12-0657
PROCEDURAL POSTURE	Both sides appealed after the district court denied the State's plea to the jurisdiction, granted the State's traditional motion for summary judgment, and denied the Threaders' motion for summary judgment. The court of appeals affirmed, and the Supreme Court of Texas granted review.
PARTIES	Ashish Patel, Anverali Satani, Nazira Momin, Minaz Chamadia, Vijay Lakshmi Yogi v. Texas Department of Licensing and Regulation, Texas Commission of Licensing and Regulation, Executive Director of the Texas Department of Licensing and Regulation, Members of the Texas Commission of Licensing and Regulation

PROCEDURAL HISTORY

The Threaders filed a Uniform Declaratory Judgments Act action seeking declarations that Texas cosmetology licensing statutes and regulations were unconstitutional as applied to commercial eyebrow threading, together

with injunctive relief. The district court rejected the State's jurisdictional challenges but granted the State summary judgment on the merits. The court of appeals

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