

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Texas Department of Public Safety; Steve McGraw, in His Official Capacity as Director of the Texas Department of Public Safety Commission; and Allan B. Polunsky, in His Official Capacity as Chairman of the Public Safety Commission v. Miguel Salazar; Edgar Soria; Francisco Avila Trejo; Green Meadows Landscaping, Inc.; Merida Flores; Nader Dalo; Godofredo A. Orellana; and Ruwaidha Liwaza

Texas Department of Public Safety v. Salazar · No. 03-11-00206-CV · Decided April 14, 2011

SUMMARY

This dissenting opinion addresses appellees' emergency motion to dismiss an interlocutory appeal. Justice Melissa Goodwin would have requested a response from the appellants before ruling, given impending deadlines for a dispositive-motions hearing and trial setting.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-11-00206-CV Texas Department of Public Safety; Steve McGraw, in his Official Capacity as Director of the Texas Department of Public Safety Commission; and Allan B. Polunsky, in his Official Capacity as Chairman of the Public Safety Commission, Appellants v. Miguel Salazar; Edgar Soria; Francisco Avila Trejo; Green Meadows Landscaping, Inc.; Merida Flores; Nader Dalo; Godofredo A. Orellana; and Ruwaidha Liwaza, Appellees FROM THE DISTRICT COURT OF TRAVIS COUNTY, 345TH JUDICIAL DISTRICT NO. D-1-GN-09-000273, HONORABLE ORLINDA NARANJO, JUDGE PRESIDING DISSENTING OPINION Because I would request a response before ruling on appellees' emergency motion for dismissal of this interlocutory appeal, I respectfully dissent.

See Tex. R. App. P. 10.3. According to appellees' motion, the deadlines in the underlying proceeding at issue are April 27, 2011, for a hearing on dispositive motions, and the trial setting of May 9, 2011. Given these dates, I would give appellants an opportunity to respond before ruling on the merits of the motion. _____ Melissa Goodwin, Justice Before Chief Justice Jones, Justices Henson and Goodwin Filed: April 14, 2011

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