

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

ConocoPhillips Company v. Vaquillas Unproven Minerals, LTD.

No. 04-15-00066-CV · No. No. 04-15-00066-CV · Decided February 13, 2015

SUMMARY

The Fourth Court of Appeals of Texas granted ConocoPhillips Company's unopposed petition for permission to appeal from an interlocutory order. The court deemed a notice of appeal filed as of the order date, designated the appeal as accelerated, and set a deadline for the clerk's record.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Sandee Bryan Marion, Chief Justice; Karen Angelini, Justice; Marialyn Barnard, Justice
JURISDICTION	Texas
DECIDED	February 13, 2015
DOCKET	No. 04-15-00066-CV
DISPOSITION	other
PROCEDURAL POSTURE	The appellant filed an unopposed petition for permission to appeal from an interlocutory order.
PRECEDENTIAL VALUE	Published procedural order
PARTIES	ConocoPhillips Company v. Vaquillas Unproven Minerals, Ltd.

TOPICS

[interlocutory appeal](#) [appellate procedure](#) [civil procedure](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#)

QUESTIONS PRESENTED

1. Whether the unopposed petition for permission to appeal from an interlocutory order should be granted under Texas Rule of Appellate Procedure 28.3.

HOLDINGS

1. The court granted ConocoPhillips Company's unopposed petition for permission to appeal from the interlocutory order.
2. A separate notice of appeal was not required; a notice of appeal was deemed filed on the date of the order.

KEY QUOTATIONS

“The appellant’s unopposed petition for permission to appeal from an interlocutory order is GRANTED.”
(Order)

“A separate notice of appeal need not be filed” (Order)

FACTUAL BACKGROUND

The order contains no substantive facts concerning the underlying dispute. It addresses only ConocoPhillips Company's request for permission to appeal an interlocutory order.

PROCEDURAL HISTORY

The case arose from the 406th Judicial District Court of Webb County, Texas, trial court cause number 2014CVQ000438-D4. The Fourth Court of Appeals granted ConocoPhillips Company's unopposed petition for permission to appeal from an interlocutory order and directed that the appeal proceed under the rules governing accelerated appeals.

DISPOSITION

other

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas February 13, 2015 No. 04-15-00066-CV CONOCOPHILLIPS COMPANY, Appellant v. VAQUILLAS UNPROVEN MINERALS, LTD., Appellee From the 406th Judicial District Court, Webb County, Texas Trial Court No. 2014CVQ000438-D4 Honorable Oscar J Hale, Jr., Judge Presiding ORDER Sitting: Sandee Bryan Marion, Chief Justice Karen Angelini, Justice Marialyn Barnard, Justice The appellant’s unopposed petition for permission to appeal from an interlocutory order is GRANTED.

TEX. R. APP. P. 28.3. “A separate notice of appeal need not be filed” as “a notice of appeal is deemed to have been filed on [the date of this order].” Id. at 28.3(k). This appeal is governed by the rules for accelerated appeals. Id. The clerk’s record is due no later than February 23, 2015. Id. at 35.1(b).

The clerk of this court is directed to file a copy of this order with the trial court clerk. Id. at 28.3(k). _____ Sandee Bryan Marion, Chief Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 13th day of February, 2015. _____ Keith E. Hottle Clerk of Court