

FIFTEENTH COURT OF APPEALS OF TEXAS

Panola Operating, LLC and AXE Directional Drilling, LLC v.
Ironman Recycling, LLC; SWD East Texas, LLC; and GEP
Haynesville II, LLC

Panola Operating · No. 15-25-00230-CV · Decided December 19, 2025

SUMMARY

This document is an appellant’s emergency motion asking the Texas Fifteenth Court of Appeals to stay Paragraph 47(i) of a temporary injunction pending appeal. The challenged provision requires Panola Operating, LLC to vacate its role as operator of Ironman Recycling, LLC and permits the appellees to assume operatorship. The motion argues that the provision alters the status quo, causes irreparable harm, and may render the interlocutory appeal moot.

CASE DETAILS

COURT	Fifteenth Court of Appeals of Texas
JURISDICTION	Texas
DECIDED	December 19, 2025
DOCKET	15-25-00230-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellants filed an emergency motion asking the court of appeals to stay paragraph 47(i) of a temporary injunction pending an interlocutory appeal. The motion states that the Texas Business Court, Eleventh Division, denied appellants' application for a temporary injunction, granted appellees' application in part, and denied appellants' request for a stay below.
STANDARD OF REVIEW	The motion argues that temporary-injunction rulings are reviewed for abuse of discretion and that an appellate court has broad authority under Texas Rule of Appellate Procedure 29.3 to issue temporary orders preserving the parties' rights and the status quo pending appeal.
PRECEDENTIAL VALUE	Not a judicial opinion; emergency motion filed in a published interlocutory appeal record
PARTIES	Panola Operating, LLC, AXE Directional Drilling, LLC v. Ironman Recycling, LLC, SWD East Texas, LLC, GEP Haynesville II, LLC

TOPICS

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QUESTIONS PRESENTED

1. Whether the court of appeals should stay paragraph 47(i) of the temporary injunction under Texas Rule of Appellate Procedure 29.3 to preserve the parties' rights and the status quo pending appeal.
2. Whether a stay was necessary to prevent the interlocutory appeal from becoming moot by allowing appellees to obtain the ultimate relief sought—removal of Panola as operator.
3. Whether the mandatory removal of Panola as operator was inconsistent with Texas temporary-injunction principles because it altered the status quo and was allegedly unsupported by evidence of irreparable harm.

KEY QUOTATIONS

“When an appeal from an interlocutory order is perfected, the appellate court may make any temporary orders necessary to preserve the parties’ rights until disposition of the appeal and may require appropriate security.” (12)

“The purpose of a temporary injunction is to preserve the status quo of the litigation’s subject matter pending a trial on the merits.” (14)

“When a case is moot, the parties no longer have standing, and the courts must dismiss for want of jurisdiction.” (17)

FACTUAL BACKGROUND

Ironman Recycling, LLC operates a commercial saltwater disposal facility in Texas. Under the parties' agreements, AXE held a 40% ownership interest, SWD held or controlled a 60% interest and managed Ironman, and Panola served as operator under a Construction and Operation Management Agreement. The parties disputed operating revenues, alleged underpayments, funding obligations, and the validity of efforts to terminate Panola's operatorship and force a sale of AXE's membership interest. The temporary injunction required Panola to vacate its operator role, which appellants contended would destroy Panola's business and grant appellees ultimate relief before trial.

PROCEDURAL HISTORY

Panola and AXE filed an original petition and application for temporary injunction on October 27, 2025. The case was removed to the Texas Business Court, Eleventh Division, and appellants later filed amended petitions and renewed applications for temporary injunctive relief. After a December 11, 2025 hearing, the business court on December 15 granted appellees' application in part, including an order requiring Panola to vacate its role as

operator, denied appellants' application, and denied appellants' subsequent request to stay paragraph 47(i). Appellants perfected an interlocutory appeal on December 16 and filed this emergency motion on December 19.

DISPOSITION

other

CASES CITED

- In re Geomet Recycling LLC, 578 S.W.3d 82 (Tex. 2019) (orig. proceeding)
- In re Abbott, 645 S.W.3d 276 (Tex. 2022)
- Tex. Educ. Agency v. Hous. Indep. Sch. Dist., 609 S.W.3d 569 (Tex. App.—Austin 2020, no pet.)
- In re Tex. Educ. Agency, 619 S.W.3d 679 (Tex. 2021) (orig. proceeding)
- Butnaru v. Ford Motor Co., 84 S.W.3d 198 (Tex. 2002)
- In re Newton, 146 S.W.3d 648 (Tex. 2004)
- Janus Films, Inc. v. City of Fort Worth, 163 Tex. 616, 358 S.W.2d 589 (1962) (per curiam)
- Walling v. Metcalfe, 863 S.W.2d 56 (Tex. 1993) (per curiam)
- Alliance Royalties, LLC v. Boothe, 313 S.W.3d 493 (Tex. App.—Dallas 2010, no pet.)
- Dall. Morning News v. Fifth Ct. of Appeals, 842 S.W.2d 655 (Tex. 1992) (orig. proceeding)
- Madison v. Martinez, 42 S.W.2d 84 (Tex. Civ. App.—Dallas 1931, writ ref'd)
- H & R Block, Inc. v. Haese, 992 S.W.2d 437 (Tex. 1999)
- Matthews, on behalf of M.M. v. Kountze Indep. Sch. Dist., 484 S.W.3d 416 (Tex. 2016)
- Cheniere Energy, Inc. v. Parallax Enters. LLC, 585 S.W.3d 70 (Tex. App. 2019)
- Vaughan v. Kizer, 400 S.W.2d 586 (Tex. Civ. App.—Waco 1966, writ ref'd n.r.e.)
- Cardinal Health Staffing Network, Inc. v. Bowen, 106 S.W.3d 230 (Tex. App.—Houston [1st Dist.] 2003)
- Transport Co. of Tex. v. Robertson Transports, Inc., 261 S.W.2d 549 (Tex. 1953)
- Frequent Flyer Depot, Inc. v. Am. Airlines, Inc., 281 S.W.3d 215 (Tex. App.—Fort Worth 2009, pet. denied)
- Rugen v. Interactive Bus. Sys., Inc., 864 S.W.2d 548 (Tex. App.—Dallas 1993, no writ)
- T–N–T Motorsports, Inc. v. Hennessey Motorsports, Inc., 965 S.W.2d 18 (Tex. App.—Houston [1st Dist.] 1998, pet. dism'd)
- Miller v. Talley Dunn Gallery, LLC, 2012 WL 6729712 (Tex. App.—Dallas Dec. 28, 2012, no pet.) (mem. op.)

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