

TEXAS COURT OF APPEALS, FOURTH DISTRICT, SAN ANTONIO

Frank Thomas Shumate, Jr. v. Wildlife Partners, LLC

No. 04-24-00500-CV · No. No. 04-24-00500-CV · Decided November 26, 2025

SUMMARY

The Fourth Court of Appeals of Texas reversed and remanded the June 17, 2024 trial-court judgment for a new trial limited to Wildlife Partners, LLC’s request for reasonable and necessary attorney’s fees. The remainder of the judgment was affirmed, and costs were taxed against the party incurring them.

CASE DETAILS

COURT	Texas Court of Appeals, Fourth District, San Antonio
WRITING FOR THE COURT	Rebeca C. Martinez, Chief Justice; Justice McCray; Justice Meza
JURISDICTION	Texas Court of Appeals, Fourth District, San Antonio
DECIDED	November 26, 2025
DOCKET	No. 04-24-00500-CV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from the June 17, 2024 judgment of the 451st Judicial District Court of Kendall County, Texas.
PRECEDENTIAL VALUE	Published
PARTIES	Frank Thomas Shumate, Jr. v. Wildlife Partners, LLC

TOPICS

- attorney fees
- appellate procedure
- civil procedure
- remedies

PRACTICE AREAS

- civil procedure
- appellate procedure
- attorney fees
- remedies

QUESTIONS PRESENTED

- Whether the trial court's judgment concerning Wildlife Partners, LLC's request for reasonable and necessary attorney's fees required reversal and a new trial.

HOLDINGS

1. The June 17, 2024 judgment was reversed and remanded for a new trial on Wildlife Partners, LLC's request for reasonable and necessary attorney's fees, including fees for representation in the trial court, through the court of appeals, in connection with a petition for review and merits briefing in the Supreme Court of Texas, and for oral argument before that court; the remainder of the judgment was affirmed.

KEY QUOTATIONS

“REVERSED and REMANDED for a new trial on Wildlife Partners, LLC’s request for reasonable and necessary attorney’s fees”

“The remainder of the judgment is AFFIRMED.”

FACTUAL BACKGROUND

The judgment states that Wildlife Partners, LLC sought reasonable and necessary attorney's fees for representation at multiple stages of the litigation, including proceedings in the trial court, the court of appeals, and the Supreme Court of Texas. The provided document contains no additional factual background because it is the appellate judgment rather than the accompanying memorandum opinion.

PROCEDURAL HISTORY

Frank Thomas Shumate, Jr. appealed a judgment of the 451st Judicial District Court of Kendall County. The court of appeals reversed and remanded for a new trial limited to Wildlife Partners, LLC's request for reasonable and necessary attorney's fees, while affirming the remainder of the judgment.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Conduct a new trial on Wildlife Partners, LLC's request for reasonable and necessary attorney's fees, including fees for representation in the trial court; through appeal to the court of appeals; before the Supreme Court of Texas on a petition for review; at the merits briefing stage in the Supreme Court of Texas; and for presenting oral argument before the Supreme Court of Texas. The remainder of the judgment remains affirmed.

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas JUDGMENT No. 04-24-00500-CV Frank Thomas SHUMATE, Jr., Appellant v. WILDLIFE PARTNERS, LLC, Appellee From the 451st Judicial District Court, Kendall County, Texas Trial Court No. 22-241 Honorable Kirsten Cohoon, Judge Presiding BEFORE CHIEF JUSTICE MARTINEZ, JUSTICE MCCRAY, AND JUSTICE MEZA In accordance with this court’s memorandum opinion of this date, the June 17, 2024 judgment of the trial court is: REVERSED and REMANDED for a new trial on Wildlife Partners, LLC’s

request for reasonable and necessary attorney's fees, including fees for: (1) representation in the trial court; (2) representation through appeal to the court of appeals; (3) representation before the Supreme Court of Texas on a petition for review; (4) representation at the merits briefing stage in the Supreme Court of Texas; and (5) to present an oral argument before the Supreme Court of Texas; and The remainder of the judgment is AFFIRMED.

It is ORDERED that costs are taxed against the party incurring same. SIGNED November 26, 2025. _____ Rebeca C. Martinez, Chief Justice