

COURT OF APPEALS, SIXTH APPELLATE DISTRICT OF TEXAS AT
TEXARKANA

John Weger v. Justin Bradley, Bradley J. Holdings, LLC, Rees
Atkins, and Ylanan Law Firm, PLLC D/B/A/ the Title Company

Weger · No. 06-25-00108-CV · Decided May 22, 2026

SUMMARY

The Sixth Court of Appeals of Texas at Texarkana reversed a summary judgment favoring the defendants in John Weger’s claims arising from the sale of property by a court-appointed receiver after a divorce proceeding. The court held that the summary-judgment evidence raised a genuine issue of material fact as to whether Bradley J. Holdings actually purchased the disputed 0.49-acre property for consideration, and it remanded for further proceedings.

CASE DETAILS

COURT	Court of Appeals, Sixth Appellate District of Texas at Texarkana
WRITING FOR THE COURT	Scott E. Stevens, Chief Justice; van Cleef, Justice; Rambin, Justice
JURISDICTION	Court of Appeals, Sixth Appellate District of Texas at Texarkana
DECIDED	May 22, 2026
DOCKET	06-25-00108-CV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a traditional and no-evidence summary judgment dismissing Weger's claims for trespass to try title, fraudulent claim filed against real property, civil conspiracy, negligence, and conversion of personal property.
STANDARD OF REVIEW	Summary judgment is reviewed de novo. For traditional summary judgment, the movant must establish that no genuine issue of material fact exists and that it is entitled to judgment as a matter of law. For a no-evidence motion, the burden shifts to the nonmovant to present evidence raising a genuine issue of material fact on each contested element. The evidence is viewed in the light most favorable to the nonmovant, with reasonable inferences and doubts resolved in the nonmovant's favor.
PRECEDENTIAL VALUE	published

PARTIES

John Weger v. Justin Bradley, Bradley J. Holdings, LLC, Rees Atkins,
Ylanan Law Firm, PLLC d/b/a The Title Company

TOPICS

summary judgment

standard of review

appellate procedure

real estate

conversion

PRACTICE AREAS

civil procedure

real property

torts

remedies

QUESTIONS PRESENTED

1. Whether the appellees established as a matter of law that Bradley J. Holdings purchased Weger's 0.49-acre Banks Drive property and therefore were entitled to summary judgment.
2. Whether the summary-judgment evidence raised a genuine issue of material fact regarding whether the property was included in the sale consideration and sale documents.

HOLDINGS

1. Summary judgment was improper because Weger's evidence raised a genuine issue of material fact as to whether Bradley J. Holdings purchased the property.
2. Evidence that the receiver may have had authority to sell the property did not establish as a matter of law that the property was actually sold for consideration.

KEY QUOTATIONS

“As a result, viewing the evidence in the light most favorable to Weger, we find that it created a genuine issue of material fact as to whether Bradley J. Holdings purchased the Property.” (6)

“We need not address Weger's voidness challenge to the divorce court's nunc pro tunc enforcement order because we find that the trial court erred by granting summary judgment even if the divorce court's order was not void.” (7)

FACTUAL BACKGROUND

In a 2021 divorce decree, Weger was awarded two Banks Drive properties as his separate property but was required to pay his former wife \$350,000, with the properties subject to sale if necessary to satisfy the debt. The divorce court appointed Rees Atkins as receiver, but the enforcement order referred to an unattached Exhibit A and did not clearly identify Weger's 0.49-acre property. Atkins sold a 0.59-acre tract to Bradley J. Holdings, and the sale documents identified only that tract; later, Atkins filed a correction deed stating that the buyer had acquired the 0.49-acre property as well. Evidence from the title-company escrow officer indicated that the 0.49-acre property was not included in the purchase price or sale documents, creating a factual dispute over whether Bradley J. Holdings purchased it.

PROCEDURAL HISTORY

Weger sued the appellees after a receiver appointed in his divorce proceedings sold property that Weger claimed the receiver lacked authority to convey. The 43rd District Court of Parker County granted the appellees' summary-judgment motion and dismissed all of Weger's claims. The Sixth Court of Appeals, after the case was transferred from the Second Court of Appeals under the Texas Supreme Court's docket-equalization authority, reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The remaining matters are remanded to the trial court for further proceedings.

CASES CITED

- Mann Frankfort Stein & Lipp Advisors, Inc. v. Fielding, 289 S.W.3d 844, 848 (Tex. 2009)
- Perry v. Janson, No. 02-25-00167-CV, 2026 WL 405956, at *3 (Tex. App.—Fort Worth Feb. 12, 2026, no pet.) (mem. op.)
- Wal-Mart Stores, Inc. v. Xerox State & Loc. Sols., Inc., 663 S.W.3d 569, 576 (Tex. 2023)
- Travelers Ins. Co. v. Joachim, 315 S.W.3d 860, 862 (Tex. 2010)
- 20801, Inc. v. Parker, 249 S.W.3d 392, 399 (Tex. 2008)
- Provident Life & Accident Ins. Co. v. Knott, 128 S.W.3d 211, 215 (Tex. 2003)
- Wal-Mart Stores, Inc. v. Spates, 186 S.W.3d 566, 568 (Tex. 2006) (per curiam)
- City of Keller v. Wilson, 168 S.W.3d 802, 822-824 (Tex. 2005)