

COURT OF APPEALS OF TEXAS, EIGHTH DISTRICT, EL PASO

Texas Tech University Health Sciences Center-El Paso v. Gloria Bustillos

Texas Tech · No. 08-16-00164-CV · Decided June 13, 2018

SUMMARY

The Eighth District Court of Appeals of Texas reversed the trial court's denial of Texas Tech University Health Sciences Center-El Paso's plea to the jurisdiction. The court rendered judgment dismissing Gloria Bustillos' claims for lack of jurisdiction and ordered her to pay the appellate costs.

CASE DETAILS

COURT	Court of Appeals of Texas, Eighth District, El Paso
WRITING FOR THE COURT	Ann Crawford McClure, Chief Justice; Rodriguez, Justice; Larsen, Senior Judge, sitting by assignment
JURISDICTION	Texas
DECIDED	June 13, 2018
DOCKET	08-16-00164-CV
DISPOSITION	reversed
PROCEDURAL POSTURE	Interlocutory appeal from the trial court's denial of the appellant's plea to the jurisdiction.
PRECEDENTIAL VALUE	precedential
PARTIES	Texas Tech University Health Sciences Center-El Paso v. Gloria Bustillos

TOPICS

subject matter jurisdiction

appellate procedure

civil procedure

PRACTICE AREAS

civil procedure

health law

QUESTIONS PRESENTED

1. Whether the trial court erred by denying Texas Tech University Health Sciences Center-El Paso's plea to the jurisdiction.

HOLDINGS

1. The trial court erred in denying the plea to the jurisdiction, and Bustillos's claims must be dismissed for lack of jurisdiction.

KEY QUOTATIONS

“We therefore reverse the trial court’s denial of the plea to the jurisdiction and render that all Bustillos’ claims for lack of jurisdiction be dismissed.”

FACTUAL BACKGROUND

The opinion text provided contains no substantive factual background beyond identifying the parties and the jurisdictional posture. Bustillos asserted claims against Texas Tech University Health Sciences Center-El Paso, and the trial court denied the institution's plea to the jurisdiction.

PROCEDURAL HISTORY

The case was appealed from the 327th District Court of El Paso County, Texas, in trial court cause number 2015DCV3141. The court of appeals concluded that the trial court erred in denying the plea to the jurisdiction, reversed that denial, and rendered judgment dismissing Bustillos's claims for lack of jurisdiction.

DISPOSITION

reversed

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS § TEXAS TECH UNIVERSITY HEALTH No. 08-16-00164-CV SCIENCES CENTER-EL PASO, § Appeal from Appellant, § 327th District Court v. § of El Paso County, Texas GLORIA BUSTILLOS, § (TC # 2015DCV3141) Appellee. § JUDGMENT This Court has considered this cause on the record and concludes that there was error in the judgment.

We therefore reverse the trial court’s denial of the plea to the jurisdiction and render that all Bustillos’ claims for lack of jurisdiction be dismissed. We further order that the Appellant recover from Appellee all costs, for which let execution issue. This decision shall be certified below for observance. IT IS SO ORDERED THIS 13TH DAY OF JUNE, 2018. ANN CRAWFORD McCLURE, Chief Justice Before McClure, C.J., Rodriguez, J., and Larsen, J. (Senior Judge) Larsen, J. (Senior Judge), sitting by assignment