

COURT OF APPEALS FOR THE FIFTH DISTRICT OF TEXAS AT DALLAS

In re Linebarger Googan Blair & Sampson, LLP

In re Linebarger · No. 05-19-00611-CV · Decided June 12, 2019

SUMMARY

The Fifth District Court of Appeals of Texas ordered that the mandamus proceeding in cause number 05-19-00611-CV be consolidated into the related interlocutory appeal in cause number 05-19-00614-CV. The court directed the clerk to transfer the documents, close the mandamus case, and required future pleadings to use the interlocutory appeal cause number, while maintaining existing deadlines.

CASE DETAILS

COURT	Court of Appeals for the Fifth District of Texas at Dallas
WRITING FOR THE COURT	Amanda L. Reichek; Justice Brown; Justice Schenck; Justice Reichek
JURISDICTION	Texas
DECIDED	June 12, 2019
DOCKET	05-19-00611-CV
DISPOSITION	other
PROCEDURAL POSTURE	Relator filed a petition for writ of mandamus challenging the trial court's denial of its plea to the jurisdiction and also filed an interlocutory appeal from the same order. The court consolidated the mandamus proceeding into the pending interlocutory appeal.
PRECEDENTIAL VALUE	Published procedural order; no substantive merits holding stated.
PARTIES	Linebarger Googan Blair & Sampson, LLP, Relator

TOPICS

- appellate procedure
- interlocutory appeal
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

- Whether the mandamus proceeding and the pending interlocutory appeal concerning the same trial-court order should be consolidated.

HOLDINGS

1. The Court of Appeals consolidated cause number 05-19-00611-CV, the mandamus proceeding, into cause number 05-19-00614-CV, the pending interlocutory appeal, so that the proceedings would be decided together.

FACTUAL BACKGROUND

The trial court entered an April 19, 2019 order denying Linebarger Googan Blair & Sampson, LLP's plea to the jurisdiction. The firm challenged that order through both a petition for writ of mandamus and an interlocutory appeal. The interlocutory appeal was pending in the same appellate court when the court entered this consolidation order.

PROCEDURAL HISTORY

The 44th Judicial District Court of Dallas County, Texas, denied relator's plea to the jurisdiction on April 19, 2019. Relator sought mandamus relief and separately pursued an interlocutory appeal. Because both proceedings concerned the same trial-court order, the Court of Appeals consolidated the mandamus proceeding into the interlocutory appeal, closed the mandamus cause, and directed that future filings use cause number 05-19-00614-CV.

DISPOSITION

other

INSTRUCTIONS FOR AN AI ASSISTANT

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