

## COURT OF APPEALS OF THE EIGHTH DISTRICT OF TEXAS

# Fort Stockton Holdings, L.P., Pecos County, City of Fort Stockton, Pecos County Water Control and Improvement District No. 1, and Brewster County Groundwater Conservation District v. Middle Pecos Groundwater Conservation District

Fort Stockton Holdings · No. 08-15-00382-CV · Decided April 12, 2017

### SUMMARY

The Eighth District Court of Appeals of Texas ordered that the case be submitted without oral argument on June 22, 2017. The order followed multiple vacated oral-argument settings and stated that no further motions to vacate the submission setting would be considered.

### CASE DETAILS

|                       |                                                                                                                                                                                                                                   |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of the Eighth District of Texas                                                                                                                                                                                  |
| WRITING FOR THE COURT | Per Curiam; McClure, C.J.; Rodriguez, J.; Palafox, J.                                                                                                                                                                             |
| JURISDICTION          | Texas                                                                                                                                                                                                                             |
| DECIDED               | April 12, 2017                                                                                                                                                                                                                    |
| DOCKET                | 08-15-00382-CV                                                                                                                                                                                                                    |
| DISPOSITION           | other                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Appeal from the 83rd District Court of Pecos County, Texas; the appellate court set the appeal for submission without oral argument after multiple oral-argument settings were vacated.                                           |
| PRECEDENTIAL VALUE    | published                                                                                                                                                                                                                         |
| PARTIES               | Fort Stockton Holdings, L.P., Pecos County, City of Fort Stockton, Pecos County Water Control and Improvement District No. 1, Brewster County Groundwater Conservation District v. Middle Pecos Groundwater Conservation District |

### TOPICS

appellate procedure

civil procedure

### PRACTICE AREAS

**QUESTIONS PRESENTED**

1. Whether the pending appeal should be submitted without oral argument after multiple oral-argument settings were vacated.

**KEY QUOTATIONS**

*“NO FURTHER MOTIONS TO VACATE THE SUBMISSION SETTING WILL BE CONSIDERED BY THIS COURT.”*

**FACTUAL BACKGROUND**

The order concerns the scheduling of an appeal. The court had set the case for oral argument three times, and each setting was vacated after the parties filed motions that the court granted.

**PROCEDURAL HISTORY**

The matter was pending on appeal from the 83rd District Court of Pecos County under trial-court cause number P-7047-83-CV. The appellate court had set the case for oral argument on three occasions, but each setting was vacated following motions filed by the parties and granted by the court. The court then ordered the appeal submitted without oral argument on June 22, 2017 and stated that no further motions to vacate the submission setting would be considered.

**DISPOSITION**

other