

COURT OF APPEALS OF TEXAS, SECOND DISTRICT, FORT WORTH

Brenda Lund, in Her Individual Capacity, and Kristin Alrick, in Her Individual Capacity v. Eric and Ruth Giauque, Individually and as Next Friend of H.G., N.G., M.G., C.G., and B.G., Minor Children

Lund v. Giauque · No. 02-13-00029-CV · Decided October 31, 2013

SUMMARY

The Texas Court of Appeals, Second District, reversed the trial court's order and rendered judgment dismissing the appellees' claims against Brenda Lund and Kristin Alrick under Texas Civil Practice and Remedies Code section 101.106(f). The court assessed all appellate costs against the appellees.

CASE DETAILS

COURT	Court of Appeals of Texas, Second District, Fort Worth
WRITING FOR THE COURT	Justice Lee Gabriel
JURISDICTION	Texas
DECIDED	October 31, 2013
DOCKET	02-13-00029-CV
DISPOSITION	reversed
PROCEDURAL POSTURE	Appeal from an order of the 342nd District Court of Tarrant County; the appellate court determined that the trial court erred and reversed the order, rendering judgment dismissing appellees' claims against appellants under section 101.106(f).
PRECEDENTIAL VALUE	Published opinion; precedential status is indicated by the provided metadata.
PARTIES	Brenda Lund, in her individual capacity, Kristin Alrick, in her individual capacity v. Eric and Ruth Giauque, individually and as next friend of H.G., N.G., M.G., C.G., and B.G., minor children

TOPICS

appellate procedure

civil procedure

statutory interpretation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court's order should be reversed and the appellees' claims against appellants dismissed under section 101.106(f).

HOLDINGS

1. The trial court erred, and the appellees' claims against Brenda Lund and Kristin Alrick were dismissed under section 101.106(f).

KEY QUOTATIONS

“It is ordered that the order of the trial court is reversed and we render a judgment dismissing appellees’ Eric and Ruth Giaque, Individually and as Next Friend of H.G., N.G., M.G., C.G., and B.G., claims against appellants Brenda Lund, in her individual capacity, and Kristin Alrick, in her individual capacity, under section 101.106(f).” (Judgment)

FACTUAL BACKGROUND

The provided text contains no substantive factual discussion. It identifies claims brought by Eric and Ruth Giaque, individually and as next friend of five minor children, against Brenda Lund and Kristin Alrick in their individual capacities.

PROCEDURAL HISTORY

The case was appealed from the 342nd District Court of Tarrant County, cause number 342-247746-10. The court of appeals held that the trial court's order contained error, reversed the order, and rendered judgment dismissing appellees' claims against appellants under section 101.106(f).

DISPOSITION

reversed

OPINION**PER CURIAM.**

COURT OF APPEALS SECOND DISTRICT OF TEXAS FORT WORTH NO. 02-13-00029-CV
Brenda Lund, in her individual § From the 342nd District Court capacity, and Kristin Alrick, in her individual capacity § of Tarrant County (342-247746-10) v. § October 31, 2013 § Eric and Ruth Giaque, Individually and as Next Friend of H.G., N.G., M.G., C.G., and B.G., minor children §
Opinion by Justice Gabriel JUDGMENT This court has considered the record on appeal in this case and holds that there was error in the trial court’s order.

It is ordered that the order of the trial court is reversed and we render a judgment dismissing appellees' Eric and Ruth Giaque, Individually and as Next Friend of H.G., N.G., M.G., C.G., and B.G., claims against appellants Brenda Lund, in her individual capacity, and Kristin Alrick, in her individual capacity, under section 101.106(f). It is further ordered that appellees Eric and Ruth Giaque, Individually and as Next Friend of H.G., N.G., M.G., C.G., and B.G., shall pay all costs of this appeal, for which let execution issue.

SECOND DISTRICT COURT OF APPEALS By _____ Justice
Lee Gabriel

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