

SECOND COURT OF APPEALS OF TEXAS, FORT WORTH

**Robert Royal and RR Royal Ranch Company v. SAPH, LLC and
Happy State Bank**

Royal · Decided November 25, 2015

SUMMARY

This document is a Notice of Appeal filed by Robert Royal and RR Royal Ranch Company in a Texas civil case against SAPH, LLC and Happy State Bank. The appellants seek review of an October 26, 2015 judgment or order, raising issues concerning denial of a continuance, limitations on questioning a witness regarding property ownership and liens, and the amount of sanctions awarded.

CASE DETAILS

COURT	Second Court of Appeals of Texas, Fort Worth
JURISDICTION	Texas
DECIDED	November 25, 2015
DISPOSITION	other
PROCEDURAL POSTURE	Notice of appeal filed by Robert Royal and RR Royal Ranch Company seeking review of a trial-court judgment or other appealable order signed October 26, 2015.
PRECEDENTIAL VALUE	none
PARTIES	Robert Royal, RR Royal Ranch Company v. SAPH, LLC, Happy State Bank

TOPICS

[appellate procedure](#) [civil procedure](#) [summary judgment](#) [sanctions](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#)

QUESTIONS PRESENTED

1. Whether the trial court improperly denied the plaintiffs' motion for continuance.
2. Whether the trial court improperly limited questioning of the defendants' witness concerning property ownership and the creation of liens.

3. Whether the sanctions award was excessive.

FACTUAL BACKGROUND

The plaintiffs stated that they retained new counsel on short notice to defend against defendants' motion for final summary judgment, motion for sanctions, and motion for protective order. They asserted that the trial court denied a continuance, restricted questioning of a defense witness concerning property ownership and liens, and imposed excessive sanctions.

PROCEDURAL HISTORY

The appeal arose from proceedings in the District Court of Parker County, Texas. The notice states that the trial court denied the plaintiffs' motion for continuance, sustained objections limiting questioning of a defense witness in connection with defendants' motion for final summary judgment, and awarded sanctions. The plaintiffs filed a notice of appeal on November 25, 2015.

DISPOSITION

other

OPINION

PER CURIAM.

'1' P0 NO. CV15-1178 2 fl? "0 a," 0540,? Fcoafllgo #604 5 ROBERT ROYAL AND RR ROYAL IN THE aIN k § DISTIFlégQQURFILED RANCH COMPANY Or 2nd COURT OFé / foe/fin," APPEALS FORT WORTH, TEXAS "643'o ~ Plaintiffs, § ~ 11/25/2015 2:58:08 / PM § v. § 415 JUDICIAL DISTRI DEBRA SPISAK Clerk am § SAPH, LLC AND HAPPY STATE § BANK § Defendants. § OF PARKER COUNTY, TEXAS NOTICE OF APPEAL Plaintiffs, Robert Royal and RR Royal Ranch Company, parties to this case, file this Notice of Appeal seeking to alter the trial court's judgment or other appealable order.

1. The trial court, trial court case number and style of this matter are shown in the above caption. 2. The judgment or order appealed from was signed on October 26, 2015. 3. Robert Royal and RR Royal Ranch Company desire to appeal because (a) Plaintiffs' had to retain new legal counsel on short notice to properly defend Plaintiffs against Defendants' Motion for Final Summary Judgment, Motion for Sanctions, and Motion for Protective Order and the trial court denied Plaintiffs' Motion for Continuance to allow Plaintiffs' counsel adequate time to prepare a defense; (b) Plaintiffs' were prevented, through the trial court's sustaining of Defendants' objections, from questioning Defendants' witness in support of Defendants' Motion for Final Summary Judgment regarding ownership issues of the property and creation of liens central to the present case; and (c) the award for sanctions was excessive.

4. This appeal is being taken to either the First or Fourteenth Court of Appeals. 5. This notice is being filed by Robert Royal and RR Royal Ranch Company. NOTICE OF APPEAL Page I of 2 Respectfully submitted, DORSETT JOHN ON & SWIFT, LLP ~ ~ J. C. Johnson Texas Bar No 24067412 C. de Vild Jr. ~ ~ J., Texas Bar No. 24065130 Robyn Trosper-Murrell Texas Bar No. 24090441 mmfldcnsattjohnsomm 109 East Third Street, Suite 350 Fort Worth, Texas 76102 Telephone: (817) 900-8202 Facsimile: (817) 882-8526 ATTORNEYS FOR PLAINTIFFS ROBERT ROYAL AND RR ROYAL RANCH Pursuant to Texas Rules of Civil Procedure 21 and 21a, I certify that on November 25, 2015 a true and correct copy of Plaintiffs' Notice of Appeal was served to each person listed below by the method indicated.

7 Michael Brinkley BRINKLEY LAW PLLC PO. Box 820711 Fort Worth, Texas 76182-0711 Stewart R. Werner LAW OFFICES OF STEWART R. WERNER 801 S. Fillmore Street, Suite 720 Amarillo, Texas 79101 / Attorneys for Defendants C. J. de Vilder, Jr. NOTICE OF APPEAL Page 2 of 2