

TEXAS COURT OF APPEALS FOR THE FIRST DISTRICT AT HOUSTON

Harris County v. Michael J. Hall

No. 01-25-00399-CV (Tex. App.—Houston [1st Dist.] Jan. 22, 2026) (mem. op.) · No. 01-25-00399-CV ·
Decided January 22, 2026

SUMMARY

The Texas Court of Appeals for the First District reversed the denial of Harris County’s plea to the jurisdiction and summary judgment motion in Michael J. Hall’s employment discrimination action. The court held that Hall failed to establish or administratively exhaust claims under the Texas Commission on Human Rights Act, including disability discrimination, failure to accommodate, retaliation, pattern-and-practice discrimination, and aiding and abetting discrimination. The court rendered judgment dismissing Hall’s claims against the County because governmental immunity was not waived.

CASE DETAILS

COURT	Texas Court of Appeals for the First District at Houston
WRITING FOR THE COURT	Susanna Dokupil; Chief Justice Adams; Justice Morgan; Justice Dokupil
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	January 22, 2026
DOCKET	01-25-00399-CV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Interlocutory appeal from the denial of Harris County's plea to the jurisdiction and traditional motion for summary judgment in Hall's employment-discrimination suit under the Texas Commission on Human Rights Act.
STANDARD OF REVIEW	The court reviewed the plea to the jurisdiction and denial of summary judgment de novo. It reviewed questions of subject-matter jurisdiction and whether the pleadings affirmatively demonstrated jurisdiction de novo, considered relevant evidence when the governmental unit challenged jurisdictional facts, applied an analysis mirroring traditional summary judgment, viewed the evidence in the light most favorable to the nonmovant, indulged reasonable inferences in the nonmovant's favor, and resolved doubts against the motion.

PRECEDENTIAL VALUE	Published memorandum opinion; precedential status is reported as published in the provided metadata.
PARTIES	Harris County v. Michael J. Hall

TOPICS

disability discrimination reasonable accommodation retaliation sovereign immunity summary judgment

PRACTICE AREAS

employment law civil rights disability discrimination governmental immunity appellate procedure

QUESTIONS PRESENTED

1. Whether Hall established a prima facie case of disability discrimination under the TCHRA sufficient to waive Harris County's governmental immunity.
2. Whether Hall established a prima facie case that Harris County failed to accommodate his disability by retaining him in his jailer position or transferring him to a civilian position.
3. Whether Hall exhausted his administrative remedies for his TCHRA retaliation claim.
4. Whether the TCHRA provides a cause of action, and waives governmental immunity, for a pattern-and-practice discrimination claim.
5. Whether Hall established a prima facie case of aiding and abetting discrimination and exhausted administrative remedies for that claim.

HOLDINGS

1. Hall failed to establish a prima facie case of disability discrimination because he was not qualified for his detention-officer position when he was terminated; his TCOLE license was not in good standing.
2. Hall failed to establish a prima facie failure-to-accommodate claim because he was not a qualified employee for his jailer position and provided no evidence of a specific available civilian position whose essential functions he could perform.
3. Hall did not exhaust his administrative remedies for his TCHRA retaliation claim because the factual statement in his administrative charge did not allege that he was terminated for engaging in protected activity.
4. The TCHRA does not provide a cause of action for pattern-and-practice discrimination, and Hall also failed to exhaust administrative remedies for that theory.
5. Hall failed to establish a prima facie aiding-and-abetting claim and failed to exhaust administrative remedies for that claim.

KEY QUOTATIONS

“Governmental units are immune from suit unless immunity is clearly and unambiguously waived by state law.” (4)

“If a plaintiff fails to establish a prima facie case against a governmental unit or overcome the rebuttal evidence, then the trial court lacks jurisdiction and must dismiss the case.” (7)

“Filing an administrative complaint does not give the plaintiff carte blanche to pursue other TCHRA claims that he might later devise.” (14)

FACTUAL BACKGROUND

Hall worked for the Harris County Sheriff's Office as a detention officer and later as a detention training officer. After beginning to miss work in 2020, he took two approved six-month leaves of absence related to stage IV non-alcoholic cirrhosis of the liver and related treatment. He later requested a transfer to a civilian position because he could not have contact with inmates, requested another leave, and was terminated effective October 6, 2021; the County cited his lack of a current TCOLE license and poor attendance. Hall filed an administrative charge and then sued under the TCHRA.

PROCEDURAL HISTORY

Hall sued Harris County alleging disability discrimination, failure to accommodate, retaliation, pattern-and-practice discrimination, and aiding and abetting discrimination under the TCHRA. The County filed a plea to the jurisdiction and motion for summary judgment, arguing that Hall failed to establish a statutory violation sufficient to waive governmental immunity and failed to exhaust administrative remedies for certain claims. The trial court denied the County's motions, and the County brought an interlocutory appeal.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The court reversed the trial court's order and rendered judgment dismissing Hall's claims against Harris County. No further substantive instructions were stated.

CASES CITED

- City of San Antonio v. Maspero, 640 S.W.3d 523, 528 (Tex. 2022)
- State v. Holland, 221 S.W.3d 639, 642 (Tex. 2007)
- PHI, Inc. v. Tex. Juv. Just. Dep't, 593 S.W.3d 296, 301 n.1 (Tex. 2019)
- Mission Consol. Indep. Sch. Dist. v. Garcia, 372 S.W.3d 629, 635, 637 (Tex. 2012)
- Bland Indep. Sch. Dist. v. Blue, 34 S.W.3d 547, 554 (Tex. 2000)
- Sampson v. Univ. of Tex. at Austin, 500 S.W.3d 380, 384 (Tex. 2016)
- Tex. Dep't of Parks & Wildlife v. Miranda, 133 S.W.3d 217, 225-26 (Tex. 2004)
- Tex. Ass'n of Bus. v. Tex. Air Control Bd., 852 S.W.2d 440, 446 (Tex. 1993)
- Metro. Transit Auth. of Harris Cnty. v. Douglas, 544 S.W.3d 486, 492 (Tex. App.—Houston [14th Dist.] 2018, pet. denied)

- Tex. Dep't of Transp. v. Lara, 625 S.W.3d 46, 52 (Tex. 2021)
- Amedisys, Inc. v. Kingwood Home Health Care, LLC, 437 S.W.3d 507, 511 (Tex. 2014)
- King Ranch, Inc. v. Chapman, 118 S.W.3d 742, 751 (Tex. 2003)
- Merrell Dow Pharms. Inc. v. Havner, 953 S.W.2d 706, 711 (Tex. 1997)
- Ford Motor Co. v. Ridgway, 135 S.W.3d 598, 601 (Tex. 2004)
- Scripps NP Operating, LLC v. Carter, 573 S.W.3d 781, 790 (Tex. 2019)
- Buck v. Palmer, 381 S.W.3d 525, 527 (Tex. 2012) (per curiam)
- Smith v. O'Donnell, 288 S.W.3d 417, 424 (Tex. 2009)
- Alamo Heights Independent School District v. Catherine Clark, Alamo Heights Indep. Sch. Dist. v. Clark, 544 S.W.3d 755, 763, 770, 782 (Tex. 2018)
- Tex. Tech. Univ. Health Sciences Ctr.-El Paso v. Flores, 612 S.W.3d 299, 305 (Tex. 2020)
- Green v. Dallas Cnty. Schs., 537 S.W.3d 501, 503 (Tex. 2017) (per curiam)
- Donaldson v. Tex. Dep't of Aging & Disability Servs., 495 S.W.3d 421, 436-37 (Tex. App.—Houston [1st Dist.] 2016, pet. denied)
- Turco v. Hoechst Celanese Corp., 101 F.3d 1090, 1093 (5th Cir. 1996)
- Harris Ctr. for Mental Health & IDD v. McLeod, No. 01-22-00947-CV, 2024 WL 1383271, at *8 (Tex. App.—Houston [1st Dist.] Apr. 2, 2024, pet. denied) (mem. op.)
- Bering v. Tex. Dep't of Criminal Justice-PFCMOD, No. 02-24-00033-CV, 2024 WL 4455843, at *2 (Tex. App.—Fort Worth Oct. 10, 2024, no pet.) (mem. op.)
- Hoffmann-LaRoche Inc. v. Zeltwanger, 144 S.W.3d 438, 446 (Tex. 2004)
- Waffle House, Inc. v. Williams, 313 S.W.3d 796, 804-05 (Tex. 2010)
- Univ. of Tex. Health Sci. Ctr. at Houston v. Carroll, No. 01-23-0014-CV, 2024 WL 3417051, at *7 (Tex. App.—Houston [1st Dist.] July 16, 2024, pet. denied) (mem. op.)
- Cuadra v. Declaration Title Co., 682 S.W.3d 628, 634 (Tex. App.—Houston [1st Dist.] 2023, no pet.)
- Clark v. Champion Nat'l Sec., Inc., 952 F.3d 570, 578 n.16 (5th Cir. 2020)