

## COURT OF APPEALS OF TEXAS, EIGHTH DISTRICT, EL PASO

# El Paso Independent School District v. Michael McIntyre and Laura McIntyre, Individually and on Behalf of Their Minor Children, K.M., L.M., C.M.M., M.M., and L.M.

El Paso Independent School District v. McIntyre · No. 08-11-00329-CV · Decided September 28, 2018

### SUMMARY

The Eighth District Court of Appeals of Texas reversed the judgment of the 327th District Court of El Paso County and remanded the case for further proceedings in accordance with the court's opinion. The court also ordered the appellant to recover the costs of the appeal.

### CASE DETAILS

|                       |                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Texas, Eighth District, El Paso                                                     |
| WRITING FOR THE COURT | Yvonne T. Rodriguez, Justice; McClure, Chief Justice; Palafox, Justice                                  |
| JURISDICTION          | Texas                                                                                                   |
| DECIDED               | September 28, 2018                                                                                      |
| DOCKET                | 08-11-00329-CV                                                                                          |
| DISPOSITION           | reversed_and_remanded                                                                                   |
| PROCEDURAL POSTURE    | Appeal from a judgment of the 327th District Court of El Paso County, Texas.                            |
| PRECEDENTIAL VALUE    | published                                                                                               |
| PARTIES               | El Paso Independent School District v. Michael McIntyre, Laura McIntyre, K.M., L.M., C.M.M., M.M., L.M. |

### TOPICS

appellate procedure

civil procedure

### PRACTICE AREAS

education law

civil procedure

### KEY QUOTATIONS

*“The Court has considered this cause on the record and concludes there was error in the judgment. We therefore reverse the judgment of the court below and remand the cause for further proceedings, in accordance with this Court’s opinion.”*

## PROCEDURAL HISTORY

El Paso Independent School District appealed from a judgment entered by the 327th District Court of El Paso County, Texas, in trial-court cause number 2007-3210. The Court of Appeals concluded that the judgment contained error, reversed the judgment, and remanded the cause for further proceedings.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

The cause was remanded for further proceedings in accordance with the Court of Appeals' opinion.

## OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS § EL PASO INDEPENDENT SCHOOL DISTRICT, § No. 08-11-00329-CV Appellant, § Appeal from v. § 327th District Court MICHAEL McINTYRE AND § LAURA McINTYRE, INDIVIDUALLY of El Paso County, Texas AND ON BEHALF OF THEIR MINOR § CHILDREN, K.M., L.M., C.M.M, M.M., (TC # 2007-3210) AND L.M., § Appellees. § JUDGMENT The Court has considered this cause on the record and concludes there was error in the judgment.

We therefore reverse the judgment of the court below and remand the cause for further proceedings, in accordance with this Court’s opinion. We further order that Appellant recover from Appellee all costs of this appeal, for which let execution issue, and this decision be certified below for observance. IT IS SO ORDERED THIS 28TH DAY OF SEPTEMBER, 2018. YVONNE T. RODRIGUEZ, Justice Before McClure, C.J., Rodriguez, and Palafox, JJ. McClure, C.J., not participating