

APRIL DOCKET
FROM 04/01/23 THRU 04/30/23

TRY OR DISMISS:

Announcements of "READY" are required on all designated "TRY OR DISMISS" cases or same will be Dismissed for Want of Prosecution.

ANNOUNCEMENTS:

Your announcements may be given to the Court at any time after you receive this docket. You do not have to wait until docket call day to give your announcements but they must be made prior to or on docket call day. No announcement after docket call day will be taken. Announcements may be made by telephone or letter.

An announcement is required on all "TRY OR DISMISS" cases. At least one party must announce ready to keep the case on the docket. If no party announces ready, the case will be dismissed for Want of Prosecution. If it is not, in the opinion of any party, ready for trial, a Motion for Continuance must be filed and a hearing must be set with the Court by docket call date.

CONTINUANCES:

A case set on the docket for the first time may pass the setting by agreement of the parties. Prior to the removal of the case from the docket, the parties shall file an amended docket control order prior to docket call/pretrial. Absent the filing of an amended docket control order, the case will be called to trial.

RESETTINGS BY THE COURT:

A case on the trial docket is considered "Trial Ready", and may be automatically set on subsequent dockets. NO request or announcements will be necessary to effectuate the resetting of a case, although a party may request a setting.

PLEASE NOTE THE ATTACHED INSTRUCTIONS FOR CASES CALLED TO TRIAL.
ALL ATTORNEYS MUST READ AND COMPLY WITH ALL THESE INSTRUCTIONS
BEFORE COMING TO PRE-TRIAL AND TRIAL.

DOCKET CALL: MARCH 23, 2023 - BY ANNOUNCEMENT ONLY
ANNOUNCEMENT LETTER SHALL BE EFILED

FAILURE TO APPEAR AT PRETRIAL/DOCKET CALL MAY RESULT IN YOUR CASE BEING DISMISSED FOR WANT OF PROSECUTION.

IF YOU REQUIRE MORE THAN A 28 PERSON JURY PANEL YOU MUST NOTIFY THE COURT IMMEDIATELY AFTER RECEIVING THIS DOCKET.

NOTE WELL: In addition to the cases listed herein, this month's docket may also include other cases which were added after the docket was published, such as cases carried over, cases re-set or continued from prior months, and cases carried along on the "rolling" docket. THE ABSENCE OF A CASE FROM THE PUBLISHED DOCKET DOES NOT MEAN THAT A CASE, HAVING BEEN SET FOR TRIAL, IS NO LONGER SET!

ADDITIONALLY, THIS DOCKET MAY INCLUDE THE FOLLOWING TYPE OF CASES:

1. CASES SET ON PRIOR TRIAL DOCKETS WHICH ANNOUNCED SETTLED, IN WHICH THE PARTIES HAVE FAILED TO FILE THE APPROPRIATE CLOSING PAPERS.

PRE TRIAL REQUIREMENTS

The following requirements apply to cases about to go to trial in the 58th District Court, and attorneys are required to read and comply herewith prior to attending the pretrial conference. In addition, please read and be familiar with the local civil rules, effective October 1, 2009.

1. MOTIONS FOR CONTINUANCE may be filed and must be scheduled for hearing prior to the beginning of the month except where circumstances later arise. Attorneys are cautioned that continuances are not viewed with favor on cases that have been previously continued. All contested Motions for Continuance will require oral presentation to the court and must be set for hearing prior to the date of the call to trial. Motions filed but unheard prior to the date of the call for trial will not be considered.
2. MOTIONS IN LIMINE: Attorneys are required to prepare and exchange any motions in limine prior to the pretrial date or at a mutually agreed date and time no later than 10 days prior to trial, so that they can prepare to advise the court without delay which, if any, items they object to in their opponent's motion.
3. EXHIBITS: The attorneys are to mark and number their exhibits and exchange prior to the pretrial or at a mutually agreed date and time no later than 10 days prior to trial, so that objections can be made and ruled upon at the pretrial. It is the objective of this provision that exhibits be pre-admitted, to avoid any delay at trial in marking, offering, objecting to, or ruling upon exhibits. Objections must be set for hearing no later than 3 days prior to trial. Failure to have objections heard prior to trial will result waiver of objection.

****All exhibits should be presented pursuant to a pre-prepared Exhibit List. The court expects that all exhibits will be offered in a digital format, with duplicate paper copies for use by counsel, the court and the jury only. Photographic evidence will be handled in like manner. The exhibits admitted into evidence will be the digital formats; therefore, counsel should take care to ensure that the copies of exhibits published to the court and/or jury are accurate copies of the actual digital exhibits admitted into evidence. Demonstrative exhibits may be admitted but the record shall be supplemented prior to the entry of judgment with digital photographic representations of any such demonstrative evidence and the exhibit withdrawn and the digital photograph(s) substituted for the demonstrative exhibit.
4. COURT'S CHARGE: The court expects that counsel will be familiar with any unique or difficult issues for presentation to the court and/or jury. It will not be necessary to present to the court in advance routine jury issues. Complex issues should be briefed prior to trial and briefing shared with the court at the time the case is called. The attorneys are required to furnish a proposed charge at the beginning of jury selection (provide hard copy and on disk/CD -or E-Mail. Microsoft Word compatible)
5. TIME REQUIRED FOR TRIAL: In order to be able to provide as much notice as is possible, attorneys are encouraged to provide to the court coordinator an estimate of the length of time required for trial in advance of the month the case is set.
6. PRE-TRIAL CONFERENCE: Any case that requires the assistance of the court to resolve pre-trial issues should be set for hearing and resolution in the month prior to the month the case is set, whenever possible. It is anticipated that most cases will not require a pre-trial conference. One will not be set unless requested.
7. NON-VIDEO DEPOSITIONS: Page and line designations shall be exchanged between the parties pursuant to guidelines outlines in number 2 above and furnished at the time of trial to opposing counsel, the court reporter, and to the court. Additionally, the court shall be furnished a copy of any desposition to be read, for the purpose of ruling on objections: IT IS NOT NECESSARY to state line and page designations in reading a deposition, as long as the designations have previously been furnished as provided above.
8. VIDEO DEPOSITIONS: Video depositions SHALL be edited to remove superfluous and extraneous material, abandoned objections and colloquy, and undue delays; in addition, video depositions SHALL be edited for brevity, cogency and clarity.

The edited version shall be furnished to opposing counsel pursuant to the quidlines outlined in number 2 above. Failure to furnish the edited version

to opposing counsel may result in exclusion, and failure to make objections and set for hearing prior to trial will be waiver of objection; the objective is that there not be interruption or delay in the presentation of video depositions.

9. DISPLAYS, MODELS and EQUIPMENT: Please have all displays, models, and equipment set up before court convenes, so that there will be no delay during trial. Please also check with the bailiff before bringing any models or equipment into the courtroom.

Cause No. Style

Attorney

TRY OR DISMISS

TRIAL: APRIL 3, 2023 AT 9:00 AM

D-0184119

JACQUELINE WARD ET AL

LEISTER, CURTIS

vs. TOYOTA MOTOR CORPORATION ET AL

CASTANON, ISIDRO O
NO ATTORNEY AT THIS TIME
HUNTSMAN, FRED C

FRIMET, MICHAEL J.
BOSWELL, JOHN H

JURY

TRY OR DISMISS

A-0203673

CINDY HOWELL ET AL

LAWDERMILK, ROCKY M

vs. JACOB WILSON

JACKSON, WILLIAM S

JURY

A-0204982

ALINDA POWELL SPOONEMORE

WERNER, JOHN

vs. DR RICHARD FRANCIS ET AL

SHEPPERD, JOHN R

JURY

TRY OR DISMISS

A-0205244

BRANDIE CHURAN

FERGUSON, PAUL F JR

vs. RUBBER LINING SPECIALISTS LLC ET AL

SHELLENBERGER, COLLIN D

JURY

A-0205739

HEIDI BERTRAND CHATHAM

TERRELL, B ADAM

vs. US SORBENTS LLC ET AL

TOMPKINS, KEVIN B

JURY

TRY OR DISMISS

A-0206044

CECIL BRENT ET AL

JUHAN, JONATHAN

vs. NICHOLAS DEAN ET AL

BROWN, ASHEA JONES

JURY

A-0206153

SOUTH CENTRAL ELECTRIC LLC

vs. ERLIN PADILLA

BECK, BETHANY
MARTINEZ, NICHOLAS
NO ATTORNEY AT THIS TIME

JURY

TRY OR DISMISS

A-0206398

MATTHEW WHITE

DUGAS, CLAY

vs. BAPTIST HOSPITALS OF SOUTHEAST TEXAS ET AL

HUGHES, MATTHEW B E
SPROTT, JOEL RANDAL

CASE CONTINUED ON NEXT PAGE

Cause No.	Style	Attorney
	JURY	COOKSEY, CURRY L STEWART, GEORGE MICHAEL PROCTOR, LORI D RAMSEY, MICHAEL R
A-0206619	TRY OR DISMISS IFTIKHAR AHMED	BROWN, RICHARD E
vs. AIJAZ ALI KHOWAJA ET AL	NON JURY	JOHNS, KENT W MADDEN, KEVIN PRO SE
A-0207045	TRY OR DISMISS BERRY MAURKEECE, ET AL	OXFORD, TOM NUGENT, JACK
vs. TNT DIRT SAND AND GRAVEL LLC, ET AL	JURY	PRICE, QUENTIN D SHELLENBERGER, COLLIN D
A-0207230	TRY OR DISMISS CYRUS LAUDERDALE	REES, CODY B
vs. TIGER INDUSTRIAL, ET AL	NON JURY	NO ATTORNEY AT THIS TIME FISHER, JEFFERSON W
A-0207466	TRY OR DISMISS ZALFA ELKINS	PRO SE
vs. KENNY KAPOOR	NON JURY	WYNNE, MICHAEL J WEEMS, MICHAEL L NO ATTORNEY AT THIS TIME
A-0207483	TRY OR DISMISS DYIESHA MARK	JUHAN, JONATHAN
vs. SPRING CREEK NURSING AND REHABILITATION LP ET AL	NON JURY	MALLARD, CHARLES A
A-0207891	CHARMAINE BLAKE	

Cause No.	Style	Attorney
		FERGUSON, PAUL F JR
vs. MELANIE CRITES ET AL		BENNETT, KAREN R NO ATTORNEY AT THIS TIME STANLEY, J KEITH
	JURY	

A-0208067	ADAM CRAWFORD	BURRIS, STEPHEN BRICE
vs. DOUGLAS SPILLER ET AL	JURY	REVIERE, MICHAEL JOSEPH

A-0208089	LAURA AGUILERA	ADAMS, GILBERT T III
vs. CHARLES MORRIS	JURY	STANLEY, J KEITH

A-0208114	JULIA MEZA	WILKERSON, WILLIAM MARCUS
vs. EASY HOUSE BUYERS LLC ET AL	NON JURY	HENRY, MARC P TOWNSEND, STEPHEN L

A-0208211	HEATHER WESTER ET AL	DUCOTE, DAN JR
vs. C2 PIPELINE SERVICES LLC ET AL	JURY	MOYE, WILLIAM R

A-0208251	GARY SWANSON	BRYANT, TERRY
vs. KURTIS WAYNE ERVIN ET AL	JURY	HERRERA, CHRISTINA

A-0208267	RONALD BABINO	PAYNE, JASON E
vs. JEROMY CHRIS FULSOM ET AL	JURY	NO ATTORNEY AT THIS TIME BROWNING, ROBERT M

Cause No.	Style	Attorney
A-0208571	CRYSTALE CALLARMAN	BOND, J TRENTON
vs. STARSHIP CONROE LP ET AL	JURY	DIAMOND, JEFFREY L
A-0208596	MARY L FRAZIER	HERBERT, KEITH
vs. DAVID JONES	JURY	BROWN, ASHEA JONES
A-0208623	LORENZO MARTINEZ	CHANDLER, SHERRY SCOTT
vs. AMERICOMMERCE LLC ET AL	JURY	HAMILTON, BYRON FORD TRIBBLE, WESSON H PRO SE NO ATTORNEY AT THIS TIME LEAVINS, CHRISTOPHER D
A-0208656	CAROLYN SUE ARNOLD	DUGAS, CLAY
vs. FEDEX CORPORATION ET AL	JURY	BLOMQUIST, PETER C
A-0208720	VINCENT ALLEN	HOLLINGSWORTH, STEVEN R
vs. PEPSICO INC ET AL	JURY	DRESDEN, DENNIS S
A-0209016	AIMEE MAIBEN	NO ATTORNEY AT THIS TIME ALFRED, BYRON C
vs. AMERICAN ACCESS CASUALTY COMPANY ET AL	JURY	JACKSON, GEORGE T OWENS, HANNAH
A-0209190	ADELINA AGUILERA	

Cause No.	Style	Attorney
		FERGUSON, TIMOTHY M.
vs. HOSEA GABRIEL ET AL		GALVIN, SONJA R MITCHELL, KENNETH V NO ATTORNEY AT THIS TIME
	JURY	

A-0209294	ELIZABETH MORENO ET AL	STRAUS, SOFIA
vs. AIRBORNE TRANSPORT LLC ET AL		POLLOCK, AMY BETH ELWOOD, JOHN F
	JURY	

A-0209307	JOHNATHAN MOSE	ARMSTRONG, SCOTT P. WOODS, KELLY MARIE HALPIN, MATTHEW S.
vs. VICTOR KENNETH LUQUETTE ET AL		SHELLENBERGER, COLLIN D
	JURY	

A-0209319	GLORIA ACOSTA IZAGUIRR	GARCIA, ABRAHAM
vs. MEGAN HOLLY ROBIN		BROWN, ASHEA JONES
	JURY	

A-0209329	MARQUITA ANTOI BOUTTE ET AL	MCCARTHY, JEFFREY R
vs. DARVIS ANN ELDRIDGE		CHILDS, MATT W
	JURY	

A-0209373	KERRY HACKEMACK	LEGER, JANE S
vs. THE PREMCORE REFINING GROUP INC		PRATHER, MIKE
	JURY	

A-0209375	LATOYA NICOLE LINDSEY	MASEK, MATTHEW
vs. MARLEN MEDINA BAUTISTA ET AL		NGUYEN, ANH P.

Cause No.	Style	Attorney
	JURY	
