

MAY DOCKET  
FROM 05/01/23 THRU 05/31/23

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: APRIL 20, 2023 - BY ANNOUNCEMENT LETTER  
ONLY--LETTER SHALL BE EFILED WITH COURT

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.



TRY OR DISMISS

A-0203686

HEATH REDWINE ET UX

TERRELL, B ADAM

vs. TEXAS DEPT OF TRANSPORTATION ET AL

NO ATTORNEY AT THIS TIME  
SHELLENBERGER, COLLIN D  
NEWTON, H DWAYNE  
CLARK, SANDRA  
CANO, BRIAN G  
GEALY, GRANT  
DENNIS, STEPHEN T  
STRAIN, DAVID BASS  
NORRIE, G KENNETH  
FRANKLIN, FRED DOUGLAS

JURY

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TRY OR DISMISS SFT #1 5/22/2023

A-0204527

AMERICOMMERCE HOLDINGS LLC ET AL

SNIDER, WYATT  
SPARKS, MARK C

vs. WILLARD J HALL

COKER, GARY W  
AMUNY, CHRISTY  
SMITH, CHRISTOPHER S

JURY

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TRY OR DISMISS

A-0205540

SANDRA WITT ET AL

JUHAN, JONATHAN

vs. JOSEPH LAMB ET AL  
JURY

WASHINGTON, T PHILIP

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TRY OR DISMISS SFT #1 - MAY 8, 2023

A-0205608

KILGORE CONSTRUCTION D/B/A KILGORE INDUSTRIAL LLC

PORTNER, CHRISTOPHER M

vs. PPI ENGINEERING AND CONSTRUCTION SERVICES LLC  
JURY

COLVARD, TODD H

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A-0206024

MID COUNTY PLAZA LLC

MONK, BRANDON PAUL

vs. CHANDON HARTJE ET AL

NO ATTORNEY AT THIS TIME  
DOHERTY, BRENDAN P  
HARGRODER, CASEY H  
MALLEY, ANTHONY III  
CHAMBERS, CHRISTIANE JONESON  
FOJTIK, KIMBERLY A.

JURY

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TRY OR DISMISS

A-0206525

DEXTER DURST

POWERS, PATRICK

vs. HEALTH SERVICES MANAGEMENT INC, ET AL

DAMUTH, BRENDA J  
DAVIS, JOSH K

JURY

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A-0207214

MICKEY SHANE NAVARRE ET AL

CASE CONTINUED ON NEXT PAGE

Cause No.	Style	Attorney
		BROUSSARD, AARON JAMES WILLIAMSON, MICHAEL PENN, ERIC T RICE, CATHERINE BARRETT BROUSSARD, STEVEN
vs. TEXAS DEPARTMENT OF TRANSPORTATION ET AL		ROSENBERG, MARSHALL G TAKEUCHI, LISA M STRAIN, DAVID BASS
	JURY	
A-0207574	STEPHANO WAITE	BAUM, FABIANA KIRCHMER, CHRISTOPHER T
vs. DWAN CROCHET	JURY	DAY, KENISHA
A-0207763	ALICE YOUNG ET AL	JUHAN, JONATHAN
vs. CHARLES DAVID MORRIS	NON JURY	DREWS, KARL D
A-0208158	ELIJAH WHITE	ADAMS, GILBERT T III
vs. CHARTER COMMUNICATIONS INC ET AL	JURY	WISE, WARREN B NOTZON, MARC A PRICE, TIMOTHY AMUNY, CHRISTY
A-0208438	MATTHEW MATT	WOOD, TERRY W
vs. STACEY HOLMAN	JURY	COKER, GARY W PARTAIN, BRUCE MANUEL
A-0208587	JOHN RUSHING ET AL	KING, ALLEN A JR
vs. OREILLY AUTO ENTERPRISES LLC ET AL	JURY	DIDWAY, KEVIN D

Cause No.	Style	Attorney
A-0208594	PROCOAT SERVICES ET AL	BARCHUS, BRANDON MICHAEL
vs.	JEFFERSON CENTRAL APPRAISAL DISTRICT NON JURY	BRADLEY, LANCE P

A-0208690	NIKIA PRUDHOMME	TATUM, HARRISON E.
vs.	EDWIN VELASQUEZ NON JURY	REILLEY, STEVEN S

SFT #1 - MAY 15, 2023		
A-0208889	TIFFANY LAROSE ET AL	FERGUSON, PAUL F JR
vs.	NEW BERN TRANSPORT CORPORATION ET AL JURY	DRESDEN, DENNIS S NO ATTORNEY AT THIS TIME

A-0209053	JUAN MORFIN	REILLEY, TIMOTHY
vs.	TIFFANY MONIQUE HATCH NON JURY	HERMES, TODD CHRISTOPHER

A-0209328	JOSEPH DARRELL ROBERTS	MONK, BRANDON PAUL
vs.	WILLIAM ANDRE CASTILLE JURY	CLINEBELL, JAMES E

SFT #1 - MAY 1, 2023		
A-0209364	JAMES MYERS ET AL	HYDE, J KEITH
vs.	CHEVRON USA INC ET AL JURY	BAKER, MICHAEL L

A-0209422	LISA COLLA ET AL	ALEXANDER, XAVIER
vs.	KESHIA NEWSOME JURY	RENNINGER, KRISTINE E

Cause No.	Style	Attorney
A-0209425	RUBEN LOZOYA ET AL	BAUM, FABIANA
vs.	MCPAHAN PEST CONTROL ET AL JURY	FREEMAN, JORDAN DELL
A-0209426	ADRIAN ESTRADA	YEATES, TOMMY LEE
vs.	PHILLIPS 66 COMPANY ET AL  JURY	FERNELIUS, STEPHEN M NO ATTORNEY AT THIS TIME WHITTENBURG, J B
A-0209448	DEBRA ABSHIRE	JUHAN, JONATHAN
vs.	THE MEDICAL CENTER OF SOUTHEAST TEXAS JURY	LAYRISSON, MARGARET
A-0209455	LABARBARA RHODES	JUHAN, JONATHAN
vs.	ALFREDO BRAVO JURY	OLIVAS, JIMMY
A-0209583	WAYNE EDWIN JUDALET	MORGAN, GLEN W
vs.	CHURCH REED WALTER ET AL  JURY	JACKS, THOMAS G WILLIAMS, MICHAEL D
A-0209587	JAMES JONES	ALFRED, BYRON C
vs.	HEB  JURY	CARRINGTON, MORRIS
A-0209594	ARMANDO AGUILAR	FERGUSON, TIMOTHY M.
vs.	TRICIA BARROW ET AL	BRIDGER, JOHN W



