

Case:

10-0671

Date Filed:

08/30/2010

Case Type:

Petition for Review/Cause under Rule 53.1

Style:

KERRY HECKMAN, ET AL., ON BEHALF OF THEMSELVES AND ALL OTHER PERSONS
SIMILARLY SITUATED

v.:

WILLIAMSON COUNTY, ET AL.

APPELLATE BRIEFS

Date	Event Type	Description	Remarks	Document
11/09/2011	Post submission brief filed	Respondent	E-FILED Post-Submission Letter Brief filed on behalf of Williamson County. (HARD COPIES REC'D)	[PDF/49 KB]
04/06/2011	Amicus Curiae Brief received	Brief Received (instead of filed)	E-FILED Amicus Brief on behalf of Law Professors in Support of Petitioners. Submitted by Kurt Kuhn, PLLC, 101 West Sixth Street, Suite 812, Austin, Texas, Tel. (512)476-6000. (hard copies rec'd)	[PDF/550 KB]
04/05/2011	Reply Brief	Petitioner	Petitioner's reply brief on the merits filed on behalf of Kerry Heckman, et al. (orig & 11)	[PDF/119 KB]

Date	Event Type	Description	Remarks	Document
03/28/2011	Amicus Curiae Brief received	Brief Received (instead of filed)	E-FILED Amicus Brief on behalf of Texas Appleseed. Submitted by Jessie A. Amos, DLA Piper LLP (US), 1000 Louisiana St., Ste. 2800, Houston, TX, 77002, Tel. (713)-425-8400. (2 Hard Copies Received)	[PDF/3.16 MB]
03/07/2011	Brief on the Merits	Respondent	Respondent's brief on the merits filed on behalf of Williamson County, et al. (12)	[PDF/82 KB]
03/07/2011	Brief on the Merits	Respondent	Respondent's brief on the merits filed on behalf of The Hon. Suzanne Brooks, Hon. Tim Wright and Hon. Doug Arnold. (orig & 11)	[PDF/75 KB]
02/14/2011	Brief on the Merits	Petitioner	Petitioners Kerry Heckman, et al.'s brief on the merits. (12)	[PDF/220 KB]
01/03/2011	Reply to Response	Petitioner	Petitioner's reply to respondent's response to petition for review on behalf of Kerry Heckman, et al. (orig & 11)	[PDF/78 KB]
12/17/2010	Response Petition	to Respondent	Response of Williamson County, The Honorable Dan A. Gattis and Honorable William Thomas Eastes to petitioner's petition for review. (orig & 11)	[PDF/39 KB]
11/18/2010	Response Petition	to Respondent	Response to Petition for Review. On behalf of Hon. Suzanne Brooks, Hon. Tim Wright and Hon. Donald Higginbotham. (12)	[PDF/105 KB]

Date	Event Type	Description	Remarks	Document
08/31/2010	Supplemental appendix	Petitioner	Supplement to Appendix: Court of Appeals judgment (12) filed on behalf of Kerry Heckman.	
08/30/2010	Appendix Filed	Petitioner	attached to petition	
08/30/2010	Petition for Review	Petitioner	Petition appendix attached (12) filed on behalf of Kerry Heckman.	[PDF/513 KB]

CASE EVENTS

Date	Event Type	Disposition	Remarks	Document
05/21/2014	Case Stored - stored case location updated		Row 12 F-3	
07/27/2012	Case Stored		G02 Row 21 H-1 (4 vols)	
07/20/2012	Mandate issued		Mandate & Cost Bill Issued	<div>[PDF/124 KB]</div> <div>[PDF/140 KB]</div> <div>[PDF/162 KB]</div>
07/20/2012	Motion to withdraw disposed of	Filing granted	Unopposed Motion to Withdraw filed on behalf of Kerry Heckman, et al. granted	
07/12/2012	Motion to Withdraw Filed		Unopposed Motion to Withdraw filed on behalf of Kerry Heckman, et al.	[PDF/15 KB]
06/08/2012	Court approved judgment sent to attorneys of record			[WPD/21 KB]
06/08/2012	Opinion issued	Court of Appeals' judgment reversed; cause remanded to trial court		[PDF/235 KB]

Date	Event Type	Disposition	Remarks	Document
11/09/2011	Oral argument		argued on behalf of petitioners by Harry Williams IV; argued on behalf of respondents, Williams County, et al. by Henry W. Prejean; argued on behalf of Honorable Suzanne Brooks, et al. by C. Robert Heath	<div>[MP3/67.87 MB]</div> <div>[PDF/364 KB]</div> <div>[URL/0 KB]</div>
11/09/2011	Post submission brief filed		E-FILED Post-Submission Letter Brief filed on behalf of Williamson County. (HARD COPIES REC'D)	<div>[PDF/49 KB]</div>
11/04/2011	Motion to withdraw disposed of	Filing granted	Unopposed Motion to Withdraw as counsel granted	<div>[DOC/58 KB]</div>
11/02/2011	Oral Argument Submission Form from Attorney received		E-FILED Oral argument submission form submitted by respondent Honorable Suzanne Brooks, Honorable Tim Wright, Honorable Doug Arnold by attorney C. Rober Heath of Bickerstaff Heath Delgado Acosta LLP of Austin, TX.	<div>[PDF/474 KB]</div>
11/02/2011	Designation of Lead Counsel		E-FILED Notice to Substitute counsel and Designation of Lead Counsel. New lead counsel is C. Robert Heath, SBOT #09347500, 3711 S. MoPac Expressway Suite 300, Austin, Texas 78746. On behalf of Hon. Suzanne Brooks, et al.	<div>[PDF/474 KB]</div>
11/02/2011	Call received		Mr. Heath informed the Court that a Motion to Substitute will be filed shortly today.	

Date	Event Type	Disposition	Remarks	Document
11/02/2011	Phone call from Clerk's Office		Left message for Mr. Prejean. Requested status of Motion to Substitute. The Clerk's Office had been told that a Motion to Substitute would be filed by November 1, 2011.	
10/28/2011	Letter Filed		E-FILED Letter addressing the Motion to Withdraw as Counsel filed by Michael P. Davis. On behalf of Williamson County, et al.	[PDF/112 KB]
10/27/2011	Call received		Call rec'd from Henry Prejean to inform the Court that there is another attorney who will be arguing on behalf of three of the respondents formally represented by Michael Davis. Another attorney will be formally announced on 11/1/11 by which time a motion to substitute counsel will be filed as well as a motion for leave of Court to allow two attorneys to argue on behalf of the several respondents. If no additional attorney is appointed, Mr. Prejean will represent all respondents at oral argument.	

Date	Event Type	Disposition	Remarks	Document
10/27/2011	Phone call from Clerk's Office		Call made to Michael Davis regarding motion to withdraw as counsel. Mr. Davis said he does not know who will be representing Judge Brooks, Judge Wright, or Judge Arnold. He suggested I contact Henry Prejean, Jr. to find out if he will be taking over for all respondent parties. Left voicemail for Mr. Prejean regarding oral argument set for November.	
10/26/2011	Motion to Withdraw Filed		E-FILED Unopposed Motion to Withdraw as Michael P. Davis as Counsel for Honorable Suzanne Brooks, Honorable Tim Wright, and Honorable Doug Arnold.	[PDF/356 KB]
09/27/2011	Oral Argument Submission Form from Attorney received		Oral argument submission form submitted by petitioner attorney Harry Williams IV of Keller Rohrbach L.L.P. of Seattle, Washington	
08/08/2011	Oral Argument Submission Form from Attorney received		Oral argument submission form submitted by respondent attorney for Williamson County, Honorable Dan A. Gattis, and Honorable William Thomas Eastes by Henry W. Prejean of Williamson County Attorney's Office of Georgetown, TX	

Date	Event Type	Disposition	Remarks	Document
08/04/2011	Oral Argument Submission Form from Attorney received		Oral argument submission form submitted by respondent Honorable Suzanne Brooks, Honorable Tim Wright, Honorable Doug Arnold attorney Michael P. Davis of Law Offices of Mike Davis of Round Rock, TX	
07/22/2011	Case set for oral argument	Case set for oral argument	Set for oral argument on 9:00 a.m. on 11/9/11; Time allotted to argue: 20/20 minutes	[DOC/34 KB] [DOC/61 KB]
05/27/2011	Petition for Review granted			
05/27/2011	Petition for Review disposed	Filing granted	The date and time for oral argument are yet to be determined.	[DOC/58 KB]
04/25/2011	Notice from attorney regarding vacation dates		Mr. Davis's vacation notice: June 10-19, 2011 and December 17-27, 2011 (1) filed on behalf of The Hon. Suzanne Brooks, et al.	
04/06/2011	Amicus Curiae Brief received		E-FILED Amicus Brief on behalf of Law Professors in Support of Petitioners. Submitted by Kurt Kuhn, PLLC, 101 West Sixth Street, Suite 812, Austin, Texas, Tel. (512)476-6000. (hard copies rec'd)	[PDF/550 KB]
04/05/2011	Reply Brief		Petitioner's reply brief on the merits filed on behalf of Kerry Heckman, et al. (orig & 11)	[PDF/119 KB]

Date	Event Type	Disposition	Remarks	Document
03/28/2011	Amicus Curiae Brief received		E-FILED Amicus Brief on behalf of Texas Appleseed. Submitted by Jessie A. Amos, DLA Piper LLP (US), 1000 Louisiana St., Ste. 2800, Houston, TX, 77002, Tel. (713)-425-8400. (2 Hard Copies Received)	[PDF/3.16 MB]
03/10/2011	Motion for Extension of Time Filing granted disposed.		Petitioner's agreed motion for extension of time to file reply brief on the merits granted. Reply brief due no later than 3:00 p.m. on 4/5/11; mailbox rule does not apply. Further requests for extensions of time will be disfavored.	[DOC/59 KB]
03/09/2011	Motion for Extension of Time to File Brief filed		Agreed Motion for Extension of Time to File Reply Brief filed on behalf of Kerry Heckman, et al. (2)	
03/07/2011	Brief on the Merits		Respondent's brief on the merits filed on behalf of Williamson County, et al. (12)	[PDF/82 KB]
03/07/2011	Brief on the Merits		Respondent's brief on the merits filed on behalf of The Hon. Suzanne Brooks, Hon. Tim Wright and Hon. Doug Arnold. (orig & 11)	[PDF/75 KB]
02/14/2011	Brief on the Merits		Petitioners Kerry Heckman, et al.'s brief on the merits. (12)	[PDF/220 KB]
01/26/2011	Case Record Filed		INVENTORY IN MAIN REMARKS SECTION	

Date	Event Type	Disposition	Remarks	Document
01/18/2011	Record Requested in Petition for Review			
01/14/2011	Brief on the Merits Requested		Brief on the merits requested: Petitioner's brief on the merits due no later than 3:00 p.m. on 2/14/11; Response brief due 3/7/11; Reply brief due 3/22/11; mailbox rule does not apply	[DOC/69 KB]
01/03/2011	Reply to Response		Petitioner's reply to respondent's response to petition for review on behalf of Kerry Heckman, et al. (orig & 11)	[PDF/78 KB]
12/17/2010	Response to Petition		Response of Williamson County, The Honorable Dan A. Gattis and Honorable William Thomas Eastes to petitioner's petition for review. (orig & 11)	[PDF/39 KB]
12/15/2010	Notice from attorney regarding vacation dates		Mr. Davis's vacation notice: January 23- 29, 2011 (1) filed on behalf of The Honorable Suzanne Brooks.	

Date	Event Type	Disposition	Remarks	Document
12/09/2010	Letter Filed		to inform the Court that Hon. Donald Higginbotham retired from the Williamson Cty. Court. Pursuant to TRAP 7.2(a), the parties ask the removal of Hon. Higginbotham from the docket of this appeal and substitute Hon. Doug Arnold, who was elected on Nov 2010 to preside at Williamson Cty. Court and to change the style accordingly. On behalf of Kerry Heckman, et al. (1)	
11/18/2010	Phone call from Clerk's Office		to Mr. Davis. RE: to enforce SC order 10-9189 (e-copies of docs). He said that he is working on it.	
11/18/2010	Response to Petition		Response to Petition for Review. On behalf of Hon. Suzanne Brooks, Hon. Tim Wright and Hon. Donald Higginbotham. (12)	[PDF/105 KB]
11/17/2010	Motion for Extension of Time Filing disposed.	granted	Respondents' motion to extend time to file requested response to petition for review granted. Requested response due no later than 3:00 p.m. on 12/20/10; mailbox rule does not apply. Further requests for extensions of time will be disfavored.	

Date	Event Type	Disposition	Remarks	Document
11/16/2010	Call received		Mr. Prejean informed the Court that the fee would be sent out as soon as possible.	
11/12/2010	Phone call from Clerk's Office		Requested fee for motion for extension of time to file response.	
11/12/2010	Motion for Extension of Time to File Response		Unopposed motion for extension of time to file response (2) filed on behalf of Williamson County.	
10/19/2010	Supreme Court of Texas Requested Response		Requested response to petition for review due no later than 3:00 p.m. on 11/18/10; mailbox rule does not apply	[DOC/59 KB]
09/21/2010	Case forwarded to Court			
09/16/2010	Response Waiver filed		Response waiver (2) filed on behalf of Williamson County, et al.	
09/08/2010	Response Waiver filed		Response waiver to petition for review filed on behalf of Hon. Suzanne Brooks, Hon. Tim Wright and Hon. Donald Higginbotham. (orig & 2)	
08/31/2010	Supplemental appendix		Supplement to Appendix: Court of Appeals judgment (12) filed on behalf of Kerry Heckman.	
08/30/2010	Appendix Filed		attached to petition	
08/30/2010	Petition for Review		Petition appendix attached (12) filed on behalf of Kerry Heckman.	[PDF/513 KB]

CALENDARS

Set Date	Calendar Type	Reason Set	Remarks
05/21/2014	Case Stored	Case stored.	Row 12 F-3
07/27/2012	Case Stored	Case stored.	G02 Row 21 H-1 (4 vols)

PARTIES

Party	PartyType	Representative
Brooks, Suzanne	Respondent	Ms. Jana L. Hunsicker Mr. C. Robert Heath Mr. Stephen Christopher Ackley Mr. Michael P. 'Mike' Davis
Texas Appleseed	Amicus Curiae	Ms. Jessie A. Amos
Heckman, Kerry	Petitioner	Ms. Rebecca Ruth Webber Mr. Harry Williams IV Ms. Andrea Michele Marsh
Williamson County	Respondent	Mr. Stephen Christopher Ackley Ms. Jana L. Hunsicker Mr. Henry W. Prejean Jr.
Law Professors	Amicus Curiae	Mr. Kurt H. Kuhn

COURT OF APPEALS INFORMATION:

COA Case Number

03-06-00600-CV

COA Disposition:

Vacate & Dismiss

Opinion Cite:

368 SW3d 1, 04-23-10

Court of Appeals District:

3rd Court of Appeals

Court of Appeals Justice:

Honorable Robert Harrison Pemberton

TRIAL COURT INFORMATION

Court:

277th District Court

County:

Williamson

Court Judge:

Honorable Joseph H. Hart

Court Case:

06-453-C277

Court Reporter:

Punishment:

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