

MONTHLY CONSULTATION UPDATE REPORT

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January 28, 2015

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Recent U.S. Supreme Court Decisions

The Court has denied cert in a Texas case in which the court of criminal appeals found that the right to an **interpreter** was waived by a Spanish-speaking defendant. *Garcia v. State*, 429 S.W.3d 604 (Tex. Crim. App.).

The Court has granted cert in a Texas case in which the 5th Circuit ruled against the state denial of a specialty license plate with the Confederate battle flag; issue of private speech versus government speech under 1st Amendment. *Walker v. Texas Division, Sons of Confederate Veterans, Inc.*, 2014 WestLaw 3890320 (U.S.).

The Court has reversed and remanded a Mississippi case in which **police officers** complained of due process violations for their dismissal after bringing city councilmember's criminal activities to the attention of public officials, without expressly invoking Section 1983. *Johnson v. City of Shelby, Mississippi*, 135 S.Ct. 346.

Pennsylvania police officer entitled to qualified immunity in connection with investigation and **search at private residence**; no violation of clearly-established law under Section 1983; issue of going to back door rather than front door of home. *Carroll v. Carman*, 135 S.Ct. 348.

The Court has granted cert in a California case to determine whether Title II of the **Americans with Disabilities Act** applies to arrests, in a case involving a mentally ill woman at a group home. *Sheehan v. City and County of San Francisco*, 743 F.3d 1211 (9th Cir.).

Recent Reported Texas Federal Judicial Decisions

Defendant in murder/racketeering case getting five life sentences not entitled to constitutional expectation of privacy of history of use of **cell site information**, taking into account federal Stored Communications Act. *U.S. v. Guerrero*, __ F.3d __ (5th Cir.).

County jailors entitled to qualified immunity in suit by arrestee refusing successive search orders, in denying petition for rehearing. *Dawson v. Anderson County*, __ F.3d __ (5th Cir.).

Stay granted from federal district court order enjoining Texas **abortion law**. *Whole Woman's Health et al v. Lakey, Commissioner of the Texas Department of State Health Services et al*, __ F.3d __ (5th Cir.).

Stay in suit over **voter identification law** enjoined as violating Voting Rights Act. *Veasey et al v. Rick Perry et al*, __ F.3d __ (5th Cir.).

Due process rights of **medical student** not violated by dismissal because of lack of professionalism. *Shah v. University of Texas Southwestern Medical School*, 2014 WestLaw 5326658 (N.D. Tex.).

New owner of property had no nexus with city police officer allowing co-owner to enter premises and change locks, in **Section 1983** suit by lessees. *Hillman v. City of McKinney*, 2014 WestLaw 4954631 (E.D. Tex.).

Free speech favored employee of **public college** fired after settlement of earlier lawsuit concerning expression of displeasure with decision of college to end policy of deducting the union dues from employee paychecks. *Smith v. College of the Mainland*, 2014 WestLaw 5500704 (S.D. Tex.).

Commercial landlord complaining of **city ordinance** approving development of adjacent property lacked standing and failed to state a claim under Contracts Clause or due process clause for unconstitutionally vague ordinance; city motion to dismiss granted. *TF-Harbor, LLC v. City of Rockwall*, 18 F.Supp.3d 810 (N.D. Tex.).

Statements made to **postal workers** held to be voluntary under due process clause, in criminal case of robbery and conspiracy. *U.S. v. Carmouche*, 18 F.Supp.3d 838 (S.D. Tex.).

Recent Reported Texas State Judicial Decisions

Appeals court reversed district court order denying permanent injunction against **Harris County Republican Party** from certifying a candidate for justice of the peace; issue of petition signatures to get on ballot, in long opinion. *Risner v. Harris County Republican Party*, __ S.W.3d __ (Tex. App. – Houston [1st Dist.]) (candidates George Risner, Leonila Salazar).

Whistleblower suit by employee of county probation department unsuccessful; district court judge was not, in good faith objective belief, appropriate law enforcement authority, in complaint relating to personal relationship of employee with district judge. *Hunt County Community Supervision and Corrections Department v. Gaston*, __ S.W.3d __ (Tex. App. – Austin).

Jurisdiction of trial court in **forfeiture** case extended after default judgment by defendant pleading seeking reconsideration, in forfeiture of currency and auto. *\$1,608.00 in U.S. Currency and 2008 Mazda, vin... v. State*, __ S.W.3d __ (Tex. App. – Texarkana) (Lamar County).

Unsuccessful suit by owner of condo damaged during **Hurricane Ike** and ordered to be demolished as a nuisance. *Wheelbarger v. City of El Lago and Richard Smith, City Building Official*, __ S.W.3d __ (Tex. App. – Houston [1st Dist.]).

Tom Delay not guilty of money laundering. *Thomas Dale Delay v. State* __ S.W.3d __ (Tex. Crim. App.) (Oct. 1, 2014).

Default judgment against homeowners affirmed following **tax sale** of residents; issue of service of process omitting hour and sufficiency of naming taxing units. *Mandel v. Lewisville Independent School District; County of Denton; City of Plano*, __ S.W.3d __ (Tex. App. – Fort Worth).

City exceeded authority in adopting ordinance regulating two-acre lot sizes in **extraterritorial jurisdiction**, violating Local Government Code § 212.003(a)(4). *Town of Annetta South, Texas; G. Kleinschmidt et al v. Seadrift Development, L.P.*, 446 S.W.3d 823 (Tex. App. – Fort Worth).

San Antonio Water System (SAWS) not a “governmental unit” under Tort Claims Act, in personal injury suit complaining of sidewalk condition; denial of plea to jurisdiction affirmed; notice to City of San Antonio sufficient notice of claim. *San Antonio Water System v. Smith*, __ S.W.3d __ (Tex. App. – San Antonio).

Summary judgment for **appraisal district** affirmed, in suit over property tax exemption for stored natural gas. *ETC Marketing, Ltd v. Harris County Appraisal District*, __ S.W.3d __ (Tex. App. – Houston [1st Dist.]).

City not entitled to file fourth amended answer and counterclaim, in suit over denial of certificates of occupancy for **petrochemical businesses** in operation since 1957. *In re Dallas*, __ S.W.3d __ (Tex. App. – Dallas).

Closure of courtroom during Bexar County murder trial violated constitutional right to public trial. *Cameron v. State*, __ S.W.3d __ (Tex. Crim. App.).

Unsuccessful suit over vagueness constitutionality of **Election Code** provisions regulating campaign contributions and expenditures, etc. *King Street Patriots et al v. Texas Democratic Party, Democratic Nominee for Dallas County Clerk; Democratic Nominee for Harris County Clerk*, __ S.W.3d __ (Tex. App. – Austin).

Statute allowing owner or witness of attack on animal allowing **attacking animal** to be killed provides defense for cruelty to animal charge. *Chase v. State*, 2014 WestLaw 6478511 (Tex. Crim. App.).

Statutory waiver of immunity from contract lawsuits in the Local Government Code held applicable to breach of services contract in suit by community college basketball coach. *Damuth v. Trinity Valley Community College*, 2014 WestLaw 6612535 (Tex.).

Court lacked jurisdiction over **sexual harassment** claim against university cancer center by public employee who failed to exhaust administrative remedies for alleged prima facie case. *University of Texas M.D. Anderson Cancer Center v. Eltonsy*, 2014 WestLaw 5791554 (Tex. App. – Houston [14th Dist.]).

Six telephone calls over ten-month period held sufficient for misdemeanor **telephone harassment** conviction. *Wilson v. State*, 2014 WestLaw 4627264 (Tex. Crim. App.).

Non-consent blood draw for DWI arrest held warrantless, unconstitutional search under 4th Amendment. *State v. Villarreal*, 2014 WestLaw 6734178 (Tex. Crim. App.).

Political party required to furnish itemized estimate of primary expenses held statutory prerequisite to waiver of state immunity from suit to recover state funds for primary election expenses. *Berry v. Texas Democratic Party*, 2014 WestLaw 5420785 (Tex. App. – Austin).

Condemnation action by **water district** for drainage easement; counterclaim by property owner for inverse condemnation, nuisance, trespass; summary judgment in favor of district based on governmental immunity affirmed in part, reversed in part. *Thornton v. Northeast Harris County M.U.D. No. 1*, 447 S.W.3d 23 (Tex. App. – Houston [14th Dist.]).

Zoning litigation brought by city for violation of ordinance and building code by landscaping business; summary judgment in favor of city affirmed in part, reversed in part. *Anderton v. City of Cedar Hill*, 447 S.W.3d 84 (Tex. App. – Dallas).

Railroad Commission held not to have exclusive or primary jurisdiction over non-regulatory claim of landowner in arbitration award against **oil and gas company**. *Forest Oil Corporation v. El Rucio Land and Cattle Company, Inc. et al*, 446 S.W.3d 58 (Tex. App. – Houston [1st Dist.]).

Lack of court jurisdiction in complaint by **church minister** against two members of church board of directors, seeking injunctive orders precluding members from interfering with minister duties. *Anderson v. Truelove Church*, 446 S.W.3d 87 (Tex. App. – Houston [1st Dist.]) (West End Church of Christ, Harris County).

Plea to jurisdiction in favor of **open-enrollment charter school** affirmed, in race and sex discrimination suit by former school employee under Texas Commission on Human Rights Act. *Kipp, Inc. v. Whitehead*, 446 S.W.3d 99 (Tex. App. – Houston [1st Dist.]).

Improper **closure of courtroom** excluding defendant's family in aggravated sexual assault of child. *Peyronel v. State*, 446 S.W.3d 158 (Tex. App. – Houston [1st Dist.]) (174th Dist. Court, Harris County).

Statutory timeframe for revocation of license to carry **concealed handgun** held to be directory rather than mandatory, in suit by DPS to revoke license after misdemeanor conviction for possession of gambling paraphernalia, in Fort Bend County case. *Texas Department of Public Safety v. Shaikh*, 445 S.W.3d 183 (Tex. App. – Houston [1st Dist.]).

Suit by landowners against water district and county complaining of **flooding** as inverse condemnation and nuisance; denial of plea to jurisdiction affirmed. *Harris County Flood Control District and Harris County v. Kerr et al*, 445 S.W.3d 242 (Tex. App. – Houston [1st Dist.]) (March 7, 2013) (White Oak Bayou).

County allowed to retain private lawyers on contingent fee basis for environmental enforcement action. *International Paper Company et al v. Harris County et al*, 445 S.W.3d 379 (Tex. App. – Houston [1st Dist.]).

Appraisal district immune under Uniform Declaratory Judgment Act in action for legal fees by taxpayer successful in suit asserting property tax exemption for mobile home park. *Boll v. Cameron Appraisal District*, 445 S.W.3d 397 (Tex. App. – Corpus Christi).

Suit by parents of school children against **school district** complaining of inadequate financing of schools under state Constitution; grant of motion to dismiss and plea to jurisdiction in favor of school district reversed; suit not within jurisdiction of Commissioner of Education. *Marquez v. Clint Independent School District*, 445 S.W.3d 450 (Tex. App. – El Paso).

No writ of mandamus for city in dispute over **building permits**; trial court denial of city's 4th Amendment answer and counterclaim; no abuse of discretion by trial court in denying pleading amendment or conduct of late discovery. *In re City of Dallas*, 445 S.W.3d 456 (Tex. App. – Dallas).

Delinquent property tax suit by school district in which county and city intervened; default judgment and order of sale; restricted appeal following foreclosure sale seeking mandamus for return of property; issue of proper service of citation; foreclosure affirmed on appeal; sheriff not required to note service of order on sale on taxpayers. *Mandel v. Lewisville Independent School District; County of Denton; City of Plano*, 445 S.W.3d 469 (Tex. App. – Fort Worth).

Conviction for impersonating a public servant, specifically impersonating an assistant district attorney from Dallas County, affirmed in Montgomery County case in which defendant negotiated with assistant district attorney in Montgomery County on behalf of a friend. *Cornwell v. State*, 445 S.W.3d 488 (Tex. App. – Beaumont).

Recent Reported Out of State Cases

North Carolina law requiring display of **sonogram** and description of fetus before abortion held unconstitutional, violating free speech rights of doctor. *Stuart v. Camnitz*, 2014 WestLaw 7237744 (4th Cir.).

Forgiveness of law firm for legal fees owed by mayoral candidate in ballot challenge litigation held not to be a political “contribution” for purposes of city campaign finance ordinance. *O'Connor v. City of Philadelphia Bd. of Ethics*, 2014 WestLaw 7101300 (Pa.).

Florida catholic university entitled to preliminary injunction against **Obamacare** in complaining of insurance coverage for contraceptives. *Ave Maria University v. Burwell*, 2014 WestLaw 5471048 (M.D. Fla.).

First Amendment retaliation suit by **university** applicant for admissions against university department heads in graduate program, in Section 1983 suit. *Steshenko v. Gayard*, 2014 WestLaw 4904424 (N.D. Cal.).

No negligence liability for reckless conduct in injury received in **lacrosse game** between 11-year-old players, in New Jersey case. *C.J.R. v. G.A.*, 2014 WestLaw 6861214 (N.J. Super.).

No violation of freedom of **religion or speech** in forcing city firefighter to appear with crew on fire engine in parade celebrating gay rights. *Fabrizio v. City of Providence, Rhode Island*, 2014 WestLaw 7229270 (R.I.).

Denial of qualified immunity for Louisiana prison officials affirmed in interlocutory appeal complaining of 35 years of **solitary confinement** of prisoner. *Wilkerson v. Goodwin*, 2014 WestLaw 7211168 (5th Cir.).

Transporting weapons from one residence to a new residence protected by **2nd Amendment** in prosecution of defendant for having weapon in automobile in Connecticut case. *State v. DeCiccio*, 2014 WestLaw 7156774 (Conn.).

Burial of body in **wrong grave** and later re-burial in proper grave held not to violate common law right of “sepulcher,” the right of next of kin to possession of deceased body. *Toppin v. Town of Hempstead*, 2014 WestLaw 5151085 (N.Y.A.D.).

Indiana Right to Work Law prohibiting employers from requiring **union** membership held not to violate state Constitution regarding compensation for services and property. *Zoeller v. Sweeney*, 2014 WestLaw 5783599 (Ind.).

Decision of county special tactics team to use **tear gas** in effort to arrest violent occupant of mobile home held a discretionary act, not ministerial act, for purposes of county immunity from liability. *Conway v. County of Tuolumne*, 2014 WestLaw 6657095 (Cal. App.).

Eleventh Amendment bars takings claim under 5th Amendment against states in federal courts. *Hutto v. South Carolina Retirement System*, 2014 WestLaw 6845450 (4th Cir.).

Nonprofit group lacked standing to complain of proclamation from Colorado governor declaring **Day of Prayer**; no taxpayer standing. *Hickenlooper v. Freedom from Religion Foundation, Inc.*, 2014 WestLaw 6656983 (Colo.).

Missouri County not allowed to adopt ordinance requiring mediation before residential mortgage foreclosures. *Missouri Bankers Association, Inc. v. St. Louis County*, 2014 WestLaw 5857984 (Mo.).

Oregon county district attorney held not to have superior prosecutorial authority over DUI offense within city limits vis-à-vis city attorney. *Clatsop County District Attorney v. City of Astoria*, 2014 WestLaw 5897132 (Or. App.).

Kentucky canons of judicial conduct prohibiting candidates from campaigning as a member of a political organization held to violate 1st Amendment; in non-partisan judicial election. *Winter v. Wolnitzek*, 2014 WestLaw 5486228 (E.D. Ky.).

Kansas state election agency not required to approve state-requested change on **federal voter registration form** in absence of order from reviewing court. *Kobach v. U.S. Election Assistance Commission*, 2014 WestLaw 6612031 (10th Cir.)(Kansas).

Maryland city police officer not entitled to waive Tort Claims Act **limit on damages** in wrongful death suit. *Holloway-Johnson v. Beall*, 2014 WestLaw 6674143 (Md. App.).

State Senate bill in Oklahoma **reducing state income** tax held not to be revenue-generating bill required to originate in state House of Representatives. *Fent v. Fallin*, 2014 WestLaw 6769891 (Okla.).

Corporation formed under native **American Indian tribe** to develop golf course not entitled to tribal sovereign immunity in foreclosure of mechanic's lien by contractor, breach of contract, etc., in New York case. *Sue/Perior Concrete & Paving, Inc. v. Lewiston Golf Course Corp.*, 2014 WestLaw 6633546 (N.Y.).

Plaintiff bitten by **goose** not entitled to summary judgment against Mississippi owner of goose and who owned other geese and other animals, some with dangerous propensities. *Olier v. Bailey*, 2014 WestLaw 7084505 (Miss.).

Refusal of Massachusetts prison system to afford **male-to-female sex reassignment surgery** as treatment for gender identity disorder held not to violate 8th Amendment. *Kosilek v. Spencer*, 2014 WestLaw 7139560 (1st Cir.).

Louisiana public agency created as “body corporate with power **to sue and be sued**” held not to constitute waiver of sovereign immunity in constitutional setting, in unjust enrichment claim by landlord against public agency not removing damaged property from premises. *Canal/Claiborne, Ltd. v. Stonehenge Development, LLC*, 2014 WestLaw 7009527 (La.).

Violation of Washington state **open records law** by city redacting driver's license numbers without explaining exemption from disclosure. *City of Lakewood v. Koenig*, 2014 WestLaw 7003790 (Wash.).

First Amendment right of access to judicial records precluded continued sealing of videotapes showing force-feeding and forced cell extractions of hunger-striking detainees at **Guantanamo**. *Dhiab v. Obama*, 2014 WestLaw 4954458 (D.D.C.).

Florida requirement of drug testing before receipt of welfare benefits held to violate 4th Amendment. *Lebron v. Secretary of Florida Dept. of Children and Families*, 2014 WestLaw 6782734 (11th Cir.).

Recent Attorney General Opinion Requests

State senator Kevin Eltife is seeking an opinion regarding a provision in the Occupations Code governing cancellations and refunds of **service contracts**, in this case with an automobile dealership. **RQ-1** (Occupations Code § 1304.1581).

The county attorney in Palo Pinto County is seeking an opinion regarding the vote required of **residential subdivision** property owners for the amendment of covenants and restrictions adopted by the original developer. **RQ-2**.

State representative Bill Callegari has requested an opinion regarding the scope of authority for the Edwards Aquifer Conservation District on a geographical basis. RQ-3.

State senator Juan Hinojosa has requested an opinion construing a provision of the **Dallas city charter** regarding eligibility to serve on city boards and its application to a tax increment reinvestment zone, Tax Code chapter 311. **RQ-4**.

The Dallas County district attorney is seeking an opinion regarding the county's obligation to defend a county judge before the Commission on Judicial Conduct, pursuant to Local Government Code § 157.901. RQ-5.

The district attorney in Beaumont is asking whether the **City of Taylor Landing**, a Type C municipality, is allowed to levy a property tax. **RQ-6.**

Recent Attorney General Opinions Issued

The new attorney general, Ken Paxton, has issued his first opinion, to the state commissioner of education regarding the use by an **independent school district** of a certified estimate of property tax values for the adoption of a tax rate after the adoption of a budget. **KP-1.**

Miscellaneous

The Texas Commission on Environmental Quality is proposing a reduction in the maximum disposal rate charged for the cubic foot of radioactive waste in Andrews County, from \$250 per cubic foot to \$180. 39 Tex. Reg. 8682; 30 Tex. Admin. Code § 336.1310. Call: 512-239-6812.

The TCEQ has also adopted miscellaneous regulations for MUDs and other **water districts** pursuant to legislation enacted by the 83rd Legislature in 2013. 39 Tex. Reg. 8730; 30 Tex. Admin. Code, ch. 293. Call: 512-239-2613.

The General Land Office has published notice of its intent to review and consider for readoption or repeal regulations pertaining to **coastal management programs**, 31 Texas Administrative Code, chapters 501, 503, 504, 505, and 506. Contact: walter.talley@glo.texas.gov. 39 Tex. Reg. 8745.

The General Land Office has published notice of opportunity to be heard on coastal management program projects: City of **Corpus Christi** (sand replenishment on shorelines of Corpus Christi Bay); the GLO has also published notice of approved coastal boundary surveys: northwestern shore of Corpus Christi Bay in association with beach renourishment and Old Town Lake near Magnolia Beach. 39 Tex. Reg. 8765. Call: 512-463-5212.

The Texas **Low-Level Radioactive Waste** Disposal Compact Commission has published notice of requests for importation of radioactive waste from: Hempstead, **Florida**; Oak Ridge, **Tennessee**; Monticello, **Minnesota**; Wampum, **Pennsylvania**. 39 Tex. Reg. 8789. Call: 512-305-8941.

TxDOT has published notice of requests for aviation services for City of Tulia/**Swisher County** Municipal Airport and Texas Gulf Coast Regional Airport (**Brazoria County**). 39 Tex. Reg. 8790. Call: 800-687-4568.

The TCEQ has proposed amended **air quality rules** and regulations for later submission to the EPA. 39 Tex. Reg. 10186; 30 Tex. Admin. Code, chs. 101, 115, 117. Call: 512-239-0012.

The **Commission on Law Enforcement** is proposing the removal of its website in order to remove outdated information. 39 Tex. Reg. 10387; 37 Tex. Admin. Code § 211.3. Call: public.comment@tcole.texas.gov. The Commission is also proposing a new regulation for Special Weapons and Tactics Proficiency. 39 Tex. Reg. 10388; 37 Tex. Admin. Code § 221.43, as well as school resource officer proficiency, canine officer proficiency. 37 Tex. Admin. Code §§ 221.45; 221.47. Call: 512-936-7713.

The **Criminal Justice Division** of the governor’s office has adopted miscellaneous clarifying amendments to its regulations regarding definitions, grants, and nonprofits. 39 Tex. Reg. 10393; 1 Tex. Admin. Code, ch. 3. Call: 512-463-1919.

The Texas **Department of Housing and Community Affairs** has adopted amendments to its regulations pertaining to client income guidelines. 39 Tex. Reg. 10410; 10 Tex. Admin. Code, ch. 5. Call: 512-475-0471.

The Economic Development and Tourism Division of the governor’s office has adopted amendments to its regulations for **enterprise zone programs**. 39 Tex. Reg. 10420; 10 Tex. Admin. Code, ch. 176. Call: 512-463-1788.

The Ethics Commission has published its list of “**late filers**.” 39 Tex. Reg. 10552; 40 Tex. Reg. 118, 119.

The Texas Water Development Board is soliciting applications for **agricultural water conservation grants**. Deadline: March 11, 2015. 39 Tex. Reg. 10558. Call: 512-936-6090.

The General Land Office has published notice of proposed amendments for the certification status of the **Village of Surfside** and its beach/dune access plan. 40 Tex. Reg. 16; 31 Tex. Admin. Code § 15.34. Call: 512-475-1859.

TxDOT has adopted regulations for **oversized/overweight vehicles** for the Hidalgo County Regional Mobility Authority. 40 Tex. Reg. 103; 43 Tex. Admin. Code §§ 28.100; 28.102. Call: 512-463-8683.

The General Land Office has published notice of approval of a coastal boundary survey for the western shore of **Galveston Bay** in connection with a proposed rock jetty breakwater to be constructed. 40 Tex. Reg. 119. Call: 512-463-5212.

The DPS has adopted regulations for its Highway Patrol as to displaying vehicle inspection certificates and registration. 40 Tex. Reg. 247; 37 Tex. Admin. Code, ch. 3. Call: 512-424-5848.

The Texas Judicial Council is proposing new regulations for requests for **legal counsel post-magistration**. 40 Tex. Reg. 313; 1 Tex. Admin. Code § 174.51. Call: 512-936-6994.

The TCEQ has published notice of **water quality applications**:

Holiday Beach Water Supply Corp.	Aransas County
Flying L Public Utility District.....	Bandera County
San Antonio River Authority	Bexar County
Schlumberger	Brazoria County

City of Blanket	Brown County
City of Lockhart/Guadalupe-Blanco River Authority	Caldwell County
Polonia Water Supply Corp.....	Caldwell County
Aqua Water Supply Corp.	Caldwell County
Brownsville Public Utilities Board.....	Cameron County
City of Carnes City.....	Carnes County
Guadalupe-Blanco River Authority.....	Comal County
City of Dallas	Dallas County
Klaastalsma	Erath County
City of Flatonia.....	Fayette County
City of Goliad.....	Goliad County
BYK Additives, Inc.	Gonzales County
North Forest M.U.D.	Harris County
Weatherford US.....	Harris County
Spring Center.....	Harris County
Harris County M.U.D. No. 374	Harris County
Quadvest LP	Harris County
Fernco Development Ltd.....	Harris County
Nash FM529.....	Harris County
Aqua Texas, Inc.....	Harris County
Harris County M.U.D. No. 286	Harris County
Harris County M.U.D. No. 412	Harris County
Texas Lehigh Cement Company	Hays County
Trio Residential Developers, Inc.	Kendall County
Matagorda County W.C.I.D. No. 5	Matagorda County
Dos Republicas Whole Partnership	Maverick County
Montgomery County M.U.D. No. 119	Montgomery County
Homes Food, Inc.	Nixon/Wilson/Gonzales Counties
Ticona Polymers, Inc.....	Nueces County
City of Vega	Oldham County
Texas Parks and Wildlife Dept.....	Randall County
TxDOT	San Patricio County
City of Taylor	Smith County
City of Kress.....	Swisher County
Gem Ned Consolidated ISD	Taylor County
Lower Colorado River Authority	Travis County
Munson Park Management, LLC	Travis County
Aqua Utilities, Inc.	Travis County
Arbor Way, Inc.....	Travis County
City of Wickett.....	Ward County
3 B and J Wastewater Co., Inc.	Williamson County
Leander M.U.D. No. 3.....	Williamson County
City of Floresville.....	Wilson County

Call: 800-687-4040.