

NO. 07-07-0059-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
JUNE 26, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, APPELLANT

V.

GALVESTON BAY CONSERVATION AND PRESERVATION ASSOCIATION,
GALVESTON BAY FOUNDATION, MATAGORDA BAY FOUNDATION, APPELLEES

FROM THE 345TH DISTRICT COURT OF TRAVIS COUNTY;
NO. D-1-GN-04-00160; HONORABLE SUZANNE COVINGTON, JUDGE

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

ORDER

By Order of the Supreme Court of the State of Texas, on March 2, 2007, this administrative appeal was transferred to this Court from the Court of Appeals for the Third District of Texas. On March 30, 2007, Appellees filed a *Motion for Re-Transfer of Related Appeals and Brief in Support*, which was subsequently referred to the Supreme Court for

determination. By their motion, Appellees indicated that a related appeal had been transferred from the Third Court of Appeals to the Thirteenth Court of Appeals (Cause No. 13-06-00326-CV, *Texas Commission on Environmental Quality, Guadalupe-Blanco River Authority, San Antonio River Authority and San Antonio Water System v. San Marcos River Foundation*) and requested that the same appellate court hear and decide both appeals due to the identical challenges to the trial court's orders.

While the motion was pending in the Supreme Court, the case proceeded in due course in this Court and was originally set for oral argument on July 11, 2007. Due to rescheduling, oral argument was reset for July 13, 2007. On June 20, 2007, the Texas Supreme Court granted Appellees' motion and transferred this appeal to the Thirteenth Court of Appeals in Corpus Christi, Texas.

By its order, the Supreme Court directed this Court to make any necessary orders to accomplish the transfer of this appeal. Accordingly, the Seventh Court of Appeals hereby orders that this cause, Cause Number 07-07-00059-CV, styled *Texas Commission on Environmental Quality v. Galveston Bay Conservation and Preservation Association, Galveston Bay Foundation, and Matagorda Bay Foundation*, be transferred to the Thirteenth Court of Appeals in Corpus Christi, Texas. As directed by the high court, the Clerk of this Court is instructed to transfer the original transcript and all filed papers in the case and verify all orders made to the Thirteenth Court of Appeals. The Clerk of this Court

is further directed to notify the Supreme Court and the Office of Court Administration upon completion of the transfer.

Accordingly, this appeal is transferred from the Seventh Court of Appeals in Amarillo, Texas, to the Thirteenth Court of Appeals in Corpus Christi, Texas. Oral argument is hereby vacated.

It is so ordered.

Per Curiam