

**Petition for Permission to Appeal Dismissed and Memorandum  
Opinion October 6, 2016.**



**In The  
Fourteenth Court of Appeals**

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**NO. 14-16-00672-CV**

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**HOUSTON METRO ORTHO AND SPINE SURGERY CENTER, LLC,  
Appellant**

**V.**

**RICHARD FRANCIS, M.D., SPINAL TECHNOLOGIES, LLC,  
NORTHSTAR HEALTHCARE ACQUISITIONS, LLC, JUANSRICH  
LTD., AND JUANSRICH MANAGEMENT, LLC, Appellees**

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**On Appeal from the 215th District Court  
Harris County, Texas  
Trial Court Cause No. 2015-24460**

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**MEMORANDUM OPINION**

Pending before this court is Appellant Houston Metro Ortho and Spine Surgery Center, LLC's petition for permission to appeal.

On September 6, 2016, Appellees Richard Francis, M.D., Spinal

Technologies, L.L.C., Juansrich Ltd. and Juansrich Management, LLC filed a motion to dismiss Appellant’s petition for permission to appeal. Appellee Northstar Healthcare Acquisitions, LLC (Northstar) joined the motion to dismiss.

On September 29, 2016, the trial court signed an order striking Plaintiff Ninth Amended Petition (which re-alleges Appellant’s claim against Northstar) that states “both Northstar and the claim against it were previously dismissed from the action with prejudice to the refiling.”

We conclude that Appellees’ motion to the dismiss Appellant’s petition for permission to appeal should be granted. We therefore GRANT the motion and ORDER that Appellant’s petition for permission to appeal is dismissed.

PER CURIAM

Panel consists of Justices Christopher, Donovan, and Brown.