

**Supplemental Majority Opinion filed May 8, 2018.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-16-00036-CV**

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**CRITICAL PATH RESOURCES, INC., Appellant**

**V.**

**RICHARD CUEVAS, INDIVIDUALLY AND ON BEHALF OF THE  
ESTATE OF NICOLAS OSCAR CUEVAS, DANIEL CUEVAS, NICOLAS  
CUEVAS, MARIA CUEVAS, GUADALUPE TORRES, BLANCA  
RODRIGUEZ, LUIS DE LOS SANTOS, BLAKE SMITH, AND TAMATHA  
SMITH, Appellees**

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**On Appeal from the 129th District Court  
Harris County, Texas  
Trial Court Cause No. 2012-21574**

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**S U P P L E M E N T A L M A J O R I T Y O P I N I O N**

On March 29, 2018, we issued our original majority opinion in this case suggesting remittiturs for appellees Daniel Cuevas, Nicolas Cuevas, and Maria Cuevas. We explained that if Daniel, Mr. Cuevas, and Mrs. Cuevas filed this remittitur within twenty days from the date of our original opinion, we would modify

the trial court's judgment accordingly. We suggested the following remittiturs: (1) for Daniel's future medical damages, a remittitur of \$279,342; (2) for Mr. Cuevas's non-pecuniary damages, a remittitur of \$420,000; and (3) for Mrs. Cuevas's non-pecuniary damages, a remittitur of \$360,000. All three appellees timely accepted the suggested remittiturs. Subsequently, the parties submitted an agreed statement (without prejudice to Critical Path's further appellate rights) regarding the amount of the modified judgment taking into account the accepted remittiturs as well as prejudgment interest.

We therefore issue this supplemental majority opinion. In accordance with the original majority opinion, appellees' timely-filed remittiturs, and the parties' agreed statement, we modify the trial court's judgment to reflect (1) Daniel's total recovery of all damages: \$4,637,743.23; (2) Mr. Cuevas's total recovery of all damages: \$152,828.03; and (3) Mrs. Cuevas's total recovery of all damages: \$212,828.03. These amounts include prejudgment interest. We affirm the trial court's judgment as modified. Our original opinions remain otherwise in effect.

/s/ J. Brett Busby  
Justice

Panel consists of Justices Christopher, Busby, and Jewell (Jewell, J., dissenting).