



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-16-00429-CV

A.R., INDIVIDUALLY AND AS
NATURAL PARENT, NEXT
FRIEND, AND LEGAL GUARDIAN
OF A.R., MINOR

APPELLANT

V.

MARC A. WILSON, M.D. AND
OB/GYN SPECIALISTS, LLC

APPELLEES

FROM THE 442ND DISTRICT COURT OF DENTON COUNTY
TRIAL COURT NO. 14-07055-431

MEMORANDUM OPINION¹

We have considered the petition for permissive interlocutory appeal by
Appellant A.R., individually and as natural parent, next friend, and legal guardian

¹See Tex. R. App. P. 47.4.

of A.R., minor.² See Tex. Civ. Prac. & Rem. Code Ann. § 51.014(d), (f) (West Supp. 2016); Tex. R. App. P. 28.3(a), (f), (j). In the petition, Appellant asks us to determine whether civil practice and remedies code section 74.153 applies to medical care provided in an obstetrical unit when the patient was never evaluated or treated in a hospital emergency department. See Tex. Civ. Prac. & Rem. Code Ann. § 74.153 (West 2011).

In light of this court's disposition of the same issue in *D.A. v. Texas Health Presbyterian Hospital of Denton*, No. 02-16-00148-CV, 2017 WL 632907 (Tex. App.—Fort Worth Feb. 16, 2017, no pet. h.), in which we concluded that civil practice and remedies code section 74.153 does not apply to such medical care, we deny Appellant's petition for permissive appeal.

/s/ Bonnie Sudderth
BONNIE SUDDERTH
JUSTICE

PANEL: MEIER, GABRIEL, and SUDDERTH, JJ.

DELIVERED: February 23, 2017

²Appellees did not file a response.