



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

NO. 02-17-00028-CV

BNSF RAILWAY COMPANY

APPELLANT

V.

REGINALD W. GREER

APPELLEE

FROM THE 352ND DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 352-286119-16

MEMORANDUM OPINION¹

Having considered BNSF Railway Company's petition for permissive interlocutory appeal² of the trial court's January 18, 2017 order denying BNSF's motion for partial summary judgment, we deny the petition.³

¹See Tex. R. App. P. 47.4.

²See Tex. Civ. Prac. & Rem. Code Ann. § 51.014(d), (f) (West Supp. 2016); see *also* Tex. R. App. P. 28.3(a), (f), (j); Tex. R. Civ. P. 168.

/s/ Bonnie Sudderth
BONNIE SUDDERTH
JUSTICE

PANEL: WALKER, MEIER, and SUDDERTH, JJ.

DELIVERED: February 23, 2017

³See Tex. Civ. Prac. & Rem. Code Ann. § 51.014(f); see also *Blakenergy, Ltd. v. Oncor Elec. Delivery Co.*, No. 02-14-00241-CV, 2014 WL 4771736, at *1 & n.2 (Tex. App.—Fort Worth Sept. 25, 2014, no pet.) (mem. op.) (stating that courts strictly construe the interlocutory appeals statute).