



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-20-00131-CV

CCG COMMERCIAL CONSTRUCTION GROUP LLC, Appellant

V.

INDEPENDENT BANK AND C. PERRY MARKER D/B/A TEXAS DIRT
CONTRACTORS, Appellees

On Appeal from the 393rd District Court
Denton County, Texas
Trial Court No. 19-2594-393

Before Gabriel, Kerr, and Wallach, JJ.
Per Curiam Memorandum Opinion and Order

MEMORANDUM OPINION AND ORDER

We have considered the petition for permissive appeal of Appellant CCG Commercial Construction Group LLC (CCG).¹ *See* Tex. Civ. Prac. & Rem. Code Ann. § 51.014(d), (f); Tex. R. App. P. 28.3(a).

We grant the petition. *See* Tex. Civ. Prac. & Rem. Code Ann. § 51.014(f). In the interlocutory appeal, we will determine the issue identified by the trial court as the controlling question of law: “[D]id the Court properly dissolve the Writ [of Garnishment] even though the Court found that [CCG] proved at [the] hearing on the Motions to Dissolve the grounds relied upon for the Writ’s issuance based on uncontroverted affidavits which meet the requirements under Texas law for stating the grounds for a writ of garnishment?” CCG’s notice of appeal is deemed filed today. *See id.*; Tex. R. App. P. 28.3(k). The appeal will be governed by the rules for accelerated appeals. *See* Tex. Civ. Prac. & Rem. Code Ann. § 51.014(f); Tex. R. App. P. 28.1, 28.3(k). Appellant must file a copy of this memorandum opinion and order with the trial court clerk. *See* Tex. R. App. P. 28.3(k).

Per Curiam

Gabriel, J., would deny the petition.

Delivered: May 26, 2020

¹In a separate order issued concurrently with this memorandum opinion and order, we grant Appellant’s motion to consolidate this appeal with the appeal pending in Cause Number 02-20-00003-CV.