



**Court of Appeals  
Fifth District of Texas at Dallas**

**MANDATE**

**TO THE 382ND JUDICIAL DISTRICT COURT OF ROCKWALL COUNTY,  
GREETINGS:**

Before the Court of Appeals for the Fifth District of Texas, on the 31st day of July, 2015, the cause on appeal to revise or reverse the judgment between

CARL "STACEY" NEESE,  
INDIVIDUALLY AND AS NEXT FRIEND  
OF L.N., C.N., L.N., AND C.N., JAMES  
NEESE, DAVID NEESE, JENNIFER  
HUGHES, MITZI RENFROE, AND IRL  
HOOPER, Appellants

On Appeal from the 382nd Judicial District  
Court, Rockwall County, Texas  
Trial Court Cause No. 1-13-61.  
Opinion delivered by Justice Brown. Justice  
Lang participating.

No. 05-13-01597-CV      V.

TED B. LYON, JR., MARQUETTE W.  
WOLF, TED B. LYON & ASSOCIATES,  
P.C., AND WILLIAM HEIDELBERG,  
Appellees

was determined; and this Court made its order in these words:

In accordance with this Court's opinion of this date, the judgment of the trial court is **AFFIRMED** in part and **REVERSED** in part.

We **REVERSE** that portion of the trial court's judgment granting summary judgment as to appellants Carl "Stacey" Neese, Individually and as Next Friend of L.N., C.N., L.N., and C.N., James Neese, David Neese, Jennifer Hughes, Mitzi Renfroe, and Irl Hooper's claims for barratry under the original version of Government Code 82.065, breach of fiduciary duty, rescission, civil conspiracy, DTPA violations, and an accounting. In all other respects, we **AFFIRM** the trial court's judgment. We **REMAND** this cause to the trial court for further proceedings consistent with this opinion.

It is **ORDERED** that each party bear its own costs of this appeal.

**WHEREFORE, WE COMMAND YOU** to observe the order of the Court of Appeals for the Fifth District of Texas, in this behalf, and have it duly obeyed and executed.

**WITNESS** the HON. CAROLYN WRIGHT, Chief Justice of the Court of Appeals, with the Seal thereof affixed, at the City of Dallas, this 1st day of February, 2016.



A handwritten signature in cursive script that reads "Lisa Matz".

---

LISA MATZ, Clerk