

M A N D A T E

THE STATE OF TEXAS

TO THE 200TH DISTRICT COURT OF TRAVIS COUNTY, GREETINGS:

Trial Court Cause No. GN100142

Before our Court of Appeals for the Third District of Texas on January 30, 2003, the cause on appeal to revise or reverse your judgment between

Edmund Bryan Heimlich

No. 03-02-00151-CV

v.

State of Texas, by and through Greg Abbott, the Attorney General

Was determined, and therein our Court of Appeals made its order in these words

THIS CAUSE came on to be heard on the record of the court below, and the same being considered, because it is the opinion of this Court that there was no error in the trial court's judgment **EXCEPT** as to the rendition of summary judgment pertaining to claims for compensation: **IT IS THEREFORE** considered, adjudged and ordered that the part of the summary judgment of the trial court pertaining to Heimlich's claims for compensation under article I, section 17 of the Texas Constitution and under Texas Civil Practice and Remedies Code section 103.001 is reversed, and that portion of the cause is remanded for further proceedings. The remainder of the judgment is affirmed.

It is **FURTHER** ordered that the appellant, Edmund Bryan Heimlich, pay one-half of the costs relating to this appeal; that appellee, State of Texas, by and through Greg Abbott, the Attorney General, pay the remaining one-half of such costs; and that this decision be certified below for observance.

Wherefore, we command you to observe the order of our Court of Appeals in this behalf and in all things have the order duly recognized, obeyed, and executed.

Witness the Honorable W. Kenneth Law, Chief
Justice of the Court of Appeals for the Third District
of Texas, with the seal of the Court affixed in the City
of Austin on July 2, 2003.

DIANE O'NEAL, CLERK

By: Stephen W. Vance



**COURT OF APPEALS
THIRD DISTRICT OF TEXAS
AUSTIN, TEXAS**

NO. 03-02-00151-CV

Edmund Bryan Heimlich

v.

State of Texas, by and through Greg Abbott, the Attorney General

(NO. GN100142 IN THE 200TH DISTRICT COURT OF TRAVIS COUNTY)

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**I, DIANE O'NEAL , CLERK OF THE THIRD COURT OF APPEALS OF THE
STATE OF TEXAS, do hereby certify that the foregoing one (1) page contains a true and
correct copy of the:**

MANDATE

issued by said Court on July 2, 2003, in the above numbered and styled cause.

**WITNESS MY HAND and seal of the COURT
OF APPEALS for the Third District of Texas,
September 25, 2003.**

DIANE O'NEAL , CLERK

Diane O'Neal

