

## **Fracking Sand Rights Dispute Can't Be Heard In Texas Court**

*Law360*

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On appeal, Gray Reed attorneys obtained dismissal of a Plaintiffs' lawsuit claiming over \$100,000,000 in damages against the firm's client. The client objected to the personal jurisdiction of Texas courts by filing a special appearance. The Trial Court denied the special appearance. The Texas Court of Appeals, Fifth Judicial District reversed the trial court holding that there was no general jurisdiction because the non-forum party was not "at home" in Texas despite that it has some purposeful contacts with Texas. The Court of Appeals continued to follow the more recent U.S. Supreme Court's view of strictly construing when a forum state has personal jurisdiction over a non-forum defendant which is a significant change from prior personal jurisdiction cases.

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Key players: [Daryl Bailey](#), [Jim Moseley](#), [Casey Doherty](#)