

IN THE SUPREME COURT OF TEXAS

No. 07-0288

CITY OF DALLAS, PETITIONER,

v.

DAVID S. MARTIN AND GEORGE G. PARKER, ET AL., RESPONDENTS

ON PETITION FOR REVIEW FROM THE
COURT OF APPEALS FOR THE FIFTH DISTRICT OF TEXAS

Argued December 17, 2009

JUSTICE WILLETT, dissenting.

For the reasons stated in my dissent in *Albert*, ___ S.W.3d at ___, I would decline to reach the issues decided by the Court, and would instead remand to the trial court to consider first whether amendments to Chapter 271 of the Local Government Code effect a waiver of the City's immunity.

Don R. Willett
Justice

OPINION DELIVERED: December 16, 2011

