

Administrative Case Law Update

Laurie Ratliff
IKARD RATLIFF P.C.

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Overview

- Exhaustion & Prerequisites to Suit
- Standing
- Immunity/TTCA
- Ultra vires

Exhaustion & Prerequisites to Suit

E.A. v. TDF&PS

(Austin 2017) (mem. op.)

Absent express waiver of motion-for-rehearing requirement, a motion for rehearing is a jurisdictional prerequisite under H.R. Code § 48.406.

Montie v. Bastrop County

(Austin 2016) (mem. op.)

Internal report to supervisor was appropriate law enforcement authority where supervisor works for an entity with outward-looking enforcement powers.

Standing

City of Austin v. Utility Assocs., (Austin 2017)

- No ultra vires act when City considers and selects provider in competitive bidding process
- Party cannot rely on another party to create standing

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