

Petitions for Writ of Mandamus Denied and Memorandum Majority and Dissenting Opinions filed April 28, 2020.



In The

Fourteenth Court of Appeals

NO. 14-19-00845-CV

NO. 14-19-00847-CV

**IN RE FACEBOOK, INC. AND FACEBOOK, INC. D/B/A INSTAGRAM,
Relators**

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
334th District Court
Harris County, Texas
Trial Court Cause Nos. 2018-69816, 2018-82214**

NO. 14-19-00886-CV

IN RE FACEBOOK INC. D/B/A INSTAGRAM, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
151st District Court
Harris County, Texas
Trial Court Cause No. 2019-16262**

MEMORANDUM MAJORITY OPINION

Each plaintiff in the underlying cases is a minor who connected on Facebook or Instagram (collectively, “Facebook”) with individuals who forced them into human trafficking. The plaintiffs seek to hold Facebook liable for damages resulting from being victimized by trafficking. Facebook filed a Rule 91a¹ motion to dismiss each plaintiff’s case against Facebook based on an immunity provision under a Federal statute known as the Communications Decency Act. *See* 47 U.S.C. § 230.

Facebook filed two petitions for writ of mandamus in this court. *See* Tex. Gov’t Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In the first petition filed in our case numbers 14-19-00845-CV and 14-19-00847-CV, Facebook asks this court to compel the Honorable Steven Kirkland, presiding judge of the 334th District Court of Harris County, to set aside his May 23, 2019 orders denying Facebook’s Rule 91a motions to dismiss.

In the second petition filed in our case number 14-19-00886-CV, Facebook asks this court to compel the Honorable Mike Engelhart, presiding judge of the 151st District Court of Harris County, to set aside his October 4, 2019 order denying Facebook’s Rule 91a motion to dismiss.

Facebook has not established that it is entitled to mandamus relief. Accordingly, we deny Facebook’s petitions for writ of mandamus. We also lift our stays issued on November 14, 2019, and November 19, 2019.

PER CURIAM

Panel consists of Justices Christopher, Spain, and Poissant. (Christopher, J., dissenting).

¹ *See* Tex. R. Civ. P. 91a.