

of contract and declaratory judgment claims.

It is a fair question to ask why I continue dissenting from this Court's sovereign immunity jurisprudence concerning contracts when the Court so clearly decided this issue in *Federal Sign v. Texas Southern University*³ and *Texas Natural Resource Conservation Commission v. IT-Davy*.⁴ Simply, these cases were wrongly decided, the damage wreaked continues unabated, and the full cost remains untotaled.

The List continues to grow.⁵ As to the Court's sovereign immunity holding, I respectfully dissent – again.

Opinion delivered: June 27, 2002

Craig T. Enoch
Justice

³ 951 S.W.2d 401 (Tex. 1997)

⁴ __ S.W.3d __ (Tex. 2002).

⁵ See *Tex. Dep't of Transp. v. Jones Bros. Dirt & Paving Contractors, Inc.*, 73 S.W.3d 304 (Tex. 2002); *Travis County v. Pelzel & Assocs.*, __ S.W.3d __ (Tex. 2002); *TNRCC v. IT-Davy*, __ S.W.3d __ (Tex. 2002); *Gen. Servs. Comm'n v. Little-Tex Insulation Co.*, 39 S.W.3d 591 (Tex. 2001); *Tex. Dep't of Transp. v. Are-Aerotron, Inc.*, 39 S.W.3d 220 (Tex. 2001); *Federal Sign v. Tex. S. Univ.*, 951 S.W.2d 401 (Tex. 1997); *Tex. Dep't of Pub. Safety v. Int'l Capital Corp.*, 40 S.W.3d 687 (Tex. App.-Austin 2001, no pet.); *Denver City Ind. Sch. Dist. v. Moses*, 51 S.W.3d 386 (Tex. App.-Amarillo 2001, no pet.); *Gendreau v. Medical Arts Hosp.*, 54 S.W.3d 877 (Tex. App.-Eastland 2001, pet. filed); *City of Houston v. Northwood Mun. Util. Dist. No. 1*, __ S.W.3d __ (Tex. App.-Houston [1st Dist.] 2001, no pet.); *Tex. Dept. of Pub. Safety v. Rivera*, No. 13-01-00446-CV, 2001 Tex. App. LEXIS 7681 (Corpus Christi Nov. 15, 2001, no pet.) (not designated for publication); *Landry's Crab Shack v. Bd. of Regents*, No. 03-00-00690-CV, 2001 Tex. App. LEXIS 6948 (Austin Oct. 18, 2001, no pet.) (not designated for publication); *Ondemir v. Bexar County Clerk*, No. 04-00-00497-CV, 2001 Tex. App. LEXIS 6488 (San Antonio Sept. 26, 2001, pet. denied) (not designated for publication); *O'Dell v. Perry*, No. 03-00-00603-CV, 2001 Tex. App. LEXIS 4367 (Austin June 29, 2001, no pet.) (not designated for publication); *State DOT v. Ramirez*, No. 03-00-00594-CV, 2001 Tex. App. LEXIS 2192 (Austin Apr. 5, 2001, pet. filed) (not designated for publication); *Tex. A&M Univ. Sys. v. AFEX Corp.*, No. 03-00-00222-CV, 2001 Tex. App. LEXIS 1266 (Austin Mar. 1, 2001, no pet.) (not designated for publication).

