

Appellate Docket Number: 15-26-00132-CV

FIFTEENTH COURT OF APPEALS

Appellate Case Style: Kevin N. Bass

AUSTIN, TEXAS

Vs. Darrin D'Agostino and Amanda McSween, in their official capacities

7/13/2026 5:09 PM

Companion

MICHAEL A. CRUZ

Case(s):

CLERK

Amended/Corrected Statement ☐

FILED IN

DOCKETING STATEMENT (Civil)15th COURT OF APPEALS
AUSTIN, TEXAS

Appellate Court: 15th Court of Appeals

7/13/2026 5:09:19 PM

(to be filed in the court of appeals upon perfection of appeal under TRAP 32)

MICHAEL A. CRUZ

Clerk

NOTE: Because space for additional parties / attorneys is limited on this form, you can include the information on a separate document. As per TRAP 32.1 and 9.4, please include party's name and the name, address, email address, telephone number, fax number, if any, and State Bar Number of the party's lead counsel. If the party is not represented by an attorney, that party's name, address, telephone number, fax number should be provided.

I. Appellant	II. Appellant Attorney(s) - Continued
☒ Person ☐ Organization Name: Kevin N. Bass ☒ Pro Se If Pro Se Party, enter the following information: Address: [REDACTED] City/State/Zip: [REDACTED] Tel. (512) 333-4092 Ext. Fax: Email: kbassphiladelphia@gmail.com	☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:
II. Appellant Attorney(s) ☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:
☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:

III. Appellee	IV. Appellee Attorney(s) - Continued
☒ Person ☐ Organization Name: Darrin D'Agostino and Amanda McSween (official capaci ☐ Pro Se If Pro Se Party, enter the following information: Address: City/State/Zip: Tel. Ext. Fax: Email:	☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:
IV. Appellee Attorney(s)	
☒ Lead Attorney Select Name: Scott D. Smith Bar No. 24011874 Firm/Agency: Office of the Attorney General of Texas, General I Address 1: P.O. Box 12548, Capitol Station Address 2: City/State/Zip: Austin, TX 78711-2548 Tel. Ext. Fax: Email: scott.smith@oag.texas.gov	☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:
☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	☐ Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:

V. Perfection of Appeal, Judgment and Sentencing

Nature of Case (Subject matter or type of case): Governmental Immunity

Date Order or Judgment signed: 03/26/2026

Type of Judgment: Dismissal

Date Notice of Appeal filed in Trial Court: 06/24/2026

If mailed to the Trial Court clerk, also give the date mailed:

Interlocutory appeal of appealable order: ☐ Yes ☒ No

If yes, please specify statutory or other basis on which interlocutory order is appealable (See TRAP 28):

Accelerated Appeal (See TRAP 28): ☐ Yes ☒ No

If yes, please specify statutory or other basis on which appeal is accelerated:

Parental Termination or Child Protection? (See TRAP 28.4): ☐ Yes ☒ No

Permissive? (See TRAP 28.3): ☐ Yes ☒ No

If yes, please specify statutory or other basis for such status:

Agreed? (See TRAP 28.2): ☐ Yes ☒ No

If yes, please specify statutory or other basis for such status:

Appeal should receive precedence, preference, or priority under statute or rule? ☐ Yes ☒ No

If yes, please specify statutory or other basis for such status:

Does this case involve an amount under \$100,000? ☒ Yes ☐ No

Judgment or Order disposes of all parties and issues? ☒ Yes ☐ No

Appeal from final judgment? ☒ Yes ☐ No

Does the appeal involve the constitutionality or the validity of a statute, rule, or ordinance? ☐ Yes ☒ No

If yes, you must also complete and file the Challenge to Constitutionality of a State Statute form.

If yes, is the Attorney General of Texas a party to the case? ☐ Yes ☐ No

VI. Actions Extending Time to Perfect Appeal

Motion for New Trial: ☒ Yes ☐ No If yes, date filed: 04/03/2026

Motion to Modify Judgment: ☐ Yes ☒ No If yes, date filed:

Request for Findings of Fact and Conclusions of Law: ☐ Yes ☒ No If yes, date filed:

Motion to Reinstate: ☐ Yes ☒ No If yes, date filed:

Motion under TRCP 306a: ☒ Yes ☐ No If yes, date filed: 04/03/2026

Other: ☐ Yes ☒ No

If Other, please specify:

VII. Indigency of Party (Attach file stamped copy of Statement and copy of the trial court order.)

Was Statement of Inability to Pay Court Costs filed in the trial court? ☐ Yes ☒ No

If yes, date filed:

Was a Motion Challenging the Statement filed in the trial court? ☐ Yes ☐ No

If yes, date filed:

Was there any hearing on appellant's ability to afford court costs? ☐ Yes ☐ No

Hearing Date:

Did trial court sign an order under Texas Rule of Civil Procedure 145? ☐ Yes ☐ No

Date of Order:

If yes, trial court finding: ☐ Challenge Sustained ☐ Overruled

VIII. Bankruptcy

Has any party to the court's judgment filed for protection in bankruptcy which might affect this appeal?

☐ Yes ☒ No

If yes, please attach a copy of the petition.

Date bankruptcy filed:

Bankruptcy Case Number:

IX. Trial Court and Record

Court: 237th Judicial District Court

County: Lubbock

Trial Court Docket No. (Cause No.):
DC-2025-CV-1817

Trial Court Judge (who tried or disposed of the case):

Name: Hon. Les Hatch

Address 1: Lubbock County Courthouse, 904 Broadway

Address 2:

City/State/Zip: Lubbock, TX 79401

Tel. Ext. Fax:

Email:

Clerk's Record

Trial Court Clerk: ☒ District ☐ County

Was Clerk's record requested? ☒ Yes ☐ No

If yes, date requested: 07/08/2026

If no, date it will be requested:

Were payment arrangements made with clerk?

☒ Yes ☐ No ☐ Indigent

(Note: No request required under TRAP 34.5(a),(b).)

IX. Trial Court and Record - Continued

Reporter's or Recorder's Record

Is there a Reporter's Record? ☒ Yes ☐ No

Was Reporter's Record requested? ☒ Yes ☐ No

If yes, date requested: 07/08/2026

If no, date it will be requested:

Was the Reporter's Record electronically recorded? ☐ Yes ☒ No

Were payment arrangements made with the court reporter/court recorder? ☒ Yes ☐ No ☐ Indigent

☒ Court Reporter ☐ Court Recorder
☒ Official ☐ Substitute

Name: Annette Goodman

Address 1: 904 Broadway, Ste. 606

Address 2:

City/State/Zip: Lubbock, TX 79401-3407

Tel. Ext. Fax:

Email: agoodman@lubbockcounty.gov

☐ Court Reporter ☐ Court Recorder
☐ Official ☐ Substitute

Name:

Address 1:

Address 2:

City/State/Zip:

Tel. Ext. Fax:

Email:

X. Supersedeas Bond

Supersedeas bond filed? ☐ Yes ☒ No

If yes, date filed:

If no, will file? ☐ Yes ☒ No

XI. Extraordinary Relief

Will you request extraordinary relief (e.g., temporary or ancillary relief) from this Court? ☐ Yes ☒ No

If yes, briefly state the basis for your request:

XII. Alternative Dispute Resolution/Mediation

(Complete section if filing in the 1st, 2nd, 4th, 5th, 6th, 8th, 10th, 11th, 13th, or 14th Court of Appeals.)

Should this appeal be referred to mediation? ☐ Yes ☒ No

If no, please specify: Appellant respectfully declines referral to mediation and does not believe mediation would be helpful.

Has this case been through an ADR procedure? ☐ Yes ☐ No

If yes, who was the mediator?

What type of ADR procedure?

At what stage did the case go through ADR? ☐ Pre-Trial ☐ Post-Trial ☐ Other

If other, please specify:

Type of Case? Governmental Immunity

Give a brief description of the issue to be raised on appeal, the relief sought, and the applicable standard for review, if known (without prejudice to the right to raise additional issues or request additional relief):

How was the case disposed of?

Summary of relief granted, including amount of money judgment, and if any, damages awarded.

If money judgment, what was the amount? Actual damages:

Punitive (or similar) damages:

Attorney's fees (trial):

Attorney's fees (appellate):

Other:

If other, please specify:

Will you challenge this Court's jurisdiction? ☐ Yes ☐ No

Does judgment have language that one or more parties "take nothing"? ☐ Yes ☐ No

Does judgment have a Mother Hubbard clause? ☐ Yes ☐ No

Other basis for finality:

XII. Alternative Dispute Resolution/Mediation - Continued**(Complete section if filing in the 1st, 2nd, 4th, 5th, 6th, 8th, 10th, 11th, 13th, or 14th Court of Appeals.)**Rate the complexity of the case (use 1 for least and 5 for most complex): ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5Please make my answer to the preceding questions known to other parties in this case? ☐ Yes ☐ NoCan the parties agree on an appellate mediator? ☐ Yes ☐ No

If yes, please give the name, address, telephone, fax, and email address:

Name: Address: Telephone: Ext. Fax: Email:

Languages other than English in which the mediator should be proficient:

Name of the person filling out mediation section of docketing statement:

 Kevin N. Bass, Appellant pro se**XIII. Related Matters**

List any pending or past related appeals before this, or any other Texas Appellate Court, by Court, Docket, and Style.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

XIV. Pro Bono Program:**(Complete section if filing in the 1st, 2nd, 3rd, 5th, 7th, 13th or 14th Court of Appeals.)**

The Courts of Appeals listed above, in conjunction with the State Bar of Texas Appellate Section Pro Bono Committee and local Bar Associations, are conducting a program to place a limited number of civil appeals with appellate counsel who will represent the appellant in the appeal before this Court.

The Pro Bono Committee is solely responsible for screening and selecting the civil cases for inclusion in the Program based upon a number of discretionary criteria, including the financial means of the appellant or appellee. If a case is selected by the Committee, and can be matched with appellate counsel, that counsel will take over representation of the appellant or appellee without charging legal fees. More information regarding this program can be found in the Pro Bono Program Pamphlet available in paper form at the Clerk's Office or on the Internet at <http://www.tex-app.org>. If your case is selected and matched with a volunteer lawyer, you will receive a letter from the Pro Bono Committee within thirty (30) to forty-five (45) days after submitting this Docketing Statement.

Note: there is no guarantee that if you submit your case for possible inclusion in the Pro Bono Program, the Pro Bono Committee will select your case and that pro bono counsel can be found to represent you. Accordingly, you should not forego seeking other counsel to represent you in this proceeding. By signing your name below, you are authorizing the Pro Bono committee to transmit publicly available facts and information about your case, including parties and background, through selected Internet sites and Listserv to its pool of volunteer appellate attorneys.

Do you want this case to be considered for inclusion in the Pro Bono Program? ☐ Yes ☐ No

Do you authorize the Pro Bono Committee to contact your trial counsel of record in this matter to answer questions the committee may have regarding the appeal? ☐ Yes ☐ No

Please note that any such conversations would be maintained as confidential by the Pro Bono Committee and the information used solely for the purposes of considering the case for inclusion in the Pro Bono Program.

If you have not previously filed a Statement of Inability to Pay Court Costs and attached a file-stamped copy of that Statement, does your income exceed 200% of the U.S. Department of Health and Human Services Federal Poverty Guidelines? ☐ Yes ☐ No

These guidelines can be found in the Pro Bono Program Pamphlet as well as on the internet at <http://aspe.hhs.gov/poverty/06poverty.shtml>.

Are you willing to disclose your financial circumstances to the Pro Bono Committee? ☐ Yes ☐ No

If yes, please attach a Statement of Inability to Pay Court Costs completed and executed by the appellant or appellee. Sample forms may be found in the Clerk's Office or on the internet at <http://www.tex-app.org>. Your participation in the Pro Bono Program may be conditioned upon your execution of a Statement under oath as to your financial circumstances.

Give a brief description of the issues to be raised on appeal, the relief sought, and the applicable standard of review, if known (without prejudice to the right to raise additional issues or request additional relief; use a separate attachment, if necessary).



XV. Fifteenth Court of Appeals Jurisdiction

Effective 9/1/24, certain cases filed with this court must be transferred to the new Fifteenth Court of Appeals (See SB 1045, 88th Legislature, Regular Session). To assist the court in the orderly transfer of cases, please complete the following information.

Does this appeal involve a matter brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, or by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer's or employee's official conduct? ☒ Yes ☐ No

If the answer is yes, does this appeal involve:

- ☐ a proceeding brought under the Family Code and any related motion or proceeding;
- ☐ a proceeding brought under Chapter 7B or Article 17.292, Code of Criminal Procedure;
- ☐ a proceeding brought against a district attorney, a criminal district attorney, or a county attorney with criminal jurisdiction;
- ☐ a proceeding relating to a mental health commitment;
- ☐ a proceeding relating to civil asset forfeiture;
- ☐ a condemnation proceeding for the acquisition of land or a proceeding related to eminent domain;
- ☐ a proceeding brought under Chapter 101, Civil Practice and Remedies Code;
- ☐ a claim of personal injury or wrongful death;
- ☐ a proceeding brought under Chapter 125, Civil Practice and Remedies Code, to enjoin a common nuisance;
- ☐ a proceeding brought under Chapter 55, Code of Criminal Procedure;
- ☐ a proceeding under Chapter 22A, Government Code;
- ☐ a proceeding brought under Subchapter E-1, Chapter 411, Government Code;
- ☐ a proceeding brought under Chapter 21, Labor Code;
- ☐ a removal action under Chapter 87, Local Government Code;
- ☐ a proceeding brought under Chapter 841, Health and Safety Code;

XVI. Signature

	07/13/2026
Signature of counsel (or Pro Se Party)	Date
Kevin N. Bass	N/A (Pro Se)
Printed Name	State Bar No.
/s/ Kevin N. Bass	Kevin N. Bass
Electronic Signature (Optional)	Name

XVII. Certificate of Service

The undersigned counsel certifies that this Docketing Statement has been served on the following lead counsel for all parties to the Trial Court's Order or Judgment as follows on:

/s/ Kevin N. Bass

Signature of counsel (or Pro Se Party)

Electronic Signature (Optional)

N/A (Pro Se)

State Bar No.

Certificate of Service Requirements (TRAP 9.5(e)): A certificate of service must be signed by the person who made the service and must state:

- (1) the date and manner of service;
- (2) the name and address of each person served, and
- (3) if the person served is a party's attorney, the name of the party represented by the attorney.

Please enter the following for each person served:	
Date Served: 07/13/2026 Manner Served: eServe Name: Scott D. Smith Bar No. 24011874 Firm/Agency: Office of the Attorney General of Texas, General Address 1: P.O. Box 12548, Capitol Station Address 2: City/State/Zip: Austin, TX 78711-2548 Tel. Ext. Fax: Email: scott.smith@oag.texas.gov Party: Appellees Darrin D'Agostino and Amanda McSween	Date Served: Manner Served: Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email: Party:
Date Served: Manner Served: Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email: Party:	Date Served: Manner Served: Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email: Party:
Date Served: Manner Served: Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email: Party:	

Please enter the following for each person served that is not an attorney for a party:

Date Served: Manner Served: Select Name: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	Date Served: Manner Served: Select Name: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:
Date Served: Manner Served: Select Name: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	Date Served: Manner Served: Select Name: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:
Date Served: Manner Served: Select Name: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	Date Served: Manner Served: Select Name: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:

Print or Print to SAVE AS PDF.

No. 15-26-00132-CV

In the Fifteenth Court of Appeals — Austin, Texas

Kevin N. Bass, Appellant v. **Darrin D'Agostino** and **Amanda McSween**, in their official capacities, Appellees

On appeal from the 237th Judicial District Court of Lubbock County, Texas — Cause No. DC-2025-CV-1817

ATTACHMENT A TO APPELLANT'S DOCKETING STATEMENT

Full designation of parties and counsel (Tex. R. App. P. 32.1; per the form's instruction that limited field space may be supplemented by separate document)

I. Appellant

Kevin N. Bass, *pro se.* [REDACTED] Tel. 512-333-4092.
Email: kbassphiladelphia@gmail.com.

II. Appellees (full official-capacity designations)

1. **Darrin D'Agostino, D.O., M.P.H., M.B.A.**, in his official capacity as Provost and Executive Vice President of Academics of Texas Tech University Health Sciences Center.

2. **Amanda McSween**, in her official capacity as Managing Director of Enrollment Services and University Registrar of Texas Tech University Health Sciences Center.

III. Counsel of record for Appellees

Scott D. Smith, Assistant Attorney General, State Bar No. 24011874 (lead counsel), Office of the Attorney General of Texas, General Litigation Division, P.O. Box 12548, Capitol Station, Austin, Texas 78711-2548. Email: scott.smith@oag.texas.gov.

IV. Judgment appealed

Order on Defendants' Plea to the Jurisdiction or, in the Alternative, Plea in Abatement, signed March 26, 2026, by the Honorable Les Hatch, granting the plea to the jurisdiction and dismissing all of Plaintiff's claims without prejudice (the alternative plea-in-abatement paragraph was struck through by the court). All other defendants were previously nonsuited; the order disposes of all remaining parties and claims and is a final judgment.

Respectfully submitted,

/s/ Kevin N. Bass

Kevin N. Bass, Appellant *pro se*

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 117285079

Filing Code Description: Docketing Statement

Filing Description: Appellant's Docketing Statement and Attachment A (party designations) ??? Appeal No. 15-26-00132-CV / trial court

DC-2025-CV-1817

Status as of 7/14/2026 7:15 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Kevin Bass		kbassphiladelphia@gmail.com	7/13/2026 5:09:19 PM	SENT
Scott Smith	24011874	scott.smith@oag.texas.gov	7/13/2026 5:09:19 PM	SENT