



## MCBEE v. RHINO ROOFING

2022 OK 23

Case Number: [119337](#); [Comp w/119181](#); [119190](#)

Decided: 03/07/2022

THE SUPREME COURT OF THE STATE OF OKLAHOMA

Cite as: 2022 OK 23, \_\_\_ P.3d \_\_\_

VICKIE MCBEE, an individual, Plaintiff/Appellant,

v.

RHINO ROOFING, LLC d/b/a RHINO ROOFING AND CONSTRUCTION, an Oklahoma limited liability company; and  
JOHN DOES 1--5 true names unknown, Defendants/Appellees.

### ORDER OF SUMMARY DISPOSITION

¶1 Rule 1.201 of the Oklahoma Supreme Court Rules provides that "[i]n any case in which it appears that a prior controlling appellate decision is dispositive of the appeal, the court may summarily affirm or reverse, citing in its order of summary disposition this rule and the controlling decision." Okla. Sup. Ct. Rule 1.201.

¶2 After reviewing the record in this case, THE COURT FINDS that our decision in [McBee v. Shanahan Home Design, et al.](#), [2021 OK 60](#), [499 P.3d 1](#), involves the same primary legal questions as those in the above-styled appeal; and therefore, our holding in [Shanahan](#) disposes of the issues herein.<sup>1</sup>

¶3 IT IS THEREFORE ORDERED that the trial court's order sustaining defendant Rhino Roofing, L.L.C.'s motion to dismiss for untimely service of process is reversed and the cause is remanded for further proceedings.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE THIS 7th day of March, 2022.

/S/CHIEF JUSTICE

¶4 Darby, C.J., Kane, V.C.J., Kauger, Winchester, Edmondson, Gurich, Rowe, and Kuehn, JJ., concur.

¶5 Combs, J., not participating.

### Citationizer<sup>®</sup> Summary of Documents Citing This Document

Cite Name Level

None Found.

### Citationizer: Table of Authority

Cite Name

Level

#### Oklahoma Supreme Court Cases

Cite	Name	Level
<a href="#">2021 OK 60</a> , <a href="#">499 P.3d 1</a> ,	<a href="#">MCBEE v. SHANAHAN HOME DESIGN</a>	Discussed

#### Title 12. Civil Procedure

Cite	Name	Level
<a href="#">12 O.S. 2004</a> ,	<a href="#">Process</a>	Cited

