

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
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FOR IMMEDIATE RELEASE
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Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Tuesday, April 12, 2011, beginning at 9:00 a.m., before the following panel of justices: Justice Phylis Speedlin, Justice Rebecca Simmons, and Justice Steven C. Hilbig:

The following cases will be presented:

- (1) *Aspri Investments, LLC v. Maryam Begum Afeef and ENM Food Mart, Inc.* – Aspri Investments appeals the trial court’s judgment confirming an arbitration award. The issues include whether appellees waived their right to arbitration, whether the claims asserted in the arbitration were barred by res judicata, whether the arbitration panel exceeded its powers, and whether the award should have been vacated on grounds of manifest disregard of the law, gross mistake, or violation of public policy.
- (2) *Ben Ingham and Gerry Ingham v. Jeffrey P. O’Block, Robert Page Shirtum, and Barbara Fran Shirtum* - Ben and Gerry Ingham appeal the trial court’s finding that no easement burdens properties owned by Jeffrey O’Block and Robert and Barbara Shirtum. On appeal, the Inghams assert three theories to support their entitlement to an easement over O’Block’s and the Shirtums’ respective properties: easement by estoppel, easement by necessity, and easement by implication.

The oral arguments will be held in the Fourth Court’s Courtroom, Cadena-Reeves Justice Center, Third Floor, 300 Dolorosa, San Antonio, Texas.