

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
300 Dolorosa, Suite 3200
San Antonio, Texas 78205-3037



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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 one appeal on Thursday, May 3, 2012, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Sandee Bryan Marion, and Justice Phylis J. Speedlin.

The following case will be presented:

Miguel Rosas v. State - Rosas was convicted of possession of a controlled substance (cocaine) in an amount less than one gram, and was sentenced to two years' imprisonment based on the jury's finding that he used or exhibited a deadly weapon (knife) during commission of the offense. On appeal, Rosas asserts the evidence is legally insufficient to support the deadly weapon finding, and that the jury charge during the punishment phase was erroneous with respect to probation.

The Fourth Court of Appeals will hear oral argument in one appeal on Thursday, May 3, 2012, beginning at 10:00 a.m., before the following panel of justices: Justice Rebecca Simmons, Justice Steven C. Hilbig, and Justice Marialyn Barnard.

The following case will be presented:

Michael Castilla v. State - Michael E. Castilla appeals his conviction for felony evading arrest. In 2009, a vehicle fled from police, made an illegal U-turn, and almost hit a pursuing officer's vehicle. Shortly thereafter, the driver abruptly stopped the vehicle, fled on foot, and escaped into the night. Other officers investigating the abandoned vehicle discovered the vehicle was registered to Castilla's mother, and they found a Texas identification card belonging to Castilla. Upon seeing the card, the pursuing officer confirmed that the person he saw driving the fleeing vehicle was Castilla. Castilla was arrested, tried by a jury, and convicted. On appeal Castilla asserts that the evidence is legally insufficient to support the conviction and that he was entitled to a spoliation instruction.

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