

# Court Advisory

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



Contact: Keith Hottle, Clerk of the Court  
Phone: (210) 335-2510

FOR IMMEDIATE RELEASE  
October 14, 2011

## Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, October 18, 2011, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Phylis J. Speedlin, and Justice Marialyn Barnard.

The following case will be presented:

*The State of Texas v. Robert Louis Rosseau* - The State appeals the trial court's pre-trial order quashing the portion of the indictment used to elevate each count of the alleged sexual assaults from a second degree felony to a first degree felony based on the fact that the defendant was prohibited from marrying either of the two child victims because he was already married. The appeal involves the constitutionality of section 22.011(f) of the Texas Penal Code.

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, October 20, 2011, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Phylis J. Speedlin, and Justice Marialyn Barnard.

The following case will be presented:

*In the Matter of the Estate of Gilbert M. Denman Jr., Deceased* - This appeal arises out of the probate court's order granting summary judgment. The appeal raises challenges the probate court's determination that Wendel Denman Thuss was not entitled to reimbursement from the estate for taxes paid pursuant to the federal generation skipping tax, which this court held Thuss was required to pay in *In re Denman*, 270 S.W.3d 639 (Tex. App.—San Antonio 2008, pets. denied).

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