

# 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, March 10, 2016, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Rebeca C. Martinez.

The following case will be presented:

*Texas Commission on Environmental Quality & Post Oak Clean Green, Inc. v. Guadalupe County Groundwater Conservation District* - The underlying dispute concerns an application for a permit to construct and operate a municipal solid waste landfill on private land within the Guadalupe County Groundwater Conservation District's territory. The District filed suit against Post Oak Clean Green, Inc., seeking "a declaration that the District's Rule 8.1 prohibits [Post Oak] from operating a waste disposal facility at the proposed site, which is on the outcrop of the upper Wilcox aquifer[.]" The Texas Commission on Environmental Quality (TCEQ) intervened in the lawsuit and filed a plea to the jurisdiction, arguing, in part, that the District's declaratory judgment claim is not ripe for review and that TCEQ has exclusive (or, alternatively, primary) jurisdiction over the siting of municipal solid waste landfills. On appeal, TCEQ and Post Oak challenge the denial of the plea to the jurisdiction.

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