

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 two appeals on Wednesday, November 2, 2016, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Luz Elena D. Chapa.

The following cases will be presented:

Justin v. Haynes v. Alicia Bryan Haynes - Appellant challenges the trial court's order effectuating the parties' post-nuptial agreement, arguing that the trial court erred in awarding several of appellee's indemnity claims and requesting that this Court render judgment in favor of appellant on the remaining indemnity claim. Alternatively, appellant requests that this Court reverse the trial court's judgment and remand the proceeding for a new trial due to numerous irregularities in the reporter's record. Finally, appellant requests that this Court reverse the award of attorneys' fees.

George Munoz, Jr. v. The State of Texas - George Munoz appeals his conviction for murder committed during the course of a felony offense, in this case evading arrest. On appeal, Munoz argues the trial court submitted an erroneous jury charge by refusing to include an instruction on a lesser-included offense of criminally negligent homicide and by limiting the definitions of "intentionally" and "knowingly" to the nature of the conduct. Munoz also challenges the sufficiency of the evidence and asserts the jury's verdict was not unanimous on a required element.

The Fourth Court of Appeals will hear oral arguments in one appeal on Wednesday, November 2, 2016, beginning at 2:00 p.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Luz Elena D. Chapa.

The following case will be presented:

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Candelaria Garcia v. State Farm Lloyds and Sylvia Garcia - In the underlying lawsuit, Candelaria Garcia alleged State Farm Lloyds and Sylvia Garza (collectively, “appellees”) failed to properly investigate and adjust an insurance claim made under Garcia’s State Farm home owner’s policy. After the lawsuit was filed, the parties agreed to an appraisal for the purpose of determining the amount of loss. After completion of the appraisal, State Farm paid the appraisal award and appellees moved for summary judgment on all of Garcia’s claims. Appellees asserted that payment of the appraisal award resolved and disposed of all claims in the lawsuit. Garcia then amended her petition to ask that the appraisal award be set aside. The trial court rendered summary judgment in favor of appellees and signed a final judgment disposing of all of Garcia’s claims. Garcia now appeals the trial court’s summary judgment.

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