

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, June 13, 2017, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Irene Rios.

The following cases will be presented:

The State of Texas v. Ruben Rodriguez – Ruben Rodriguez was indicted for the offenses of possession of a controlled substance with the intent to deliver methamphetamine and heroin and the offense of being a felon in possession of a firearm. The trial court granted Rodriguez’s motion to suppress all evidence and testimony obtained during his arrest and detention on the basis that the arresting officer lacked reasonable suspicion and probable cause. The issue on appeal is whether the trial court erred when it concluded the absence of criminal liability vitiated the officer’s reasonable suspicion.

Five Aces/SA, Ltd., Reilly Brothers Property Co, LLC, Asher Reilly, and City of San Antonio Board of Adjustment v. River Road Neighborhood Association and James A. Cullum, Jr. - The basic issue is whether the owners’ application for “renovation” of the residence at 112 Lindell Place, located in the River Road Historic District, met the necessary criteria, or whether an application for “demolition” was required since part of the structure was to be removed. The River Road Neighborhood Association and James Cullum, Jr. appealed the approval by the Historic Design and Review Commission and the City of San Antonio Board of Adjustment. Upon review, the trial court granted summary judgment for the River Road Neighborhood Association and Mr. Cullum, and reversed the approval of the project.

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