

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
February 15, 2018

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Tuesday, February 20, 2018, beginning at 1:30 p.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Rebeca C. Martinez.

The following cases will be presented:

VIA Metropolitan Transit v. Curtis Meck – Appellee, a bus passenger, sued appellant for injuries he sustained. A jury awarded appellee damages, which the trial court reduced pursuant to the Texas Tort Claims Act. On appeal, appellant contends: (1) the trial court erred in instructing the jury that it owed appellee a common carrier “high degree of care” when negligence is the proper standard; and (2) it is entitled to judgment as a matter of law because there is no evidence it breach the applicable standard of ordinary care, or alternatively, it is entitled to a new trial under the ordinary care standard.

Rita Gonzalez as Trustee of the RG Family Trust and Ramon Gonzalez v. Don A. Janssen and Debra Janssen - At issue in this appeal is the ownership of royalty interests. The appellants, Rita Gonzalez, as Trustee of the R.G. Family Irrevocable Trust No. 1, and Ramon Gonzalez Jr., sued the appellees, Don A. Janssen and Debra Janssen, claiming that when Ramon Gonzalez Jr. purchased two tracts of land from the Janssens in 1988, the deeds conveyed all of the Janssens’ royalty interests to Gonzalez. The trial court concluded the deeds did not convey the royalty interests and ruled in favor of the Janssens. In this appeal, the court of appeals will consider whether the language in the deeds excluded the royalty interests from the conveyances.

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, February 22, 2018, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Rebeca C. Martinez.

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The following case will be presented:

Jasmine Simms v. State - In a single issue, appellant argues the trial court abused its discretion in failing to hold a hearing on his motion for new trial asserting ineffective assistance by trial counsel.

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