

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
October 7, 2011

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, October 13, 2011, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Sandee Bryan Marion, and Justice Rebecca Simmons.

The following case will be presented:

City of Cibolo v. Shelby Koehler, et al. – In this appeal, the City of Cibolo challenges the trial court’s orders denying the pleas to the jurisdiction it filed based on sovereign immunity. The City contends the trial court erred in denying its plea because: (1) no waiver of immunity exists for a declaratory judgment action; and (2) the evidence affirmatively defeated elements of the Koehlers’ takings claim.

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, October 13, 2011, beginning at 10:00 a.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Phylis Speedlin, and Justice Marialyn Barnard.

The following case will be presented:

The City of China Grove v. Mac S. Morris, Jr. - The issue in this appeal is whether attorney’s fees were properly awarded under the Texas Uniform Declaratory Judgments Act.

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, October 13, 2011, beginning at 2:00 p.m., before the following panel of justices: Justice Karen Angelini, Justice Sandee Bryan Marion, and Justice Steven C. Hilbig.

The following case will be presented:

Salinas v. State - In his sole issue on appeal, appellant asserts the trial court erred in denying his motion for continuance. On appeal, appellant argues the trial court’s denial of his motion for continuance prevented him from

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discovering and presenting the physical connection to a third person present at the crime scene.

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