

# 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 12, 2016

## Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, October 18, 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:

*JBS Carriers, Inc. and James Lundry v. Trinette L. Washington, Sophia Renee Lenzy, Thomas Charles Lenzy, Individually and as Representatives of the Estate of Mary L. Turner, Deceased* – In this appeal, this Court will consider sufficiency of the evidence to support the jury’s finding of negligence against JBS Carriers and the jury’s damages findings. This Court will also consider whether the trial court’s evidentiary rulings constituted harmful error. Finally, in a cross-point, this Court will consider whether the trial court correctly calculated monetary damages in its final judgment.

The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, October 20, 2016, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Patricia O. Alvarez, and Justice Luz Elena D. Chapa.

The following case will be presented:

*In re RPH Capital Partners, LP* - RPH Capital Partners, LP brought this original proceeding to challenge a summary judgment granting a bill of review filed by Peridot Joint Venture, Millennium Exploration Company, LLC, and Richard Monroy (collectively “Peridot”). RPH obtained a post-answer default judgment against Peridot on December 14, 2015. Peridot filed a bill of review with the trial court alleging inadequate notice of the trial setting and no notice of the judgment. Both sides filed motions for summary judgment. The trial court granted summary judgment for Peridot, granted the bill of review, and thus vacated the December 14, 2015 judgment. RPH contends Peridot failed to satisfy the elements of a bill of review.

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