

Court Advisory

Fourth Court of Appeals
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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 one appeal on Thursday, April 25, 2019, beginning at 9:00 a.m., before the following panel of justices: Justice Rebeca C. Martinez, Justice Patricia O. Alvarez, and Justice Liza A. Rodriguez.

The following case will be presented:

Velma San Miguel v. PlainsCapital Bank, Trustee of The Guerra Mineral Trust - This is a trespass-to-try-title case over land in Starr County regarding the ownership of an associated undivided mineral interest.

Appellee PlainsCapital Bank, as trustee of the Guerra Mineral Trust, initiated a trespass-to-try-title suit to establish title clear of any claims prior to 1956. The notice was published in a Starr County newspaper. Hundreds of individuals alleged they were heirs of Joaquin Chapa, the original grantee for Porcion 58 from the King of Spain in 1764, a grant that included the land associated with the mineral interest at issue here.

The trial court granted summary judgment for the Bank against all 363 defendants. Defendants Velma San Miguel and Alexis Rendon appeal from the trial court's judgment. They argue that the Bank failed to conclusively prove at least one essential element of each of its claims, and thus the trial court erred in granting summary judgment for the Bank.

The Bank argues that the Guerras had record title to the mineral interest since 1956, it proved ownership by prior possession as a matter of law, the burden shifted to Appellants to prove superior title, and Appellants produced no evidence of a superior claim to title.

This court will hear oral argument from the parties in the Webb County Commissioners' Court, at 1000 Houston Street, Second Floor, Laredo, Texas 78040.