

Press Release

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, 2010

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Tuesday, October 16, 2012, beginning at 9:00 a.m., before the following panel of justices: Justice Phylis Speedlin, Justice Rebecca Simmons, and Justice Steven C. Hilbig.

The following cases will be presented:

Martin E. Roberts v. Margaret D. Roberts — This appeal arises from a final divorce decree dissolving the marriage of Margaret and Martin Roberts. Martin raises six points of error on appeal: (1) there was insufficient evidence to support Margaret's claim for separate property and to overcome the community property presumption, (2)-(4) the trial court abused its discretion in its award of spousal maintenance, (5) the trial court abused its discretion by requiring him to surrender the children to Margaret during his periods of possession so that the children may attend religious instruction, and (6) the trial court abused its discretion by mandating a morality clause against him.

Corey A. Bell v. Trinidad M. Castro — In this personal injury case, appellant challenges the award of damages, arguing that there is no evidence of future physical impairment as well as factually insufficient evidence of both future medical expenses and future physical pain and mental anguish.

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, October 16, 2012, beginning at 1:30 p.m., before the following panel of justices: Justice Phylis Speedlin, Justice Rebecca Simmons, and Justice Steven C. Hilbig.

The following case will be presented:

Bruce Randol Merryman v. State — Bruce Merryman appeals his convictions on three counts of misapplication of fiduciary property and three counts of theft by deception arising out of several written construction contracts he entered into with different complainants. Merryman challenges the legal sufficiency of the evidence to support his convictions, alleging there is no

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evidence he acted in a fiduciary capacity or had the intent to deceive his customers. Merryman also challenges the sentences imposed for Counts I and II based on an elderly victim, and the trial court’s response to the jury’s questions during punishment deliberations.

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