

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
December 6, 2018

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, December 11, 2018, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Irene Rios.

The following case will be presented:

Alvin Burns and I.M. Burns v. Dimmit County, Texas, et al. – The main appeal by Alvin and Merle Burns and the cross-appeal by Dimmit County involve competing claims of ownership of the streets, alleys and easements in the Townsite of Catarina in Dimmit County, Texas, particularly with respect to the use of an old water pipeline system and the operation and maintenance of the current water supply system. A separate cross-appeal by Roberto Ramirez and Edward Dryden involves their claims of tortious interference with a prospective lease and breach of contract against the Burns.

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, December 11, 2018, beginning at 10:30 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Irene Rios.

The following case will be presented:

AME & FE Investments, Ltd. v. NEC Networks, LLC d/b/a Capture RX - This case arises from a contract dispute between appellant AME & FE Investments, Ltd. and appellee NEC Networks, LLC d/b/a CaptureRx. The trial court disposed of various claims, counterclaims, and affirmative defenses through its pretrial rulings on two summary judgment motions filed by NEC. Other claims, counterclaims, and affirmative defenses were resolved by jury verdict. A final issue, concerning the release of certain liens, was resolved by the trial court's post-trial ruling on NEC's motion for specific performance or, alternatively, motion for further relief under the Declaratory Judgments Act. Each of these rulings was incorporated into the March 10, 2017 final judgment from which AME now appeals.

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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.