

# 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  
September 21, 2012

## Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Wednesday, September 26, 2012, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Karen Angelini, and Justice Marialyn Barnard.

The following cases will be presented:

*Richard Castillo and Patsy Castillo v. Gulf Coast Livestock Market, L.L.C.* - Richard Castillo was injured when a tractor trailer loaded with cattle backed into him at a livestock auction facility owned by Gulf Coast Livestock Market, L.L.C. Castillo sued Gulf Coast for negligence and negligent hiring of the contractor who was driving the tractor trailer at the time of the accident. Following summary judgment proceedings, the trial court dismissed Castillo's claims with prejudice. Castillo's main argument on appeal is that the trial court erred in dismissing his claims because Gulf Coast was a "motor carrier" under Federal Motor Carrier Safety Regulations and section 643.001(6) of the Texas Transportation Code, and the contractor who was driving the tractor trailer was Gulf Coast's "statutory employee."

*Hager Oil and Gas Company and Coates Energy Trust and Coates Energy Interests, Ltd. v. Frost National Bank, as Trustee of the Peters Family Trust and as Guardian of the Estate of Peter Atchison, NCM, and Falcon International Bank, Trustee* – This appeal arises out of a dispute over the ownership of mineral interests. In this appeal, the parties raise issues over the proper interpretation of "royalty contracts" and the award of attorney's fees.

The Fourth Court of Appeals will hear oral arguments in two appeals on Wednesday, September 26, 2012, beginning at 1:30 p.m., before the following panel of justices: Chief Justice Catherine Stone, Justice Karen Angelini, and Justice Marialyn Barnard.

The following cases will be presented:

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*Armando Simon v. State* - Armando Simon was convicted by a jury of Failure to Comply with Registration Requirements of a sex offender. Failing to report an address change not later than the seventh day before an intended change of address or not later than the seventh day after changing addresses are alternative means of committing the offense with which Simon was charged. On appeal, Simon challenges the sufficiency of the evidence to support the jury's findings regarding his failure to report.

*The State of Texas v. Baldemar Chavera* - Baldemar Chavera was convicted by a jury of tampering with a governmental record. Chavera filed a motion for new trial, asserting that the evidence is legally insufficient to support his conviction. The State appeals the trial court's order granting Chavera's motion, asserting the evidence is legally sufficient to support the jury's verdict.

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