

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
300 Dolorosa, Suite 3200
San Antonio, Texas 78205-3037



Contact: Keith Hottle, Clerk of the Court
Phone: (210) 335-2510

FOR IMMEDIATE RELEASE
September 7, 2012

Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals, an intermediate appellate court deciding civil and criminal appeals from the trial courts of thirty-two South Texas and Hill Country counties, will hear oral arguments on Friday, September 28, 2012, beginning at 9:00 a.m., before a panel of justices consisting of Chief Justice Catherine Stone, Justice Karen Angelini and Justice Marialyn Barnard.

9:00 A.M. TO 10:00 A.M.

04-11-00369-CR, RICARDO LAUREL V. THE STATE OF TEXAS

In Ricardo Laurel v. The State of Texas, No. 04-11-00369-CR, Ricardo Laurel was charged by indictment with Continuous Sexual Abuse of a Child in violation of section 21.02 of the Texas Penal Code. He was found guilty by a jury and sentenced to 75 years of imprisonment by the trial court. On appeal, Laurel argues that (1) he received ineffective assistance of counsel; (2) the evidence is legally insufficient to support his conviction; (3) the State, during its closing argument in the guilt-innocence phase of trial, improperly argued matters outside the record; and (4) the trial court erred in denying Laurel's motion for mistrial.

The Fourth Court of Appeals will hear oral arguments on Friday, September 28, 2012, beginning at 10:00 a.m., before a panel of justices consisting of Justice Phylis Speedlin, Justice Rebecca Simmons and Justice Steven C. Hilbig.

10:00 A.M. TO 11:00 A.M.

04-11-00550-CV, BP AMERICA PRODUCTION COMPANY V. CARLOS M. ZAFFIRINI, SR., DOLORES ANGELINA DE LA GARZA, CLARISSA DE LA GARZA, CRISTINA LORENA BENAVIDES, SERVANDO ROBERTO BENAVIDES, DELIA HILDA BENAVIDES MARTINEZ, MARIA EUGENIA BENAVIDES GUTIERREZ, LAS TINAJAS MINERALS, LTD, DIANA SOLIS

This appeal arises from a dispute over the amount of money BP America Production Company owes co-owners of an oil and gas lease in Webb County. BP America entered into two separate leases to produce oil and gas from a mineral estate owned primarily by family members. It first signed a lease with Diana Solis (Solis lease) for her 30% interest in the undivided mineral estate. Subsequently, BP America signed a second lease (Zaffirini lease)

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with others, including Solis’s family members, who are co-owners of the remaining 70% interest. BP America filed a declaratory judgment action for the court to determine its obligations under the Zaffirini lease. The trial court granted the Zaffirini lessors’ summary judgment and awarded them approximately \$3.9 million in damages and attorney’s fees. BP America appeals the trial court’s judgment.

The oral arguments will be held in the Webb County Courthouse, 1000 Houston Street, 2nd Floor, Laredo, Texas 78040.