

# 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  
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## Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in two appeals on Wednesday, November 2, 2011, beginning at 9:00 a.m., before the following panel of justices: Justice Sandee Bryan Marion, Justice Phylis J. Speedlin, and Justice Marialyn Barnard.

The following cases will be presented:

- (1) *Wilfredo Amaro d/b/a Amaro Collision Center & Towing, Eric Colon d/b/a Eagle Wrecker Service, David Strozier d/b/a Strozier Paint & Body, Celestino Talamantez d/b/a TNT Towing, Scott Jerkins, as General Partner of Wilson County Towing, and Jeremy Weston v. Wilson County, TX, et al.* – Appellants challenge a two-year contract awarded by Wilson County to Rick’s Towing to perform the County’s incident management nonconsent tows. Appellants chiefly argue that the County had no authority to make such a contract, and that the contract is impermissibly exclusive.
- (2) *Pedro Covarrubias v. Diamond Shamrock Refining Company, LP* - This appeal arises out of a trial court’s order granting summary judgment in favor of Diamond Shamrock Refining Company, LP. The appeal raises challenges to the application of Chapter 95 of the Texas Civil Practice & Remedies Code, specifically whether the Chapter applies when an improvement that gives rise to an injury is not the same improvement upon which the subcontractor is working

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