

# 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  
August 7, 2015

## Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Wednesday, August 12, 2015, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Patricia O. Alvarez, and Justice Jason Pulliam.

The following case will be presented:

*University of Incarnate Word and Christopher Carter v. Valerie Redus, Individually, and Robert M. Redus, Individually and as Administrator of the Estate of Robert Cameron Redus* – This is an interlocutory appeal of the trial court’s order denying University of the Incarnate Word’s (UIW) plea to the jurisdiction. The first issue presented on appeal is whether this Court has jurisdiction to consider this interlocutory appeal filed pursuant to Texas Civil Practice and Remedies Code Section 51.014(a)(8). If this Court determines it has jurisdiction, then UIW contends the trial court erred in denying its plea because the trial court does not have subject matter jurisdiction over the underlying cause based on UIW’s governmental immunity from suit.

The Fourth Court of Appeals will hear oral arguments in one appeal on Wednesday, August 12, 2015, beginning at 2:00 p.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Marialyn Barnard, and Justice Luz Elena D. Chapa.

The following case will be presented:

*Specialty Select Care Center of San Antonio LLC d/b/a Casa Rio Healthcare and Rehabilitation v. Jose Flores, as Next Friend of Julie Flores* - This is an appeal of a trial court’s order denying a motion to compel arbitration filed by Specialty Select Care Center of San Antonio, LLC d/b/a Casa Rio Healthcare and Rehabilitation. After the parties’ briefs were filed, this court abated this appeal pending the Texas Supreme Court’s decisions in three appeals from this court. See *Williamsburg Care Co. L.P. v. Acosta*, 406 S.W.3d 711 (Tex. App.—San Antonio

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2013), *rev'd*, 2015 WL 1029779 (Tex. Mar. 6, 2015); *Fredericksburg Care Co. L.P. v. Lira*, 407 S.W.3d 810 (Tex. App.—San Antonio 2013), *rev'd*, 2015 WL 1026224 (Tex. Mar. 6, 2015); *Fredericksburg Care Co. L.P. v. Perez*, 406 S.W.3d 313 (Tex. App.—San Antonio 2013), *rev'd*, 2015 WL 1035343 (Tex. Mar. 6, 2015). After the Texas Supreme Court issued its opinions in those appeals, this appeal was reinstated.

Specialty Select contends the trial court erred in denying its motion to compel because: (1) the arbitration agreement was not required to comply with section 74.451 of the Texas Civil Practice and Remedies Code; (2) a valid arbitration agreement exists which is not ambiguous or unconscionable; and (3) Specialty Select did not waive its right to compel arbitration.

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