

# 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 12, 2019

## Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, September 17, 2019, beginning at 9:00 a.m., before the following panel of justices: Justice Patricia O. Alvarez, Justice Irene Rios, and Justice Beth Watkins.

The following case will be presented:

*In re Guardianship of Charles James Thrash, an Incapacitated Person* - Appellants, Laura A. Martinez and Brittany A. Martinez, appeal the probate court's orders finding Charles Inness Thrash incapacitated and appointing permanent guardians over his person and estate. They raise seven issues challenging the legal and factual sufficiency of the orders and request an immediate stay of the underlying proceedings pending final resolution of this appeal. Appellee Tonya Barina responds that the evidence is sufficient to support the orders and argues Brittany lacks standing to appeal because she was not a party to the proceedings below.

The Fourth Court of Appeals will hear oral arguments in two appeals on Wednesday, September 18, 2019, beginning at 9:00 a.m., before the following panel of justices: Chief Justice Sandee Bryan Marion, Justice Rebeca C. Martinez, and Justice Luz Elena D. Chapa.

The following cases will be presented:

*Ziaunnisa K. Lodhi v. Shah A. Haque* – In this appeal from a divorce decree, appellant Ziaunnisa K. Lodhi argues the case was improperly tried in Bexar County because (1) neither she nor appellee Shah A. Haque were residents of Bexar County for ninety days preceding the filing of the original divorce petition and both parties reside in Harris County; (2) a Harris County court had dominant jurisdiction; and (3) a mandatory sixty-day waiting period, measured from the date the suit was filed, had not passed. Appellant also argues the trial court erred by awarding appellee attorney's fees as sanctions and as damages.

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*In the Interest of Z.O.M. and K.R.M., Children* - Appellants appeal the trial court’s order denying a motion to enforce possession and access in a suit affecting the parent-child relationship. Appellants ask this court to determine whether the Family Code precludes the trial court’s award of attorney’s fees to the respondent-appellee and, if not, whether the trial court abused its discretion in awarding fees and whether the evidence is legally and factually sufficient to support the fee award.

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