



LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

Edited by: Andrew Bennett, Law Librarian

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New Library Space

The Law Library is tentatively scheduled to open in its' new space in mid - July and is currently on schedule. However, the dates for opening are subject to change. The new space will be on the 2nd Floor of the Justice Center where the Grand Jury Room used to be. The location will be roughly 3,100 square feet with four conference rooms, additional study tables, shelf space, and computers. For more information, please contact the Law Library at 281-341-3718.

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New & Updated Resources

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|--|---|
| <i>Texas Practice Series</i> | <i>Annotated Manual for Complex Litigation</i> |
| <ul style="list-style-type: none"> • <i>Courtroom Handbook on Texas Evidence</i> • <i>Law of Wills</i> • <i>2018 Editions</i> | <ul style="list-style-type: none"> • <i>2018 Edition</i> |
| <i>O'Connor's Federal Series</i> | <i>Texas Practice Guide</i> |
| <ul style="list-style-type: none"> • <i>Intellectual Property Codes</i> • <i>2018 Edition</i> | <ul style="list-style-type: none"> • <i>Civil Appeals</i> • <i>2018 Edition</i> |
| <i>Texas Worker's Compensation Law & Practice</i> | <i>United States Supreme Court Reports</i> |
| <ul style="list-style-type: none"> • <i>2018 Edition</i> | <ul style="list-style-type: none"> • <i>Vol. 180</i> |

NOTICE:

**ALL BOOKS ONLY AVAILABLE AT GEORGE MEMORIAL LIBRARY UNTIL THE NEW SPACE OPENS IN JULY —
ASK STAFF FOR ASSISTANCE**

FBC Bar News

The **June luncheon and meeting** of the Fort Bend County Bar Association will be held at **12:00 pm** on Thursday, **June 28th** at the [Pecan Grove Plantation Country Club](#) located at 3000 Plantation Drive, Richmond, Texas. The program topic is **2017 Tax Reform Highlights**. The Speaker will be Darlene Ayoub. The program is approved for 1 hour CLE credit and .25 hours ethics credit. The luncheon cost is \$25 for members and \$30 for nonmembers. [Membership information](#) and the [RSVP Policy for Luncheons](#) are also on the website.

Please RSVP no later than 12:00 p.m. on Thursday, **June 26th** by using the form on the [Next CLE Luncheon](#) page.

Member Resources

[Click here for Member Resources](#)

Featured Resource: *Texas Legal Practice Forms, 2018 Ed.*

The Law Library has received the 2018 edition of *Texas Legal Practice Forms* from Thomson Reuters. This four volume set has many commonly used forms in Texas civil practice. This form guide is excellent for the general practitioner in private practice. It includes all related statutes and case law from which the forms were derived so that the user can easily refer to the primary law for guidance in using the forms. This four volume set includes forms on Civil Litigation, Personal Injury, Family Law, Wills, Trusts, and Estates, Real Property, Contracts, and more. Each volume breaks down by topic and subtopics for easy reference. The index also is easy to use and is broken down by keyword for easy retrieval. As with any Thomson Reuters legal guide, each form is referenced by chapter and section number. Once you find a form and it's number, the form can be pulled up on Westlaw and downloaded or emailed in Word or PDF format for use at the office or here at the library. Each form includes notes by the author and references to other titles including Texas Jurisprudence, Corpus Juris Secundum, or additional secondary sources for further explanation. For more information, contact the Library. Need help with Westlaw? Take an EXPRESS CLASS!



Technology Corner

By Jonathan Briggs

In this column, we examine technology in the Law Library that you can use in your practice.

This Month's Featured Technology: New Express Classes and Pro Se Basics after Expansion



Once the new library opens, we plan to resume our weekly Express Classes that provide basic instruction in the use of standard office software such as Word, Excel, and Adobe. These new classes will be in one of our new large conference room. In addition to Express classes on those three essentials, we plan to also offer similar classes on groups of our legal databases such as Lexis, Westlaw/O'Connor's, and Hein Online. Express classes will resume on Thursdays in August beginning at 10:00 a.m. In addition to the Express classes, we are planning to begin offering classes called "Pro Se Basics." These courses will be designed to provide some basic but tangible information on legal topics that the average Fort Bend resident may face at some point in their lives such as Family law issues and probate matters. While the library cannot give legal advice and no attorney/client relationship is implicated by these classes, however we will provide a general discussion of these topics, resources and forms available at the Law Library and Online, and procedural information concerning the Clerk and the Courts. We are aiming to begin offering these hour-long classes at 10:00 a.m. on Tuesday starting in November. For more information, please contact the Law Library at 281-341-3718.

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Community News

- **Fort Bend Lawyers Care** is holding a **Community Legal Assistance Clinic** on **July 11th** from **6:30 to 8:30 pm** at the Calvary Episcopal Church. They are also hosting a **Legal Line** every Friday from **10 am to 12 pm**. **Volunteer attorneys are needed!** If you would like to help low-income residents and veterans of Fort Bend County, contact Tasha by email at Tasha@fortbendlawyerscare.org.
- The **Katy Bar Association** is holding its **June meeting and CLE** on Tuesday, **June 26th** from **11:30 am to 1 pm** at Landry's Restaurant in Katy. The program topic is **"Advertising Do's and Don'ts"** given by Michael Dobbs of the State Bar of Texas. For more information, visit the Katy Bar website at www.katybar.org.
- The **Fort Bend County Law Library** and the **Justice Center** will be **CLOSED** on Wednesday, **July 4th** for Independence Day. We will reopen on Thursday, July 5th with our continued temporary hours (9-4 @ JC and 8—5 @ GML) and locations. Contact the Law Library for more information.
- The **Family Bar of Fort Bend** is hosting a **CLE** on Friday, **July 13th** at **1:30 pm** in the Jury Assembly Room of the Justice Center. The topic is **"Body Language Skills for Legal Professionals."** This is a 3 hour CLE that is **FREE** for members. For more information or to RSVP for the event, contact the Bar at FBFB@familybarfortbend.org.
- The **Fort Bend County Law Library** is hosting a **FREE Lexis Advance Training and CLE** on Tuesday, **August 7th** at **1 pm** at the new Law Library on the 2nd Floor. This date is subject to change. Seating is limited. To RSVP, contact the Law Library.

Texas Lawyers

Assistance Program

The State Bar of Texas offers confidential assistance to attorneys, judges, and law students who are facing substance abuse and mental health issues through its [Lawyers Assistance Program](#). Professional staff members are available 24/7 by phone to help with crisis counseling and referrals to local professionals and support groups. For assistance, call 1-800-343-8527.

To Include Items in the Newsletter

If you have any information on upcoming CLEs, conferences, etc. that you think would be useful to include in the newsletter, please send an email to abennett@fortbend.lib.tx.us with "Newsletter" as the subject.

Express Class

Do you need a brush up on the Microsoft Office Programs? We are here to help! **Sign up now for Microsoft Word, Excel or PowerPoint EXPRESS CLASSES!** Classes are **15-minutes each**, on **Thursday mornings from 10 am – 12 pm**. **We teach you the basics of each program.** You can choose from additional classes such as Hein Online, Westlaw, Lexis Advance, and O'Connor's Online. Registration is required. Call **281-341-3718** to register.

To Unsubscribe from the Newsletter

If you do not want to receive the Law Library newsletter, please send an email to abennett@fortbend.lib.tx.us with "Unsubscribe" as the subject and include the email address to be removed.

Texas Case Law Update

Local Cases

- [Reggie Van Duren, et al. v. Chife, et al, d/b/a Prudential Properties.](#), No. 01-17-00607-CV (May 17, 2018): Aff'd. TC judgment. (268th)
- [Morello and White Lion Holdings v. Seaway](#), No. 01-16-00765-CV (May 22, 2018): Aff'd. TC judgment. (CCL#3)
- [In Re Jesse Andrew Lopez](#), No. 01-18-00130-CR (May 24, 2018): Pet. Writ Mand. Dism'd. (268th)
- [Mari N. Saturday v. State of Texas](#), No. 01-16-00887-CR (May 31, 2018): Aff'd. TC judgment. (CCL#2)
- [River Bend Park, LP, et al. v. Camcorp Interests, et al.](#), No. 01-17-00179-CV (June 6, 2018): Appeal Dism'd. (240th)
- [Eduardo I. Garcia, et al. v. Laura J. Stoltenberg, et al.](#) No. 01-17-00325-CV (June 5, 2018): Appeal Dism'd. (268th)
- [Julio Garcia, et al. v. First Colony Mall, LLC](#), No. 01-17-00336-CV (June 5, 2018): Aff'd. TC judgment. (268th)
- [Oyedemi & Assoc., P.C. v. Leonard Bell, et al.](#) No. 01-17-00818-CV (June 7, 2018): Appeal Dism'd. (268th)
- [Joyce Creaven v. Caroline Creaven](#), No. 14-17-00128-CV (May 22, 2018): Rev. & Rem'd. (240th)
- [Vera Roach, et al. v. Heather Ingram, et al.](#), No. 14-16-00790-CV and 14-16-01016-CV (June 5, 2018): Aff'd. TC judgment. (268th)
- [Ex Parte N.B.J.](#), No. 14-17-00177-CV (June 5, 2018): Aff'd. TC judgment. (240th)
- [Ex Parte Mohammed Rahman](#), No. 14-17-00971-CR (June 7, 2018): Appeal Dism'd. (CCL#1)
- [Walter Haniccek v. State of Texas](#), No. 14-17-00191-CR (June 14, 2018): Aff'd. TC judgment. (268th)
- [Ernesto Villarreal, Jr. v. State of Texas](#), No. 14-18-00407-CR (June 14, 2018): Appeal Dism'd. (400th)

Criminal Law

- *Robert C. Moody v. State of Texas*, 543 S.W.3d 309 (Tex.App.-Eastland 2017, pet. ref'd): Defendant convicted of aggravated sexual assault of a child and 2 counts of indecency with child, though only aggravated sexual assault was submitted for punishment phase, sentenced to 20 years incarceration. On appeal defendant requested a new trial on several grounds, including challenging the admission of outcry witness testimony. Defendant contended that because victim is autistic and of low I.Q. the statement is unreliable. Finding that statement was consistent upon recitation, initial reaction was spontaneous, etc., TC did not abuse discretion by admission of the statement; and even if admission was erroneous it was not harmful and Court of Appeals found no reversible error. All points of error denied. Trial court judgment affirmed.

Civil Litigation

- *In Re GreCon, Inc., Relator*, 542 S.W. 3d 774 (Tex.App.-Houston[14th Dist.] 2018, no pet. h.): On mandamus GreCon sought to compel trial court to vacate order denying its motion to compel settlement agreements amongst other parties. Mandamus granted with Justices divided by reasons for granting....1) a portion of the Court determined that Rule 194 of the TRCP compelled the production of these documents unless it was timely shown that it should be withheld via a motion for protection; and, 2) the rest of the Court reasoned that the information is relevant to determine settlement credits and needed to be part of the trial court record such that trial court's actions in this regard can be subject to appellate review. Further, the information may go towards determining bias or prejudice. TC abused its discretion and no adequate remedy by appeal, directed to vacate its order denying the motion to compel. Mandamus relief conditionally granted and writ will issue if TC does not comply.
- *In Jack Merino., Relator*, 542 S.W.3d 745 (Tex.App.-Houston[14th Dist.] 2018, no pet. h.): On mandamus Relator sought writ compelling trial court to vacate order granting defendant's motion for new trial following entry of default judgment. Court of Appeals held order granting new trial to be void as defendant failed to timely file the motion and the trial court did not have plenary power at the time of the issuance of its order. TC directed to vacate its order or writ shall issue.

For more information on recent cases, visit the Law Library