



LAW LIBRARY NEWS

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Law Library Procedures

As of now, the Law Library is still **CLOSED** to the general public. However, attorneys, judges, and court staff may get access on a limited basis. Once entering the library, these groups will be able to use the library for **ONE HOUR** per day. We are only letting in **FIVE** people at a time. No meeting room/conference room use. There are no programs at this time. We are limiting the number of users on the computers and study tables. Please follow signs for more information. Contact the library with questions.

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New & Updated Resources

Texas Rules of Court: State, Federal, and Local

- 2020 Update

Texas Administrative Code

- 2020 Update

Vernon's Texas Statutes and Codes Annotated

- Elections Code
- Civil Practice and Remedies Code
- 2020 Update

Texas Practice Series

- Texas Criminal Forms
- Jury Charge in Civil Litigation
- 2020 Update

Family Lawyer's Essential Toolkit

- 2020 Edition

O'Connor's Federal Series

- Federal Criminal Rules & Codes
- Federal Employment Codes
- 2020 Edition

O'Connor's Texas Series

- Davis' Estate Planning Forms
- 2020 Edition

Texas Criminal Procedure and the Offender with Mental Illness

- 2020 Edition

Federal Criminal Appeals

- 2020 Edition

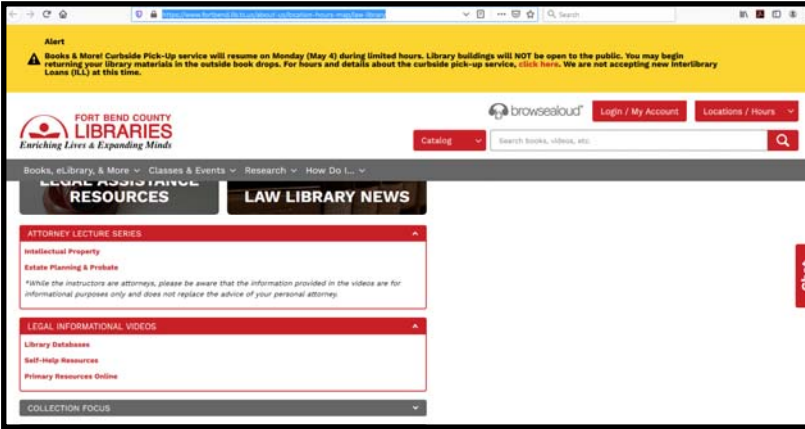
Texas Practice Guide

- Discovery
- 2020 Edition



Featured Resource: Library Videos

By Andrew Bennett



While we are still closed, we have added our Attorney Lecture Series' videos and our Legal Informational Videos to our website and to YouTube. To access them, go to our website at <https://www.fortbend.lib.tx.us/about-us/location-hours-map/law-library>. Scroll down to the drop downs toward the bottom of the page. Then, hit the drop down for either "Attorney Lecture Series" or "Legal Informational Videos." Select the video of your choice, and you will be directed to our YouTube page where you can watch them in their entirety. The videos we currently have on the website are: Attorney Lecture Series—Intellectual Property (given by Attorney Ira

Dominitz), Attorney Lecture Series—Estate Planning and Probate (given by Attorney Kerri Graham), and our Legal Informational Series videos (given by Law Librarian Andrew Bennett and Assistant Law Librarian Jonathan Briggs) on topics such as the Self-Help Resources Online, Primary Resources Online, our Library databases, and finally how to contact us and what resources we have now. For more information, contact the library.

Technology Corner

By Jonathan Briggs

Despite the closures, limitation of services, and social distancing in response to COVID-19, Law Library staff has remained committed to being responsive to our patrons. As of Monday, May 4, 2020 the Law Library has re-opened with normal business hours though with some restrictions. At this time, only attorneys and county staff are allowed inside the Law Library. Admitted visitors will be limited to one hour only so as to allow as many as possible to use our resources such as computers and tables (subject to availability of course), with a maximum of five total visitors at any given time. Only five of our ten computers are available for use to keep patrons spread out. One of these computers has the **Westlaw** legal database, another has the **Lexis Advance** database, and one computer has both. In light of current events **Westlaw** is offering up to 20 hours of free access through June 30, 2020, to facilitate working from home or office. Similarly **Lexis** is offering a free 30 day access. Please contact the Law Library for sign-up information. For any patron be they an attorney, county employee, or member of the general public, we are glad to do as much as possible remotely to help you, such as e-mailing forms, information, or other materials. As always, the **TexasLawHelp** website (www.texaslawhelp.org) is an indispensable resource for some standard forms and information, especially in the area of family law, and is accessible for free from any home or office computer. Circumstances can change from week-to-week and day-to-day concerning our services. We expect to fully re-open to all patrons in the near future, though of course with continuing health and safety protocols. We will keep you updated. Please feel free to contact us via phone or e-mail with questions or requests: 281-341-3718 and LLpublic@fortbend.lib.tx.us. Our Facebook page is: www.facebook.com/FortBendCountyLawLibrary/. Our website is: www.fortbend.lib.tx.us/about-us/location-hours-map/law-library.





Community News

- The **Fort Bend County Law Library** has **postponed all classes** including **Pro Se Basics** and **Express Classes** until **June**. They will resume as virtual classes at that time. Check out our resource guides, databases, and newsletters at <https://www.fortbend.lib.tx.us/about-us/location-hours-map/law-library>.
- The **Fort Bend County Law Library** will have two **Lexis Advance CLE's** in June. Both classes will be virtual. The dates will be **June 10th** and **June 24th**. Visit our website in early June for registration and info.
- The **Fort Bend County Law Library** will be hosting an **Attorney Lecture Series** on **June 19th** at 2 pm. It will be virtual. More information on this to come. This is a reschedule of our class from March. It will focus on Nondisclosure and Expunction. Class will be given by Attorney Annie Scott.
- The **Texas State Law Library** has a lot of **digital resources** at your disposal. Please **create a digital library account** for access. For more information, visit their website at <https://www.sll.texas.gov/about-us/get-a-library-account/>.
- **Re:search TX** allows you to research case law from all 254 Texas Counties. Some documents do require payment to access. Account set up is free. Go to <https://research.txcourts.gov/CourtRecordsSearch/Home> . Or you can check out Google Scholar for case law research at <http://scholar.google.com>.
- **E-File Texas** allows you to file your documents electronically to Fort Bend County courts or any other courts in the state of Texas. Go to <http://www.efiletexas.gov/>

Texas Lawyers

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,

To Include Items

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.

To Unsubscribe from

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

- [Renesha Hamburg, et al., v. Crystal D. Plummer, et al.](#), No. 01-20-00032-CV (April 14, 2020): Appeal Dismissed. (328th)
- [Joseph A. Beach v. Christine N. Beach](#), No. 01-19-00123-CV (April 16, 2020): Aff'd. TC Judgment. (328th)
- [Shelby Wright v. Mark Berger](#), No. 01-18-00964-CV (April 21, 2020): Aff'd. TC Judgment. (387th)
- [Jack Permison v. Carrie Morris, et al.](#), No. 01-19-00609-CV (April 23, 2020): Appeal Dismissed. (400th)
- [City of Sugar Land v. Agapito Gaytan](#), No. 01-18-01083-CV (April 28, 2020): Reversed and Rendered. (458th)
- [Stuart N. Wilson, et al., v. Silvia Trevino](#), No. 01-19-00946-CV (April 28, 2020): Appeal Dismissed. (268th)
- [In Re Team Industrial Services, Inc.](#), No. 01-20-00142-CV (April 28, 2020): Pet. Writ Mand. Denied. (268th)
- [In Re Ghazan Khar](#), No. 01-20-00237-CV (April 28, 2020): Pet. Writ Mand. Denied. (240th)
- [In Re Falilu Ojugbele, et al.](#), No. 01-20-00259-CV (April 28, 2020): Pet. Writ Mand. Denied. (240th)
- [In Re Sarafadeen Rufai](#), No. 01-20--00264-CV (April 28, 2020): Pet. Writ Mand. Denied. (240th)
- [Gary Paul Kirkman v. The State of Texas](#), No. 01-18-00978-CR (April 28, 2020): Aff'd. TC Judgment. (400th)
- [Katherine Flores v. Alastair D. Reyes](#), No. 01-19-00067-CV (May 5, 2020): Aff'd. TC Judgment. (387th)
- [Janine S. Morrison, et al., v. TNG Benefits, LLC, et al.](#), No. 14-20-00062-CV (April 14, 2020): Appeal Dismissed. (434th)
- [In Re Franklin Hurtado Gomez](#), No. 14-20-00204/00205-CR (April 14, 2020): Pet. Writ Mand. Denied. (240th)
- [Taimoor Gilani v. River Park Crossing, LLC](#), No. 14-20-00174-CV (April 16, 2020): Appeal Dismissed. (434th)
- [In Re Lucinda Guajardo, et al.](#), No. 14-20-00234-CV (April 16, 2020): Pet. Writ Mand. Denied. (240th)
- [Ernesto Villarreal, Jr., v. The State of Texas](#), No. 14-18-00406-CR (April 16, 2020): Aff'd. TC Judgment. (400th)
- [Byron Demonta Coleman v. The State of Texas](#), No. 14-18-00816-CR (April 21, 2020): Aff'd. TC Judgment. (268th)
- [In Re the Marriage of Eva Aguilar & Christopher Aguilar](#), No. 14-19-00687-CV (April 23, 2020): App. Dism'd. (328th)
- [In Re Stephen McCarty](#), No. 14-20-00267-CV (April 23, 2020): Appeal Dismissed. (505th)
- [Devon Harrison, et al., v. Mertz Fire & Marine Ins. Co., Ltd.](#), No. 14-18-0036 (April 30, 2020): Aff'd. TC Judgment. (400th)
- [Aja Crawford v. The State of Texas](#), No. 14-18-00983-CR (May 1, 2020): Aff'd. TC Judgment. (CCL#3)
- [James Dixon, et al. v. Jia Lu](#), No. 14-20-0008-CV (May 7, 2020): Appeal Dismissed. (CCL#6)

Criminal Law

Suzanne E. Wexler v. The State of Texas, 593 S.W.3d 772 (Tex.App.-Houston[14th Dist.] 2019, pet. filed): A home was the subject of surveillance regarding drug sales. Based on traffic stops of vehicles that had gone to the home yielding meth, officers assisted by the Harris Co. Sheriff's High Risk Operations Unit (HROU) raided the home pursuant to a search warrant. Defendant/Appellant was instructed via loudspeaker to come out with her hands up. She complied, was placed in the backseat of a police vehicle, and was considered a suspect. While the HROU was doing a protective sweep the primary officer spoke with Ms. Wexler while she was in the patrol car, stating: "Hey, we have a search warrant. We're going to find the drugs. Just tell me where they are." She told him. Drugs, baggies, cash, and a gun were found. She was arrested. At trial she objected to the admission of her response to the officer's inquiry arguing that the statement should be excluded because prior to making it she was not read the *Miranda* warnings as required by Section 38.22 of the Code of Crim. Proc., which was overruled. She was found guilty and sentenced to 25 years. The 14th Court stated that compliance with *Miranda* is only invoked when the statement is made during a custodial interrogation. In analyzing the facts under an objective-man standard, they found she was not in custody at the time of the questioning and affirmed the trial court. The dissenting justice reached the opposite conclusion and would have reversed and remanded with the statement excluded (that statement was the only evidence that tied her to the drugs. A petition for discretionary review was filed on March 19, 2020. It will be interesting to see what, if anything, the Court of Criminal Appeals does with this case.