



# LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

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## Law Library Holiday Event

The Fort Bend County Law Library will be holding an open house **Holiday Event** on **Thursday, November 10th** from **10 am to 12 pm** at the **Law Library**. Staff will be giving database training classes on all of the library's databases and digital resources as well as giving tours of the library. Coffee, water, and breakfast items will be provided. Come join us to meet the staff and other patrons, and learn more about your local law library.

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## New & Updated Resources

### ***O'Connor's Texas Series***    ***United States Code***

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|---|---|
| <ul style="list-style-type: none"> <li>• <i>Estates Code Plus</i></li> <li>• <i>Crimes &amp; Consequences</i></li> <li>• <i>Business Organizations Code Plus</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Constitution—Amendments 1 &amp; 4</i></li> <li>• <i>2016 Edition</i></li> </ul> |
|---|---|

### ***Texas Litigation Guide***    ***Texas Practice Guide***

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| <ul style="list-style-type: none"> <li>• <i>Release 122</i></li> <li>• <i>September 2016 Update</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Evidence</i></li> <li>• <i>2016 Edition</i></li> </ul> |
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### ***Kinkeade & McCulloch Texas Penal Code***    ***Employment in Texas***

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|---|---|
| <ul style="list-style-type: none"> <li>• <i>2016 Edition</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Release 20</i></li> <li>• <i>September 2016 Update</i></li> </ul> |
|---|---|

### ***Erisman's Reversible Errors in Texas Criminal Courts***    ***Texas Transaction Guide***

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| <ul style="list-style-type: none"> <li>• <i>2016 Edition</i></li> <li>• <i>CD</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Release 119</i></li> <li>• <i>September 2016 Update</i></li> </ul> |
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### ***West's Texas Cases***    ***Criminal Defense Techniques***

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| <ul style="list-style-type: none"> <li>• <i>487 (737) - 490 (175)</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Release 118</i></li> <li>• <i>September 2016 Update</i></li> </ul> |
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## FBC Bar News

The **October luncheon and meeting** of the Fort Bend County Bar Association will be held at **12 pm** on Thursday, **October 27th** at the [Pecan Grove Plantation Country Club](#) located at 3000 Plantation Drive, Richmond, Texas. The program topic is Advertising Rules and Social Media. The speaker is Gene Major. The program is approved for 1 hour CLE credit and 1 hour 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.

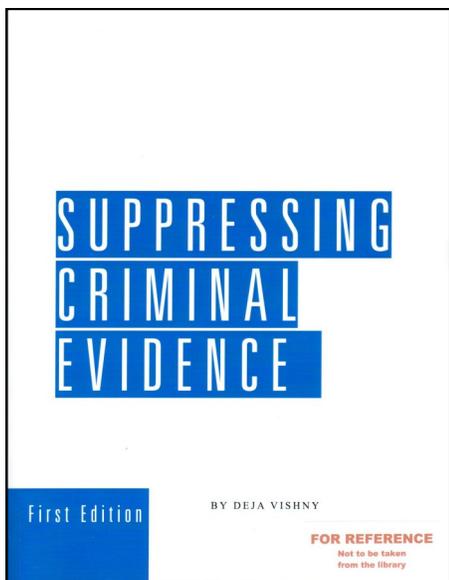
Please **RSVP** no later than 12:00 p.m. on Thursday, **October 20th** by using the form on the [Next CLE Luncheon](#) page.

### **Member Resources**

[Click here for Member Resources](#)

## Featured Resource: *Suppressing Criminal Evidence*

The Law Library has acquired a new title from James Publishing titled “Suppressing Criminal Evidence.” This book offers step-by-step instructions on dealing with a variety of topics including client interviews, issues during hearings, and drafting forms. The book also offers analysis and tips throughout the book and case law examples that might be able to help you in your case. The book includes forms and examples of cross-examinations. Topics in this book include cases involving Fourth Amendment rights, probable cause, search and seizures, stop and frisks, motor vehicle searches, and *Miranda* Rights violations. The book is written by Deja Vishny, a criminal defense attorney from the Wisconsin Public Defenders Office who has over 35 years of experience in the field. She is currently the head of the Public Defender’s Homicide Practice Group and the Deputy Training Director. Copies of this book can be made using the Libraries’ photo copiers or scanners. Printed copies are \$0.10 a page. The library will also have the PDF copies of the forms on the Libraries’ computers soon. For more information, contact the Law Library.



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## Technology Corner

By Andrew Bennett

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

**This Month’s Featured Technology:** *University of North Carolina Press Titles on Hein Online*

HeinOnline has added a new set of Legal ebooks to its Core Collection. These titles from the University of North Carolina Press are available now at the Law Library. Simply double click on the HeinOnline link on the desktop. Once opened, you can get to the books by selecting the “All Collections” link at the top and then “UNC Press Law Publications” or by selecting the direct link on the main page. Copies can be downloaded, printed or emailed. Printed copies are \$0.10 cents a page. For more information, take an Express Class!



## Community News

- **Fort Bend Lawyers Care** is holding a **Legal Line** every Friday from **10 am to 12 pm**. They are also hosting a **Veterans Legal Aid Clinic** on **October 15th**. **Volunteer attorneys are needed!** If you would like to help low-income residents and veterans of Fort Bend County, information about volunteering is available by email at [Tasha@fortbendlawyerscare.org](mailto:Tasha@fortbendlawyerscare.org).
- The **Harris County Law Library, the Harris County Attorney's Office, and Gulf Coast Reads** are hosting a **Immigration Law and Internment Camps in Texas Lecture Series** on **October 18th** at the Harris County Attorney Conference Center in Houston. Lunch is served at 11:30 am and the program starts at noon. For a list of speakers and more information, visit the Harris County Law Libraries [website](http://www.harriscountylawlibrary.org) at [www.harriscountylawlibrary.org](http://www.harriscountylawlibrary.org).
- The **Fort Bend County Criminal Defense Attorney's Association** will host a one-hour CLE at **noon** on Thursday, **October 20th** at County Court at Law # 4 in the Justice Center. It is approved for 1 hour CLE credit. For more information, visit the [FBCCDAA Events webpage](#).
- The **Fort Bend County Bar Association** is having its **Annual Golf Tournament** on Thursday, **October 20th** at Sweetwater Country Club in Sugar Land. Check in is at 11 am and starting at 1 pm. Registration is required for both [players](#) and [sponsors](#) at [www.fortbendbar.org](http://www.fortbendbar.org).
- The **Fort Bend County Law Library** is hosting its annual **Open House** on Thursday, **February 2nd, 2017** from **10 am to noon**. This year, in conjunction with the Open House, the Library is also hosting a **FREE Westlaw Training and CLE in County Court at Law #1** at **11 am**. This training will focus on Family Law and using Westlaw for research. Specific questions on any topic can also be asked at the training. **Registration is required as space is limited**. Registration will open in January. For more information, contact the Law Library at 281-341-3718.

## 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](mailto:abennett@fortbend.lib.tx.us) with "Newsletter" as the subject.

### 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](mailto:abennett@fortbend.lib.tx.us) with "Unsubscribe" as the subject and include the email address to be removed.

## Texas Case Law Update

### Local Cases

- [Charles v. Methodist Health Centers](#), No. 16-0594, (September 23, 2016): review denied. (240th Dist.)
- [Lemons v. TrustClaire](#), No. 01-15-00899-CV, (September 27, 2016): dismiss appeal. (240th Dist.)
- [Miller v. Debo Homes, LLC](#), No. 14-15-00004-CV, (September 27, 2016): aff'd in part, rev'd in part, and remanded in part. (400th Dist.)
- [Arms, Philip William](#), No. PD-0628-16, (September 28, 2016): review refused. (400th Dist.)
- [Rogge v. City of Richmond](#), No. 01-14-00866-CV, (September 29, 2016): aff'd TC judgment. Dissenting Opinion issued. (268th Dist.)
- [Jackson v. U.S. Bank Trust](#), No. 01-16-00559-CV, (September 29, 2016): appeal dismissed. (400th Dist.)
- [Mission Grove LP v. Hall](#), No. 14-15-00120-CV, (October 4, 2016): aff'd in part, rev'd in part, and remanded in part. (268th Dist.)

### Family Law

- *Gerke v. Kantara*, 492 S.W.3d 791 (Tex. App.—Houston [1st Dist.] 2016): it was held that the appeal of the order modifying the parent child relationship by the mother was justified due to lack of jurisdiction.
- *Roper v. Jolliffe*, 493 S.W.3d 624 (Tex. App. – Dallas 2016): it was affirmed that the protective order statute did not give the boyfriend the right to a jury trial.

### Criminal Law

- *Marcopoulos v. State*, 492 S.W.3d 773 (Tex. App.—Houston [1st Dist.] 2016): it was determined that the officers did have probable cause to warrantless search the vehicle due to believed contraband pursuant to the automobile exception to warrant requirement.
- *Duran v. State*, 492 S.W.3d 741 (Tex. Crim. App. 2016): trial court could not enhance burglary charge due to the state dismissing conviction for aggravated assault since there was not enough evidence to support defendant using or exhibiting a “deadly weapon.”

### Estate Planning and Probate

- *Estate of Aguilar*, - 492 S.W.3d 807 (Tex. App.—San Antonio 2016): it was held that the probate court was within its discretion to deliver sanctions for the son's misconduct in the district court.

### Litigation

- *Tatum v. Hersh*, 493 S.W.3d 675 (Tex. App.—Dallas 2015): there was not enough evidence to show that the blogger had a valid dismissal for an anti-SLAPP motion.

For more information on recent cases, visit the Law Library.