



LAW LIBRARY NEWS

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Edited by: Andrew Bennett, Law Librarian

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Attorney Lecture Series

On **March 25th at 10 am**, we will have our third **Attorney Lecture Series**. This class we will be focusing on **Nondisclosure and Expunction**. Attorney Annie Scott will discuss the qualifications for both, what forms to file and where to file them, and any pitfalls you may encounter while pursuing this. Registration for this course is required. If you will be unable to attend this course, we will offer it again in May and will record this presentation for viewing in the viewing room upon reservation.

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New & Updated Resources

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| <p>Texas DWI Manual</p> <ul style="list-style-type: none"> • 2019 Edition | <p>O'Connor's Federal Series</p> <ul style="list-style-type: none"> • Rules * Civil Trial • 2020 Edition |
| <p>Texas Civil Practice</p> <ul style="list-style-type: none"> • 2019 Update | <p>Guidebook to Texas Taxes</p> <ul style="list-style-type: none"> • 2020 Edition |
| <p>Texas Criminal Jury Charges</p> <ul style="list-style-type: none"> • 2019 Edition | <p>Princeton Review—LSAT Premium Prep</p> <ul style="list-style-type: none"> • 2019 Edition |
| <p>O'Connor's Texas Series</p> <ul style="list-style-type: none"> • Causes of Action • Family Law Handbook • 2020 Editions | <p>Federal Jury Practice & Instructions</p> <ul style="list-style-type: none"> • Civil Handbook • 2019-20 Edition |
| <p>Texas Practice Series</p> <ul style="list-style-type: none"> • Summary Judgment & Related Termination Motions • Law of Wills • Elements of an Action • Discovery Practice • 2019-20 Editions | <p>Texas Practice Guide</p> <ul style="list-style-type: none"> • Creditor's Rights • Probate • Business Entities • Financial Transactions • 2019-20 Editions |

FBC Bar News

Fort Bend County Bar Association

The **January luncheon and meeting** of the **Fort Bend County Bar Association** will be at **noon** on **January 30th** at the Sugar Creek Country Club located at 420 Sugar Creek Blvd., Sugar Land, Texas. The program topic is **"Information regarding new studies on the effects of THC and CBD."** The speaker will be Bruce Jeffries. 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. Please **RSVP** by Tuesday, **January 28th**.

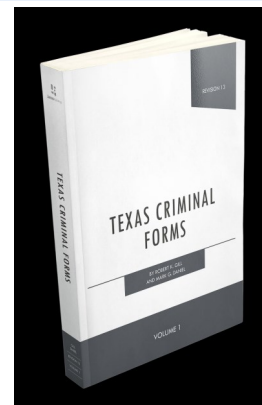
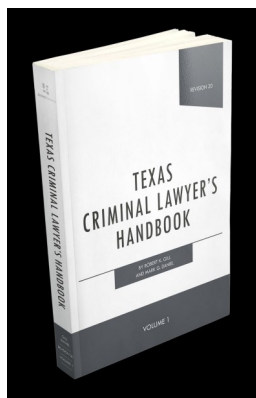
Family Bar of Fort Bend County

The **February luncheon and meeting** of the Family Bar of Fort Bend County will be on **Thursday, February 6th at noon** at Buena Vista Restaurant on 100 Liberty St, Richmond Texas. These CLE's are **FREE** to members and are approved for .75 hours CLE credit. **RSVP is not required.** Please pay for your own lunch.

Featured Resource: *Texas Criminal Lawyers Handbook & Texas Criminal Forms*

By Andrew Bennett

The best and most easy to use resources the Library has for nondisclosure and expunction issues are the two companion guides from James Publishing entitled *Texas Criminal Lawyers Handbook* and *Texas Criminal Forms*. Chapter 22 of the *Texas Criminal Lawyers Handbook* details the rights to nondisclosure and expunction, the statutes and case law that govern each issue, when to file for each order, the effects and requirements of each order and what violations if not followed. As with each section, there will be trial notes and strategies given by the authors. In *Texas Criminal Forms*, also in chapter 22, provides the forms one would need to file for either order of nondisclosure or expunction. This section include tips and instructions for filling out each form to make sure you are on the right track and are not missing pertinent information. Both books are written by Judge Bob Gill and Mark Daniel. The authors are both well versed in criminal law and are board certified. Judge Gill served as Judge of the 213th District Court in Tarrant County for more than 14 years and as a assistant criminal district attorney before that. Mr. Daniel spent many years as an assistant district attorney and as an attorney in private practice practicing in criminal law for 37 years. Both have lectured extensively on these topics.

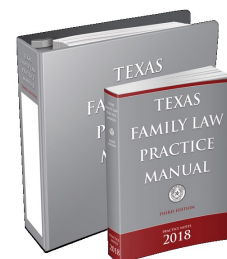


Digital copies of the book are available for printing or can be downloaded.

Technology Corner: Digital Copies of State Bar Practice Manuals

By Jonathan Briggs

The Fort Bend County Law Library has State Bar of Texas Practice Manuals on a variety of topics relevant to our patrons, both attorneys and pro se: Family Law; Guardianship; Collections; Foreclosure; Real Estate Forms; and the Texas Probate System. These manuals contain practice guide text and/or an extensive collection of forms. For example, the Texas Family Law Practice Manual is a well-regarded authoritative publication both for its manual that provides in-depth information on most family law issues that is indispensable to the practitioner or litigant and for its thousands of pages of forms. Guardianship is another issue that impacts more and more people and this manual can assist attorneys and family members in navigating this legal process. These manuals are available on all 10 of our public computers via an icon on the desktop that then leads to individual folders for each of the publications. These manuals are in PDF format and are thus available for printing at 10 cents per page or pages and sections can be downloaded for free to a thumb drive. All of these materials are also available in print in the Law Library if you prefer that format and can be copied for 10 cents per page. For more information please contact the Law Library and we will be glad to assist you in accessing, downloading, and printing or copying these excellent materials.



Community News

- The **Fort Bend County Law Library** has its **Pro Se Basics Classes** on **Tuesday's at 10 am**. These classes focus on Procedural Information and Legal Resources for Pro Se's in Court. Contact the Library for dates and classes. Registration is required. Contact the Law Library at 281-341-3718 or online.
- The **Fort Bend County Law Library** has its **Express Classes** on **Thursday's at 10 am**. These classes focus on Technology Software you can use in your practice. Contact the Library for dates and classes. Registration is required. Contact the Law Library at 281-341-3718 or online.
- The **Fort Bend County Law Library** will have a **Lexis Digital Library Training** on Wednesday, **February 5th at 1 pm** to show the new database platform and all of its new features. Registration is required.
- The **Fort Bend County Law Library** will have a **Lexis Advance Training and CLE** on **March 13th** at 10 am here in the Law Library in Conference Room C. This course is entitled **Diving Deeper into Legal Research Potential: Advanced Online Legal Research Concepts** and will focus on more in-depth case law, statute and form searching. Attorneys in attendance will receive **1 hour CLE** credit. Registration is required.
- The **Harris County Law Library** offers the **Legal Tech Institute** where you can learn new technology skills for your practice. Many of these courses offer 1 hour of **FREE CLE Credit**. Please visit their website at <http://www.harriscountylawlibrary.org/legal-tech-institute-events>. There you can find dates and times of classes. Registration is required.
- The **Wharton County Junior College Paralegal Program** will be offering some new classes. The new classes that the Studies Program will offer begin **Fall 2019**. They are offering a **Immigration Law Course** during spring 2020. Both courses will initially be offered in a face to face format at the Richmond Campus. For more information on the program, visit their website at <https://www.wcjc.edu/Programs/technology-and-business/paralegal-studies/>.



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.

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

- [Rick Kline, D.D.S. et al. v. Anthony Leonard](#), No. 01-19-00323-CV (December 19, 2019): Aff'd. TC Judgment. (434th)
- [Karen Sanders, et al. v. Kanti Bansal d/b/a Signature Care Emergency Center, et al.](#), No. 01-18-00508- C V (December 31, 2019): Reversed TC Judgment and Remanded. (240th)
- [Rosemary Ejiofor a/n/f Destiny Ejiofor v. Kanti Bansal d/b/a Signature Care Emergency Center, et al.](#), No. 01-18-00510-CV (December 31,, 2019): Reverse TC Judgment and Remanded. (240th)
- [Erin Broussard v. Roy Arnel](#), No. 01-18-00687-CV (December 31, 2019): Aff'd. TC Judgment. (328th)
- [White Lion Holdings, LLC, et al. v. Insgroup, Inc., et al.](#), No. 01-18-00851-CV (December 31, 2019): Aff'd. TC Judgment in part, Rev'd in part, and Remanded. (268th)
- [Azhar Chaudhary Law Firm, PC, et al. v. BOKE, N.A.](#), No. 01-19-00771-CV (December 31, 2019): Appeal Dismissed. (240th)
- [The State of Texas v. Amiralli Dodhiya](#), No. 01-18-00967-CR (December 31, 2019): Rev'd. TC Judgment and Remanded. (CCL#5)
- [The State of Texas v. Amiralli Dodhiya](#), No. 01-18-01095-CR (December 31, 2019): Rev'd. TC Judgment and Remanded. (CCL#5)
- [Kathryn Pasch, et al. v. TLMA, LLC, et al.](#), No. 01-19-00295-CV (January 5, 2020): Appeal Dismissed. (434th)
- [In Re C.Z.](#), No. 14-19-00988-CV (December 31, 2019): Pet. Writ. Mand. Denied. (505th)
- [Daniel M. Politte v. The State of Texas](#), No. 14-16-00933-CR (December 31, 2019): Aff'd. TC Judgment. (400th)
- [Anthony A. Ikhimokpa v. Angela Ikhimokpa](#), No. 14-19-00919-CV (January 7, 2020): Appeal Dismissed. (505th)
- [In Re Damon K. Dove](#), No. 14-19-01008-CR (January 9, 2020): Pet. Writ. Mand. Denied. (268th)
- [A Plus Transmission, et al. v. Calvin Boniaby](#), No. 14-19-00709-CV (January 14, 2020): Appeal Dismissed. (CCL#3)
- [April M. Pena v. AMH 2014-1 Borrower, LLC](#), No. 14-19-00787-CV (January 14, 2020): Appeal Dismissed. (CCL#1)
- [In the Interest of R.R. Jr., a Child](#), No. 14-19-00603-CV (January 16, 2020): Aff'd. TC Judgment. (387th)

Criminal Law/Child Pornography and Sex Offense Against Child/Evidence

Darrins D. Thomas v. The State of Texas, 586 S.W.3d 413 (Tex.App.-Houston [14th Dist.] 2017, pet. ref'd.): Defendant pled guilty to possession of child pornography and sexual performance by a child following the denial of his motion to suppress evidence. He then appealed. Defendant lived with his girlfriend and her three children. Girlfriend looked through defendant's cell phone without his knowledge and found pictures (some explicit) of her daughter taken surreptitiously while asleep. She contacted the police and Defendant was arrested. Defendant's unsuccessful motion to suppress argued that his girlfriend had accessed the photos on his cell phone in violation of the law under Penal Code §33.02 and thus since illegally obtained they could not support the probable cause underlying the search warrant. On appeal under the standard implying necessary factual findings to support the trial court's ruling, the 14th Court of Appeals found that his girlfriend did not know she lacked consent to look at his phone, thus the knowing component of §33.02 was vitiated. Without this violation of the law in the discovery of the evidence, the exclusionary rule found in §38.23(a) of the Code of Criminal Procedure was not invoked and thus the trial court correctly denied the motion to suppress. Affirmed.

Family Law/Termination of Parental Rights/Appellate Review

In the Interest of C. W., a Child, 586 S.W.3d 405 (Tex. 2019): Mother's parental rights were terminated and the trial court was affirmed by the San Antonio Court of Appeals. Child was 14 years old at time. Grounds for finding that termination was in the best interest of the child included sexual abuse, forcing the child into prostitution, the child's wishes not to live with her mother, and that being in her mother's care posed a threat to the child. Pursuant to the Supreme Court's prior ruling in the *In Re N.G.* case, under the circumstances in this case where parental rights were terminated and the parent challenges this on appeal, due process requires the appellate court to review that finding and detail its analysis, which the Court of Appeals failed to do. Petition for discretionary review granted, with the Court of Appeals' judgment being affirmed in part, reversed in part, and remanded. Per curiam.