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July Luncheon Meeting

Wednesday, July 11, 2007, 12:00 p.m.
Congressman Solomon Ortiz International Center
402 Harbor Drive

Speaker: Gerry Goldstein

Topic: "Stuff You Never Thought You Would Need to Know about Criminal Law."

CLE Credit: 1.0 hour Participatory, Criminal Law; Specialization Credit for Criminal Law

Cost: \$18.00 per person for members, \$23.00 per person for non-members if reserved by noon, Tuesday, April 10, 2007. Call the Bar Office at 883-4022 to RSVP or e-mail us at sgonzales@corpusbar.com. All reservations must be paid for. The cost at the door will be \$20.00 for members, \$25.00 for non-members.

NOTE

ADDED ADVANTAGE OF ADVANCE RESERVATIONS — THOSE WHO RSVP IN ADVANCE WILL HAVE THEIR CLE ATTENDANCE CARDS PRE-POPULATED SO ALL THEY HAVE TO DO IS TO SIGN THE CARD (AND, OF COURSE, STAY FOR THE PRESENTATION) IN ORDER TO OBTAIN THEIR CLE CREDIT — Just another service of your Corpus Christi Bar Association



Newsletter

July 2007

Omission in CCBA New Board Announcement

In announcing the CCBA Board for 2007 — 2008, we omitted the name of our new Vice President — L. Gayle Nelson. We apologize for our error.

CCYLA Elects New Board of Directors

The Corpus Christi Young Lawyers Association has elected its Board of Directors for 2007 — 2008. It is comprised as follows:

- President -- Dabney Pettus
- Immediate Past President -- Omar Leal
- President-Elect -- Steve McMains
- Vice President -- Polly McCann
- Treasurer -- Frank Gonzales

Directors

- Newman F. Baker, III
- Lisa Huerta
- Donald L. Jones
- Michael McCauley
- Melody C. Rodney

Ex-Officio

- Texas Young Lawyers Association Representative -- Brian Miller
- Texas Young Lawyers Association Minority Representative -- Jaime Rangel

Baseball with the Bench

The Corpus Christi Young Lawyers Association conducted its third successful "Baseball with the Bench" CLE and social on June 8th. Sixty-three attorneys participated. The afternoon began at the Federal Courthouse where Judges Janis Graham Jack, Richard S. Schmidt,



The Honorable Richard S. Schmidt's (Third from left) response to question amuses (from left) the Honorable Brian Owsley, the Honorable Bobby Galvan, and Frank McNiff during the CLE session



The Honorable Bobby Galvan, Julie Hampton, and Steve McMains enjoy the food and refreshments at the Cotton Club



Don Jones conducts the door prize drawing at the Cotton Club

Brian Owsley, Bobby Galvan, Marisela Saldana, Joel B. Johnson, Jose Longoria,



Don Jones and Robert Holcomb participate in the "Dizzy Bat Contest." Mr. Holcomb won going away.

Lisa Gonzales, John B. Martinez, James E. Klager, and Carl E. Lewis provided tips on trial tactics. Frank McNiff moderated the session. After 2 hours of CLE, all adjourned to The Cotton Club at Whataburger Field where they enjoyed food and drink and rooted the Hooks to victory over the Frisco Roughriders. A great time was had by all, and the decision to go for a fourth next year is a "no-brainer." **Julie Hampton, Don Jones, Steve McMains, and Jaime Rangel are congratulated for putting together such a successful venture.**

Docket Call July 12th

The Docket Call originally scheduled for June 28th has been rescheduled to Thursday, July 12. As usual, it will be at Cassidy's Irish Pub, 601 Water Street. The Call begins at 5:30 p.m. and ends at 7:30 p.m. There will be an open bar and snacks. Don't miss the chance to socialize with the judiciary and friends. All who have attended the past two Docket Calls have thoroughly enjoyed themselves.

CCBA Dues Are Due July 1st

Have you paid your 2007 — 2008 dues yet? The new year starts July 1st. Please check your records. If you have not yet paid them, you are asked to do so as soon as possible. Your payment of your dues without our having to mail another reminder will save CCBA's meager resources. If you have any questions, please call Dick King at 883-4022 or e-mail him at dking@corpusbar.com.

2007 DIRECTORIES Here!

Spiral bound so you can keep them open to the page you want without having to balance 4 books to keep the page open.

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DON'T BE THE LAST ON YOUR BLOCK TO GET ONE!!

CBWLA Elects New Board

The Coastal Bend Women Lawyers Association has elected its Board of Directors for the year 2007 — 2008. Its members are

- Patricia Shackelford — President
- Sandy Sterba-Boatwright — Vice President
- Deborah Sundermann — Treasurer
- Kathleen Day — Immediate Past President

Directors

- Allison Bradley
- Lucinda Garcia
- Gail Gleimer
- Lisa Godwin
- Liana Gonzales
- Rose Harrison
- The Honorable Deanie M. King
- L. Gayle Nelson
- The Honorable Marisela Saldana
- Roxana I. Stevens

Important Dates

Bold indicates seminar or new entry on the calendar

July

- Beginning of new fiscal year, appointment of special committees, committee chairs, seminar course directors
- 4 — Holiday, Office closed
 - 10 — Last day for Luncheon reservations
 - 11 — Luncheon, 12:00 p.m., Ortiz Center, Gerry Goldstein
 - 12 — Docket Call, Cassidy's Irish Pub 5:30 p.m. to 7:30 p.m.
 - 19 — CCYLA Over the Hill Party, 6:00 p.m. to 8:00 p.m., B & J's
 - 24 — Board of Directors Meeting
 - 27 — 28 — Bar Leaders Meeting Westin Galleria, Houston

August

- 8 — Luncheon, 12:00 p.m., Ortiz Center
- 15 — Criminal Defense Luncheon

- 12:00 p.m., Katz 21
- 18 — Board of Directors Retreat, 9:00 a.m., Tower II, Community Room B
- 24 — Board of Directors Meeting

September

- 3 — Holiday, Office Closed
- 12 — Luncheon, 12:00 p.m., Ortiz Center
- 18 — Board of Directors Meeting
- 19 — Criminal Defense Luncheon, 12:00 p.m., Katz 21

October

- Annual "Coat, Blanket, and Warm Clothing Drive" begins, Red Mass
- 5 — **Family Law Seminar**
 - 10 — Luncheon, 12:00 p.m., Ortiz Center
 - 16 — Board of Directors Meeting
 - 17 — Criminal Defense Luncheon 12:00 p.m., Katz 21

November

- "Coat, Blanket, and Warm Clothing Drive" ends and donations distributed to homeless shelters; "Adopt a Family" Holiday

Project begins

2 — Advanced Personal Injury Seminar

- 12 — Holiday, Office Closed
- 14 — Joint Luncheon with Legal Professionals, 12:00 p.m., Ortiz Center
- 20 — Board of Directors Meeting
- 21 — Criminal Defense Luncheon 12:00 p.m., Katz 21
- 22 — Holiday, Office Closed
- 23 — Holiday, Office Closed

December

- "Adopt a Family" Holiday Project ends and food and other donated items distributed to "adopted" families; Judges' Fish Fry
- 24 — Holiday, Office Closed
 - 25 — Holiday, Office Closed
 - 31 — Holiday, Office Closed

January 2007

- Appellate Law Seminar
- 1 — Holiday, Office Closed
 - 9 — Luncheon, 12:00 p.m., Ortiz Center
 - 15 — Board of Directors Meeting
 - 16 — Criminal Defense Luncheon 12:00 p.m., Katz 21
 - 21 — Holiday, Office Closed

February

- Mock Trial, Joint Luncheon with CPA's
- 19 — Board of Directors Meeting
 - 20 — Criminal Defense Luncheon 12:00 p.m., Katz 21

March

- Nominating Committee, 17 — 21 CCISD Spring Break, 21 - Good Friday, 23 — Easter
- 12 — Luncheon, 12:00 p.m., Ortiz Center
 - 18 — Board of Directors Meeting

April

- Election of New Board, Advanced Civil Trial Law Seminar, 19 — Passover Begins
- 9 — Annual Meeting Luncheon, 12:00 p.m., Ortiz Center
 - 15 — Board of Directors Meeting
 - 16 — Criminal Defense Luncheon 12:00 p.m., Katz 21

Family Matters

Education for Families in Transition

Offering **Online** parenting classes.

Our classes meet the requirements of **Texas Family Code §105.009**
Accepted by the Nueces County Board of Judges.

www.ParentsForever.org

May 2007

- Criminal Law Seminar, Law Day Reception, Law Day Luncheon
- 20 — Board of Directors Meeting
 - 21 — Criminal Defense Luncheon, 12:00 p.m., Katz 21
 - 26 — Holiday, Office Closed

June 2007

- Docket Call, Baseball with the Bench, State Bar Annual Meeting
- 17 — Board of Directors Joint Meeting

Up to Date Mailing Labels For Sale

The Bar Association has up to date membership mailing labels for sale. The membership data base is updated daily. The cost for members is \$50.00 plus tax and shipping and handling when applicable. Just call us at 883-4022 or e-mail us at sgonzales@corpusbar.com to order. We provide **same day service**.

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Jaime Rangel Appointed TYLA Minority Representative

Jamie Rangel of The Rangel Law Firm, P.C., has been honored by the Texas Young Lawyers Association by being appointed as one of the organization's two small city minority representatives. Candidates from all over Texas were considered for the position. Mr. Rangel's term is for two years, and it began June 1st. With Brian Miller already serving as Texas Young Lawyers Association Director, this gives the Corpus Christi Young Lawyers Association two Directors on the State organization's Board, a first for the Corpus Christi Young Lawyers.

Judge Mike Westergren's Recent Case Summaries

RONALD SIMON OHENDALSKI v. PAULA JEAN OHENDALSKI, COURT OF APPEALS OF TEXAS, NINTH DISTRICT, BEAUMONT, 203 S.W.3d 910, 2006 - No subsequent appellate history

If anyone knows of a more disproportionate division of community property, I would like to know of it. This is the highest I have ever seen that was upheld. The appeals court finds that an 81% share to the wife was fair where there was adultery and abusive conduct.

IN RE RICHARD R. BURROUGHS, COURT OF APPEALS OF TEXAS, NINTH DISTRICT, BEAUMONT, 203 S.W.3d 858, 2006 - No subsequent appellate history

Unrestricted deposition of attorney who was the attorney for a fact witness in a related matter was improper. The Court held that a less restrictive manner should be pursued that would not compromise lawyer-client and work product privilege.

DELAIR WATSON v. THE STATE OF TEXAS, COURT OF CRIMINAL APPEALS OF TEXAS, 204 S.W.3d 404, 2006

The Court of Criminal Appeal reverses

the intermediate court for relying on its prior opinion in ZUNIGA V. STATE, 144 S.W. 3d 477, 2004. Stated reason—its prior decision is resulting in more reversals than anticipated.

DELAIR WATSON v. THE STATE OF TEXAS, COURT OF CRIMINAL APPEALS OF TEXAS, 204 S.W.3d 404, 2006

Death penalty case is reversed but only as to punishment because trial counsel failed to investigate and present to the jury evidence that defendant was abused as a child.

RONALD LEWIS HACKENJOS v. PATRICIA M. HACKENJOS, COURT OF APPEALS OF TEXAS, FIFTH DISTRICT, DALLAS, 204 S.W.3d 906, 2006 No subsequent appellate history

Trial court's denial of extension of alimony payments to ex-husband was reversed. That is what got my attention, but the point of the case is that such orders can be extended in the proper case.

KENNETH L. HARRIS v. MARTIN E. ROSE, COURT OF APPEALS OF TEXAS, FIFTH DISTRICT, DALLAS, 204 S.W.3d 903, 2006 - No subsequent appellate history

This case deals with the vexatious litigation rule, Tex. Civ. Prac. & Rem. Code, Section 11.054. Where vexatious litigator had brought 30 *pro se* lawsuits and had been held in contempt 12 times in those suits, dismissal of assault and racial harassment claim against attorney was upheld.

G.M. HOUSER, INC. D/B/A HOUSER CONCRETE COMPANY et al. v. DAVID E. RODGERS AND KIM RODGERS, COURT OF APPEALS OF TEXAS, FIFTH DISTRICT, DALLAS, 204 S.W.3d 836, 2006 - No subsequent appellate history

This case is beyond my humble ability to explain, but I place it here for anyone interested in how supersedeas bonds are

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dealt with on appeal. Apparently the trial court relied too heavily on creditor's claims about fraudulent transfers of property to avoid debt, which resulted in a much lower bond amount for debtors.

STEVEN NEAL BOGUE v. THE STATE OF TEXAS, COURT OF APPEALS OF TEXAS, SIXTH DISTRICT, TEXARKANA, 204 S.W.3d 828, 2006 - Petition for discretionary review refused

This is something that I used to worry about when I was a trial judge. You have one or more alternate jurors, and you forget to excuse them when the twelve jurors begin to deliberate. No error was found when the alternate juror was allowed to sit with jury for 13 minutes. Apparently deliberation had not really begun. There might be an issue if the problem was not discovered early in the process.

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CCBA Directory Errata Sheet

June-July 2007

Additions:	Corrections:	Corrections:
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