

## **Appeals that we will be following this semester**

We'll be looking at three different pending appeals this semester.

The first two appeals to acquaint yourself with are the following, which have oral arguments scheduled as indicated:

### **14-12-00096-CR; Jose Vasquez vs. The State of Texas; Fourteenth Court of Appeals**

<http://www.search.txcourts.gov/Case.aspx?cn=14-12-00096-CR>

The briefs in the case can be accessed via the above link.

This is an appeal from a capital murder conviction, where the Appellant was sentenced to life without parole (the state did not seek the death penalty). The appeal is being handled by Mark Kratovil with the Harris County Public Defender's Office Appellate Division, and for the State by appellate prosecutor Eric Kugler. The case presents the issue of whether the defendant's videotaped confession should have been admitted at trial.

The case is set for oral argument in the courtroom of the Fourteenth Court of Appeals on **Thursday, September 25, 2014, at 10:30 a.m.**, before a 3-judge panel consisting of Chief Justice Frost and Justices Christopher and Jamison. Again, our class is supposed to end at 10:20 a.m. that day, but we will end class at 10:00 a.m., so that anyone who wants to attend the argument is able to do so. Again, I'll give a ride to as many people as can fit in my car and bring you back to school afterward.

### **01-12-01115-CR; Jesus Gonzalez vs. The State of Texas; First Court of Appeals**

<http://www.search.txcourts.gov/Case.aspx?cn=01-12-01115-CR>

The briefs in the case can be accessed via the above link.

This is an appeal from a murder conviction, where the Appellant was sentenced to 50 years in prison. This appeal is also being handled by Mark Kratovil with the Harris County Public Defender's Office Appellate Division, and for the State by appellate prosecutor Jessica Akins. The case presents the issue of whether defense counsel at trial was ineffective during the punishment phase of the trial.

The case is set for oral argument in the courtroom of the First Court of Appeals on **Tuesday, September 30, 2014, at 10:30 a.m.**, before a 3-judge panel consisting of Chief Justice Radack and Justices Jennings and Keyes. Obviously, our class is supposed to end at 10:20 a.m. that day, but we will end class at 10:00 a.m., so that anyone who wants to attend the argument is able to do so. I'll give a ride to as many people as can fit in my car and bring you back to school afterward.

Attendance at the above oral arguments is **not mandatory**, but it will be interesting for anyone who can attend. In any case, everyone must read the briefs in the case.

### **01-14-00527-CR; Feanyichi Uvukansi vs. The State of Texas; First Court of Appeals**

This is an appeal from a capital murder conviction, where the Appellant was sentenced to life without parole (the state did not seek the death penalty). The appeal is being handled by your instructor. It is not known who will represent the State until they file their brief.

This case is in the beginning stages, and will allow students to see how an appeal develops. Sentencing was on June 21, 2014, a motion for new trial was filed within thirty days, and the hearings pursuant to the motion will likely have concluded by the time class begins on August 26<sup>th</sup>.

The complete appellate record is due for filing no later than October 20, 2014 (but hopefully will be filed sooner). This case will be used to illustrate the initial procedures involved in perfecting an appeal, and the students will each be provided a copy of the appellate record. After the class has had sufficient time to read the record, we will spend a class discussing how an appellate practitioner would review the record to determine what issues to raise on appeal.