



# LAW LIBRARY NEWS

a publication of the Fort Bend County Willie Melton Law Library

August 2022 ♦ Volume 30, Issue 7

## CLE's in September @ the Law Library

The Fort Bend County Willie Melton Law Library will be hosting two CLE's in September. The first will be a **Westlaw CLE** on Wednesday, **September 21**, at **10:00 am**. This will cover the basics of using Westlaw Patron Access and using Practical Law, the companion database to Westlaw focusing on creating forms and documents. The second class will be an **Attorney Lecture Series** entitled "**A Month of Service**" that will discuss eviction issues and how the Earl Carl Institute can help low-income residents. It will be on Friday, **September 30**, at **2:00 pm**. Attorney Stormy Clark from the institute will be giving that class, and CLE credit will be given. Seating is limited and reservations are required. Call 281-341-3718, or visit our website ([www.fortbend.lib.tx.us](http://www.fortbend.lib.tx.us)) to register.

## In This Issue

September CLE's	1
New & Updated Resources	1
Featured Resource	2
Technology Corner	2
Texas Case Law Update	3
Community & FBC Bar News	4
Useful Articles & Links	5

## New & Updated Resources

### ***O'Connor's Texas Series***

- *Property Code Plus*
- *2022 Edition*

### ***A Layperson's Guide to Legal Research & Self-Help Books***

- *2021 Edition*

### ***Texas Practice Series***

- *Elder Law*
- *Worker's Compensation Law & Practice*
- *2022 Edition*

### ***Texas Criminal Forms***

- *2022 Edition*

### ***Forensic DNA Evidence: Science & the Law***

- *2022 Edition*

### ***Texas Real Estate Forms Manual***

- *2022 Edition*

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

- *Employment Practice*
- *2022 Edition*

### ***Texas Criminal Practice***

- *2022 Update*

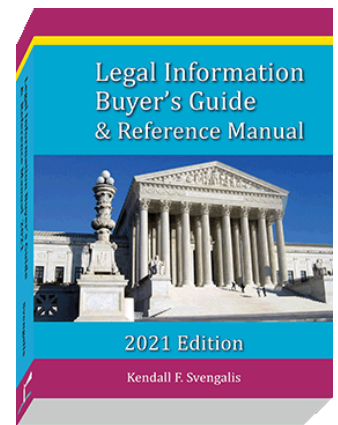


## Featured Resource: *Legal Information Buyer's Guide & Reference*

**By Andrew Bennett**

Have you ever needed to know what books and resources are available in your area of practice? Look no further! The *Legal Information Buyer's Guide and Reference Manual*, by Kendall F. Svengalis, has the answers you need. This guide has become the go-to guide for Librarians, Practitioners, and Judges needing to find the right resource and practice guide for their collection. Winner of the Joseph L. Andrews Legal Literature Award, this book is the only one dealing with legal-information resources. The book is broken up into sections that include general views on legal resources, categories of legal publications, subjects and areas of law, and resources for each state. Additional appendices go into more detail about contact information for various legal publishers and used law-book dealers. Each title describes the author and includes a short description of the book and how it could be used, the cost, and each edition of the publication and frequency of updates.

Unfortunately, 2021 is the last edition of this book and the Law Library recently purchased it. Kendall F. Svengalis is a retired adjunct professor of Library and Information Studies at the University of Rhode Island. He was also the State Law Librarian for the state of Rhode Island, appointed by the Rhode Island Supreme Court. He has been producing this manual since 1996. Copies of this book can be made for \$0.10 a page or scanned and emailed for free. We do not have a digital copy of this resource. Contact the Law Library for more information by phone or email.



## Technology Corner: *Secondary Resources on Westlaw and Lexis*

**By Jonathan Briggs**

The Law Library's two primary online legal databases are Westlaw and Lexis, available on computers 1 through 6. These legal databases provide up-to-date case law and statutes of all 50 states and the federal system. However, the Law Library's subscriptions to these databases provides so much more, including the ability to see the current history of the cases and statutes, via KeyCite and Shepard's, and forms from numerous resources. An area where these two databases really shine is their secondary resources. Secondary resources are essentially anything that is not primary law, i.e., cases and statutes. The main type of secondary resource the Law Library's databases offer are practice guides. These practice guides cover a wide variety of legal topics and provide the nuts and bolts for carrying on all manner of cases and the individual legal processes, pleadings, motions, hearings, discovery, and so much more that can occur in a case. For example, in defending a criminal case, you might want to quash the indictment. Lexis' Texas Criminal Practice Guide provides detailed information on the legal background underpinning such a procedure, applicable case law and statutes, practice tips on determining the validity of the indictment and drafting the motion to quash, and forms for doing so under various circumstances. Also, in the area of criminal defense practice, O'Connor's Texas Crimes & Consequences and Texas Criminal Offenses & Defenses (available via Westlaw) provide user-friendly and easy-to-follow compendiums of pertinent information on crimes, including their elements under the penal code, punishments, enhancements, lesser included offenses, defenses, and more. O'Connor's/Westlaw also produces numerous other practice guides in many areas of Texas law: Rules of Evidence Handbook; Probate Law Handbook, the venerable Civil Trials; and, the Family Law Handbook. Lexis' Texas-focused practice guides include Dorsaneo's Litigation Guide (you would be hard pressed to find a more complete publication); Family Law: Practice & Procedure; the previously-mentioned Criminal Practice Guide; Estate Planning; and, Probate, Estate, and Trust Administration. James Publishing's materials are available via Lexis including practice guides on DTPA and estate planning and probate. These are just some key examples of the myriad resources that help attorneys and pro se alike determine real-life applications, putting the law into use, and showing how things are done. There is no charge to access Westlaw and Lexis. Printing is 10 cents per page for black and white. These materials can be e-mailed to you or downloaded to a thumbdrive for free. For more information, or for guidance from Lexis and Westlaw, call (281-341-3718) or email (LLpublic@fortbend.lib.tx.us).



## Texas Case Law Update

### Local Cases

- [Texas Workforce Commission v. Wayne A. Archambault](#), No. 01-21-00140-CV (July 28, 2022): Reversed & Rendered. (434th)
- [Brian D. Noel v. Oakbend Medical Center, et al.](#), No. 01-21-0000206-CV (August 2, 2022): Aff'd. TC Judgment. (458th)
- [Gary L. Milburn v. Tiffany C. Hill](#), No. 01-22-00105-CV (August 2, 2022): Appeal Dism'd. (387th)
- [Dean W. Dabbasi v. PNC Bank National Association](#), No. 01-20-00857-CV (August 4, 2022): Aff'd. TC Judgment. (268th)
- [Eddie R. Charles v. The State of Texas](#), No. 01-19-00725-CR (August 4, 2022): Aff'd. TC Judgment. (400th)
- [Jennie L. Johnson v. Bank of America, N.A.](#), No. 01-21-00432-CV (August 16, 2022): Aff'd. TC Judgment. (434th)
- [Vinh Pham, et al., v. Michael E. Florance, et al.](#), No. 01-22-00069-CV (August 16, 2022): Appeal Dism'd. (CCL#6)
- [Umuoji Improvement Union \(North America\), Inc. v. Pearl Oguchia, et al.](#), No. 01-22-00415-CV (August 16, 2022): TC Judgment Set Aside and Remanded for Rendition of Judgment in Accordance w/Parties' Agreement. (268th)
- [In Re Gabriel Martinez](#), No. 01-22-00540/00541-CR (August 16, 2022): Pet. Writ Mand. Habeas Corpus Dism'd. (458th)
- [In Re FLC Parkway LP](#), No. 01-21-00379-CV (August 23, 2022): Pet. Writ Mand. Dism'd. (434th)
- [Earnest J. Matthews v. Sherell Randall](#), No. 01-21-00019-CV (August 25, 2022): Aff'd. TC Judgment. (240th)
- [Hector Cortez v. Veronica Garza](#), No. 01-21-00062-CV (August 25, 2022): Aff'd. TC Judgment. (505th)
- [Jolie Dempsey v. Peter Langner](#), No. 01-22-00555-CV (August 25, 2022): Appeal Dism'd. (CCL#4)
- [In Re Guardianship of Thomas N. Hunt, II, an Alleged Incapacitated Person](#), No. 14-21-00740-CV (July 28, 2022): Appeal Dism'd. (CCL#3)
- [In Re Nidal Abuata, et al.](#), No. 14-22-00540-CV (July 28, 2022): Pet. Writ Mand. Denied. (400th)
- [In Re Ronald T. Drakos, II](#), No. 14-22-00483-CR (July 28, 2022): Appeal Dism'd. (240th)
- [The State of Texas for the Best Interest and Protection of C.H.](#), No. 14-21-00616-CV (August 4, 2022): Aff'd. TC Judgment. (CCL#3)
- [Kensington Commons Partners LP v. Femina Fit, Inc., et al.](#), No. 14-22-00092-CV (August 9, 2022): Appeal Dism'd. (400th)
- [Reggie Johnson, et al. v. Green Valley Place Community Improvement Assoc.](#), No. 14-21-00327-CV (August 18, 2022): Reversed in Part, Aff'd. in Part. (458th)
- [Bubbly Mobile Detailing, LLC, et al. v. Pedro Mascarenhas](#), No. 14-22-00424-CV (August 18, 2022): Appeal Dism'd. (400th)

### Criminal Law—Expunction

*Ex Parte J.C.F., Jr.*, 645 S.W.3d 783 (Tex.App.-San Antonio 2022, no pet. h.). Defendant who had been convicted of securing the execution of documents by deception had sought and been granted an expunction. Prior to this, he had been granted early discharge from community supervision. The Texas Department of Public Safety brought a restricted appeal challenging the granting of expunction. The San Antonio Court of Appeals determined that it had jurisdiction to hear the restricted appeal and then sustained the DPS' point of error, holding that the clear language of Texas Code of Criminal Procedure Article 55.01(a)(2) (a person is entitled to expunction if "there was no court-ordered community supervision") made the defendant/appellee ineligible for expunction. Reversed and rendered. A pretty black-and-white determination to be made in this case, but an important one to remember — a factor that can often get overlooked or misunderstood, especially by pro se litigants.



## Community News

- The **Fort Bend County Willie Melton Law Library** still has three remote databases, including *Gale Legal Forms Library*, *Legal Information Reference Center*, and *Lexis Digital Library*. You will need a library card to access. Visit our website at [www.fortbend.lib.tx.us](http://www.fortbend.lib.tx.us).
- 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>.
- **Harris County Law Library** is OPEN to the general public by appointment. They are continuing their virtual programs and virtual reference desk by phone and email. To schedule an appointment to visit, go to their website here: <https://www.harriscountylawlibrary.org/>
- The **Fort Bend County Willie Melton Law Library** returned to a **hybrid format for all of its classes on June 2, 2022**. This means all programs will be virtual and in-person.



## FBC Bar News

### Fort Bend County Bar Association

The Fort Bend County Bar Association will have their monthly CLE on Thursday, September 22, 2022. Check their website or Facebook page for more details.

### Family Bar of Fort Bend County

The Family Bar of Fort Bend County has their monthly meeting on the first Thursday of the month at Buena Vista. Entrance is free. Pay for your own meal. Check their website or Facebook page for details.

### Fort Bend County Criminal Defense Attorneys Association

The Fort Bend County Criminal Defense Attorneys Association has their monthly meetings on the last Thursday of each month. Check their website or Facebook page for details.





## Useful Articles and Links

- ***Always Strive For Better Justice.*** Eric Quitugua. Texas Bar Journal. July/August 2022. [Texas Bar Journal Online.](#)
- ***Electronic Signatures Are Binding.*** Pierre Grosdidier. Texas Bar Journal. July/August 2022. [Texas Bar Journal Online.](#)
- ***Branding Essentials for Law Firms.*** Lisa Hopkins. Texas Bar Journal. July/August 2022. [Texas Bar Journal Online.](#)
- ***Ethics and the Law: Conflicting Interest in Criminal Cases.*** Kristin Brown. Voice for the Defense. June 2022. [Voice for the Defense Online.](#)
- ***From the Front Porch: Dealing with Marijuana in Rural Texas (and maybe everywhere else, too).*** Tip Hargrove and Daniel Mehler. Voice for the Defense. June 2022. [Voice for the Defense Online.](#)
- ***How New Texas Laws are Changing Our Legal Landscape.*** Christina Beeler et al. The Houston Lawyer. May/June 2022. [The Houston Lawyer Online.](#)
- ***Preserving Jury Charge Error.*** Marie Jamison. The Houston Lawyer. May/June 2022. [The Houston Lawyer Online.](#)



### Texas Lawyers Assistance Program

Through its [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.

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.

### Contact

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

To unsubscribe, write "unsubscribe."