

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
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Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Tuesday, September 3, 2024, beginning at 2:00 p.m., before the following panel of justices: Chief Justice Rebeca C. Martinez, Justice Liza A. Rodriguez, and Justice Lori Massey Brissette.

The following case will be presented: *Amanda Montoya v. State of Texas*. This case centers on the legal sufficiency of the reckless mens rea evidence supporting Appellant Amanda Montoya's conviction for domestic violence aggravated assault causing serious bodily injury with a firearm.

Montoya was charged with murder and aggravated assault after she reported herself for accidentally shooting and killing her boyfriend. Montoya told Detective McNelly of the San Antonio Police Department that the gun belonged to her boyfriend and that he encouraged her to shoot it to overcome her fear of firearms.

Montoya argues that no rational juror could have found her guilty of a reckless act based on the evidence presented. The State argues that Montoya's conviction is supported by reasonable inferences that Montoya knew that handling a gun was dangerous and that she knew pulling the trigger while the gun was pointed at her boyfriend could lead to his injury and death.

The oral argument will be held in the courtroom of the Fourth Court of Appeals, Cadena-Reeves Justice Center, Third Floor, 300 Dolorosa, San Antonio, Texas. The argument also can be accessed using the following link:

<https://www.youtube.com/channel/UCiaWJQ7eW5OQIALdyLN6s3A>