

**IN THE MUNICIPAL COURT OF APPEALS  
OF THE CITY OF EL PASO, TEXAS**

**JEANNINE B. ORTEGA**

Appellant,

v.

**STATE OF TEXAS**

Appellee.

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**No. 11-MCA-3498  
Ticket #: T0247124.3**

**OPINION**

Appellant appeals her conviction in Municipal Court for failing to maintain financial responsibility. A fine of \$175.00 was assessed.

Appellant contends that she evidently cosigned for a person to purchase her 2003 Ford F-150. However, subsequently she learned that the person for whom she had cosigned had not made any payments on the vehicle for three months, did not have current inspection and registration, and did not have insurance on the vehicle. She claims that when she picked the truck up from the other person, that was the day she received her tickets, and she promptly obtained the inspection and registration stickers as well as insurance on the car effective September 7, 2010. Unfortunately, as to that insurance, she was cited on August 30, 2010, approximately a week before the effective date of that insurance. The City Prosecutor correctly argues in its Brief, that that submitted proof of insurance was insufficient to establish compliance with the Financial Responsibility Law.

However, Appellant now submits to this Court, and it is likely she did not submit it to the Trial Court, proof of insurance on her vehicles identifying a Bernadette Ortega as the insured, which was in effect on the date she was cited. The coverage afforded to Appellant for her

vehicles would extend to her operation of another vehicle which she is operating as a permissive user.

Also, the insurance policy referred to above was issued in the name of Bernadette Ortega with an address at 6024 Simpia Drive in El Paso but the citation was issued to Appellant in the name of Jeannine B. Ortega with an address at 5111 Mumm also in El Paso. Whether Appellant and the named insured are one in the same person is also an issue for the Trial Court to decide on remand.

The reason stated above, this case is hereby reversed and remanded to the Trial Court for further consideration.

SIGNED this 22<sup>nd</sup> day of September, 2011.

  
JUDGE

### JUDGMENT

This case came on to be heard on the Transcript of the Record of the Court below, the same being considered, it is ORDERED, ADJUDGED and DECREED by the Court that the case be reversed and remanded to the Trial Court for re-trial.

SIGNED this 22<sup>nd</sup> day of September, 2011.

  
JUDGE