

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

**VERONICA ORTEGA RODARTE**

Appellant,

v.

**STATE OF TEXAS**

Appellee.

§  
§  
§  
§  
§  
§  
§  
§  
§

**No. 11-MCA-3503**

**Ticket #: T0203746.2**

**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 retained an Attorney and provided that Attorney's office with her proof of insurance. However, she subsequently learned that the information was misplaced or not properly presented to the Court and a warrant had been issued for her arrest. As soon as she learned of that fact she contacted the Attorney's office but was advised that the Trial Court would not grant her relief because, by that time, it had lost jurisdiction. Appellant promptly filed an appeal to this Court, and although it was beyond the ten days after the rendition of the judgment of conviction, this Court, for good cause shown, can permit the filing of an appeal bond not later than 100 days after the date of rendition of the judgment of conviction. In view of Appellant's allegations in the brief, this Court finds that good cause has been shown, and accepts jurisdiction of this case.

Appellant has provided to this Court a copy of her Insurance Declaration Page which reflects that it covered the vehicle she was driving, identifies her as a named insured, and valid

on date she was cited. The City Prosecutor has verified that information and has responded to her brief that such proof appears to have been valid on the date she was cited also.

This Court has consistently accepted proof of financial responsibility in situations like this, and does so again, in this case. It, therefore, remands this case for further consideration by the Trial Court. (See Serna v. State, 11-MCA-3464; Torre v. State, 11-MCA-3486; Escobar v. State, 11-MCA-3487; Wilbanks v. State, 11-MCA-3489; Luykx v. State, 11-MCA-3493)

SIGNED this 24<sup>th</sup> day of October, 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 24<sup>th</sup> day of October, 2011.

  
JUDGE