

Bond Case Briefs

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San Antonio Water System v. Smith

Court of Appeals of Texas, San Antonio - September 24, 2014 - S.W.3d - 2014 WL 4723123

Beatriz Smith sued the San Antonio Water System (SAWS) for injuries she sustained when she fell into a hole on a sidewalk. SAWS filed a plea to the jurisdiction, asserting it did not receive notice of the claim against it as required by the Texas Tort Claims Act. The trial court denied the plea.

The Court of Appeals affirmed, holding that:

- SAWS is not a “governmental unit” entitled to notice under the Act separate and apart from notice to the City of San Antonio; and
- Smith presented sufficient evidence to raise a fact question as to whether the City of San Antonio had actual notice of Smith’s injury claim.