



Fourth Court of Appeals
San Antonio, Texas

DISSENTING OPINION

No. 04-14-00562-CV

Jesus **DE LOS SANTOS**, Jr., Individually and as Representative of the Estate of Jesus Francisco De Los Santos, Deceased, and Juan De Los Santos, Individually, and Mark Soliz, Jr.
Appellants

v.

FORD MOTOR COMPANY,
Appellee

From the 79th Judicial District Court, Jim Wells County, Texas
Trial Court No. 11-08-50394-CV
Honorable Richard C. Terrell, Judge Presiding

Opinion by: Marialyn Barnard, Justice
Dissenting Opinion by: Rebeca C. Martinez, Justice

Sitting: Karen Angelini, Justice
Marialyn Barnard, Justice
Rebeca C. Martinez, Justice

Delivered and Filed: June 17, 2015

A directed verdict is proper when no evidence of probative force raises a fact issue on a material element of the plaintiff's claim, or when the evidence conclusively establishes a defense to the plaintiff's cause of action. *Prudential Ins. Co. of Am. v. Fin. Review Servs. Inc.*, 29 S.W.3d 74, 77 (Tex. 2000). I believe that in this case Appellants did present more than a scintilla of probative evidence to establish a manufacturing defect. Because the majority holds otherwise, I respectfully dissent.

Rebeca C. Martinez, Justice