

**PRIVATE SANCTION  
SUMMARIES  
FY 2000 to Present**

**FY 2000**

The master limited an attorney's ability to practice law in the master's court and advised the attorney that he intended to treat the attorney differently than other attorneys appearing in the court. [Violation of Canons 2A, 3B(5) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Warning of a Title IV-D Master (10/04/99)*

The judge's son-in-law and the son-in-law's acquaintance approached the judge about filing criminal charges against a person who allegedly assaulted the son-in-law and the acquaintance in the same incident. The judge accepted criminal charges from the acquaintance only, issued an arrest warrant for the person who allegedly assaulted him and recommended an appearance bond in charges arising from an altercation in which his son-in-law participated. [Violation of Canons 2A and 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (10/04/99)*.

The judge inappropriately refused a defendant's request to contact an attorney when the defendant was brought before the judge for magistration in a criminal proceeding. Instead, the judge asked if the defendant wanted to enter a plea. In a separate civil case, the judge entered a default judgment in favor of the judge's bailiff. In addition, the judge refused to accept a pauper's affidavit for filing and denied a party's access to the court's file in the matter. [Violation of Canons 2A, 2B and 3B(4) of a Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (10/22/99)*

The judge telephoned a traffic defendant, who had requested a jury trial, in an effort to avoid conducting a jury trial. Subsequently, the judge telephoned the defendant on three occasions to explain the legal options available to him. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Order of Additional Education of a Municipal Court Judge (10/25/99)*

The judge accepted personal property from a criminal defendant in lieu of payment of court costs. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Warning and Order of Education of Justice of the Peace (11/15/99)*

The judge magistrated and secured the release of his son. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (11/15/99)*

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Although no case was pending in the judge's court, the judge telephoned and personally met with a landlord to encourage the landlord to resolve the dispute with the tenant, and issued to the landlord a letter on official stationery. The judge presided over an action filed later by the tenant against the landlord, after engaging in numerous *ex parte* communications with each party. Instead of scheduling the hearing in accordance with the time frames set forth in the Texas Property Code, the judge conducted the hearing on the same day the landlord was served with the citation. [Violation of Canons 2A, 2B and 6C(2) of the Texas Code of Judicial Conduct.] *Private Order of Education of Justice of the Peace (11/15/99)*

The judge made improper comments to an attorney, including a threat to take retaliatory action against the attorney. [Violation of Canons 2A, 3B(4) and 3B(5) of the Texas Code of Judicial Conduct.] *Private Warning of a Former Associate Judge (12/17/99)*

The judge consumed an excessive amount of alcohol while attending a social gathering of a local bar association and, during that gathering, urinated into a garbage receptacle located in an open area, which was in sight of guests. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Reprimand of a County Court at Law Judge (12/17/99)*

The judge erroneously assessed fines in water district ordinance cases and wrongly held hearings on an "instanter" basis. [Violation of Canon 2A of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Order of Additional Education of a Municipal Court Judge (12/17/99)*

The judge permitted the court staff to telephone a traffic defendant to attempt to persuade the defendant to waive the right to a trial. In a separate case, the judge negotiated a plea bargain agreement and the "instanter" payment of the fine and costs imposed on a traffic defendant. [Violation of Canons 2A and 6C(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of Justice of the Peace (12/27/99)*

The judge improperly ordered a young man to remove his earring or leave the premises of the courthouse. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of Justice of the Peace (12/27/99)*

The judge failed to accept take-home video driving safety instruction as a valid prerequisite for dismissing traffic citations. The judge required qualified traffic defendants to complete defensive driving courses that were administered in a classroom setting. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Order of Additional Education of Justice of the Peace (12/27/99)*

The judge, whose court has jurisdiction over alcohol-related offenses, pled guilty to the charge of driving while intoxicated. [Violation of Canons 2A and 4A(1) of the Texas Code of Judicial Conduct.] *Private Reprimand of a County Judge (01/25/00)*

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The judge attempted to mediate a private dispute, even though no case was pending in the judge's court. Additionally, the judge engaged in *ex parte* communications with a law enforcement officer about the merits of a criminal case, and issued a fine without giving the defendant the opportunity to enter a plea and without holding a hearing. [Violation of Canons 2B, 3B(8) and 6C(2) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a Justice of the Peace (01/25/00)*

After the judge's court had lost jurisdiction over the civil case, the judge assisted the plaintiff in collecting on the judgment. Without holding a hearing, the judge held the defendant in contempt for failure to pay the judgment and issued a warrant for the defendant's arrest. In a separate criminal case, the judge issued an arrest warrant for an unnamed defendant based upon a sworn complaint, which was devoid of specifics. [Violation of Canons 2A, 2B and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (01/25/00)*

During telephone calls with a litigant, the judge made disparaging comments about the litigant and told the litigant that the judge would throw the litigant in jail if the litigant came to the judge's court. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (01/25/00)*

Judge A wrote a letter on official court stationery to Judge B asking Judge B to allow Judge A's son to take a driving safety course in lieu of fine. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (01/25/00)*

The judge improperly conducted "informal" peace bond hearings without requiring cash and/or a surety bond, engaged in improper *ex parte* communications, and used the prestige of her office to influence a private citizen. [Violation of Canons 2B and 6C(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (01/25/00)*

The judge failed to properly supervise a clerk under her direction over a five-year period; relied upon the clerk to receive, record, deposit and report funds received by the court; made no effort to learn the use of computerized information system used by the court, allowed clerk access to signature stamp bearing the judge's name, and relied on the advice given by the clerk. The clerk's actions resulted in the clerk being indicted for theft and tempering with or fabricating evidence and tampering with governmental records. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Order of Additional Education of a Justice of the Peace (02/02/00)*

Following the jury's deliberation and verdict, the judge made negative comments to jurors about a litigant's attorney's integrity and professionalism, and comments about the litigant that indicated the judge would not be fair and impartial concerning the litigant's case in the future. (The judge had continuing jurisdiction over the litigant's case.) [Violation of Canon 3B(10) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge (02/10/00)*

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Prior to the expiration of the 30 days allowed by law for a traffic defendant to present a certificate of completion of a driving safety course, a judge issued a show cause order requiring the defendant to appear and explain why the defendant had not submitted the certificate of completion, rendered a judgment against the defendant, and issued a capias pro fine for the arrest of the defendant for failure to submit the certificate of completion. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (02/11/00)*

The judge prepared a newspaper advertisement in which the judge urged local residents to vote for a specific candidate for a local public office. [Violation of Canons 2B and 5(3) of the Texas Code of Judicial Conduct.] *Private Warning of a Municipal Judge (02/22/00)*

The judge mailed postcards urging voters to support the judge's son's political campaign. [Violation of Canons 2B and 5(3) of the Texas Code of Judicial Conduct.] *Private Warning of an Appellate Justice (02/22/00)*

The judge did not act in a "patient, dignified and courteous" manner when dealing with a prosecutor in an official capacity. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of Justice of the Peace (04/26/00)*

The judge used demeaning, profane, and unprofessional language to parents who were before the judge's court in custody cases. [Violation of Canons 2B, 3B(3) and 3B(4) of the Texas Code of Judicial Conduct.] *Private Reprimand of an Associate Judge (04/26/00)*

The judge held a litigant in contempt of court when court was not in session and committed the litigant to jail. In addition, the judge failed to maintain professional competence in the law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (04/26/00)*

The judge sought information on a juvenile from the police to help a friend and former employee, and the judge admonished the juvenile when no case was pending before the judge's court. [Violation of Canons 2A, 2B and 3B(10) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (05/01/00)*

The judge failed to provide judicial case records to the public. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge (05/01/00)*

Judge A telephoned and wrote letters to Judge B on behalf of a traffic defendant who had a case pending in Judge B's court. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (05/11/00)*

The judge was willful in his conduct and inconsistent with his duties when he was unavailable to perform magistrate's duties and failed to advise his office of where or whether he could be found or contacted. He did not at any time contact his office to advise it of his illness and availability. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Admonition of a Justice of the Peace (06/28/00)*

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The judge failed to obtain the mandatory judicial education hours during fiscal year 1999. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Municipal Judge (08/16/00)*

The judge failed to obtain the mandatory judicial education hours during fiscal year 1999. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a County Judge (08/16/00)*

The judge failed to obtain the mandatory judicial education hours during fiscal year 1999. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Former District Judge (08/16/00)*

The judge failed to obtain the mandatory judicial education hours during fiscal year 1999. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Municipal Judge (08/16/00)*

The judge met privately in chambers with a party's attorney and, based upon that meeting, announced a decision in the case. [Violation of Canon 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a County Court at Law Judge (08/16/00)*

The judge held a hearing when no case was pending in his court. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge (08/16/00)*

The judge failed to obtain the mandatory judicial education hours during fiscal year 1999. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Municipal Judge (08/21/00)*

The judge told a city manager that the judge would bring the manager before a grand jury if the manager further threatened certain police officers with termination from their jobs. Additionally, during an election in which the judge's father was a candidate, the judge talked to a voter within the prohibited electioneering area and disputed the time that the polls closed with the election judge. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge (08/21/00)*

When the defendant failed to appear, the judge entered a default judgment in favor of the plaintiff for \$62.00 in court costs only. The judgment was not signed by the judge and did not have the court seal in place. The plaintiff later obtained from court personnel a copy of a document appearing to be a final judgment awarding the plaintiff \$5,000, which was stamped with the judge's official seal and signed with a stamped signature. The judge did not review the document nor did he direct his court personnel to stamp the document with the judge's signature in the judge's presence. Instead, the judge allowed court personnel to have access to the stamp and official seal, and in the judge's absence, use the judge's signature stamp on documents and letters. This practice resulted in an incorrect judgment being provided to the plaintiff. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (08/21/00)*

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The judge made a gratuitous and inappropriate comment to an African-American court employee about the Ku Klux Klan, a comment that could reasonably be construed as manifesting racial bias. [Violation of Canons 3B(4) and 3B(6) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge (8/21/00)*

### **FY 2001**

The judge confiscated a defendant's jewelry and retained possession of it to insure the defendant returned with an attorney. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Admonition of a County Court at Law Judge (09/19/00)*

The judge exceeded his legal authority by involving himself in a private legal matter not pending in his court, and lent the prestige of his office to advance the interest of another. [Violation of Canons 2A and 2B of the Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (09/19/00)*

The judge acted without legal authority when he granted deferred adjudication without requiring a traffic defendant to enter a plea, then ordered the defendant to pay a fine. When the defendant did not pay the fine, the judge issued a warrant and failed to allow a trial for the charge of failure to appear. [Violation of Article V, Section 1-a(6)A of the Texas Constitution and Canon 2A of the Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (09/19/00)*

The judge denied the attorneys in a civil matter the right to be heard because he responded orally to a jury's question concerning the court's charge without the attorneys' knowledge or presence. [Violation of Rule 286, Texas Rules of Civil Procedure and Canon 3B(8) of the Code of Judicial Conduct.] *Private Admonition of a District Court Judge (09/19/00)*

When the judge refused to grant a litigant a default judgment for unpaid rent, the judge erroneously relied on legal authority that was no longer in effect at the time of trial. As a result, the judge deprived a litigant of a legal remedy made available by the Texas Legislature to effectively pursue claims for unpaid rent in conjunction with possession of the premises. [Violation of Canons 2A and 3B(2) of the Code of Judicial Conduct and Texas Property Code §24.0051.] *Private Order of Additional Education of a Justice of the Peace (10/28/00)*

The judge acted imprudently when following a citizen to a parking lot and then making the comment that the judge would remember how the citizen drove that morning in the event she appeared in the judge's court. Such a statement indicated the judge would be unable or unwilling to remain impartial and unbiased in a case in his court involving the citizen. [Violation of Canon 4A(1) of the Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge (10/28/00)*

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The judge lacked adequate administrative and record-keeping procedures for keeping track of correspondence, motions and other court records received from litigants and their attorneys. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Order of Additional Education of a Justice of the Peace (11/04/00)*

The judge improperly deprived a citizen of his right to seek legal redress for a claim of damages through the courts. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct and Rules 145 and 572 of the Texas Rules of Civil Procedure.] *Private Order of Additional Education of a Justice of the Peace (12/19/00)*

The judge acted imprudently when he consumed alcoholic beverages at a public event and placed himself in a position where it appeared to law enforcement officers and others that he was publicly intoxicated. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a County Court at Law Judge (12/19/00)*

The judge rendered a default judgment against a defendant who had never been served with citation. [Violation of Article V, Section 1-a(6)A of the Texas Constitution and Canons 2A and 3B(8) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (12/19/00)*

The judge engaged in the pursuit of her daughter-in-law and her grandchildren at a high rate of speed after the daughter-in-law took the children from the judge's home. The judge initiated a police chase that increased the danger to which her grandchildren were exposed. The judge's actions created the impression that she was improperly engaging in law enforcement activities. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Reprimand of a Justice of the Peace (12/19/00)*

The judge charged and collected a filing fee for a peace bond application [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (01/05/01)*

The judge made threatening remarks toward a litigant while at the county sheriff's department. [Violation of Article V, Section 1-a(6)A of the Texas Constitution and Canons 2A and 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace (01/05/01)*

The judge failed to conduct jury trials in criminal matters, which indicated that the judge lacked training and a basic understanding of how to conduct jury trials in criminal cases. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a County Judge (03/12/01)*

The judge acted without patience, dignity, or courtesy when the judge verbally attacked and humiliated a defendant. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge (03/22/01)*

The judge participated in an improper *ex parte* communication with an attorney and a witness during a civil jury trial. [Violation of Canon 3B(8) and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Admonition of a District Court Judge (04/24/01)*

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The judge appeared in his judicial robe in an advertisement for a community college. His appearance was inconsistent with the proper performance of his duties and cast discredit upon the judiciary. [Violation of Canon 2B of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a District Court Judge (04/24/01)*

The judge used the phrase “oral sex,” once before the jury and once outside the presence of the jury. The judge admonished a witness not to “snort.” [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a District Court Judge (05/02/01)*

The judge magistrated family members and refused to magistrate other inmates being held at the same time. [Violation of Canons 2B and 3B(5) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a County Judge (05/01/01)*

The judge allowed a restaurant to use the prestige of his judicial office to advance its own commercial interest by posing in a photograph for that business without taking adequate precautions to ensure that his name and title would not be associated with the business and be published in the local newspaper. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a District Court Judge (05/25/01)*

The judge failed to maintain control over a case and the litigants and exhibited bias and prejudice against a litigant. [Violation of Canon 3B(5) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Court Judge (05/25/01)*

The judge sponsored an “event” barbecue for law enforcement and used a sub-courthouse as the site for the event, which conveyed the impression that law enforcement officers were in a special position to influence the judge. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace (05/25/01)*

The judge failed to be patient, dignified and courteous in his dealings with courthouse security personnel. Additionally, the judge went beyond his authority in threatening to hold security personnel (not in his courtroom) in direct contempt for interfering with his court. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a County Court at Law Judge (05/30/01)*

The judge erred in holding a defendant in direct contempt for failure to comply with her order. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Education of a County Judge (05/25/01)*

The judge’s letter on behalf of a party in a civil matter constituted an improper use of the judge’s judicial position in an effort to influence another judge’s judicial position and obtain favorable treatment for the litigants. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Court Judge (06/01/01)*

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The judge did not comply with the relevant provisions of the Texas Code of Criminal Procedure and the Texas Transportation Code in the handling of a criminal case. Furthermore, the filing of a criminal complaint is a public record, therefore refusing to provide a copy to any citizen, including the defendant, is a violation of the law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge (04/24/01)*

The judge issued a *Magistrate's Emergency Protective Order* without the proper authority. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (06/20/01)*

The judge wrote a letter on behalf of a defendant and his family. The judge's actions in the matter were inconsistent with the proper performance of the judge's duties. [Violation of Canon 2B of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a Justice of the Peace (06/20/01)*

The judge allowed a difficult relationship with a former employee to improperly influence the judge's judgment and conduct. The judge's lack of judgment manifested itself in the unreasonable refusal to permit the former employee any access to information necessary for the preparation of an appeal. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Reprimand of a District Court Judge (06/21/01)*

The judge issued an evidentiary search warrant without proper authority; set a civil action for trial prior to the defendant's answer date; conducted an independent investigation into the merits of a civil action pending in the judge's court based on information obtained through a third party source; failed to advise a criminal defendant of his constitutional rights to be represented by an attorney and to have a trial by jury; failed to obtain a written waiver of the defendant's right to a trial by jury; and charged a defendant accused of throwing eggs at a home with the wrong offense. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (06/29/01)*

The judge was rude, undignified and discourteous toward court staff, which is inconsistent with the proper performance of the judge's duties. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a Former Municipal Judge (08/20/01)*

The judge entertained the *ex parte* requests of defendants' family members and authorized the local sheriff to release defendants on personal bond. In doing so, the judge failed to follow proper bail procedures. [Violation of Canons 2A, 2B, and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (08/20/01)*

The judge allowed his name to appear as a supporter on various candidates' campaign literature. In addition, the judge told a newspaper reporter that he supported a specific candidate. Additionally, the judge was unfamiliar with the law relating to contempt procedures. [Violation of Canons 2A, 2B, 3B(2) and 5(3) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Reprimand and Order of Additional Education of a Justice of the Peace (08/20/01)*

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The judge failed to obtain the mandatory judicial education hours for fiscal year 2000. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct and Rule 2a(2) of the Rules of Judicial Education.] *Private Warning of a County Judge (08/20/01)*

The judge rudely admonished a court clerk in open court and directed a profanity in Spanish toward the court clerk embarrassing her in open court. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a Former Municipal Judge (08/20/01)*

## **FY 2002**

The judge engaged in an improper *ex parte* communication concerning the merits of a pending *Motion to Abate*. Shortly after the meeting, the judge signed an Abatement Order and set a hearing on the matter. Because of the judge's *ex parte* communication, the judge was recused from the case. [Violation of Canon 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former District Court Judge (10/08/01)*

The judge improperly issued an arrest warrant in a case in which the judge was the victim of the alleged crime. As the victim, the judge's judgment would necessarily be affected, rendering the judge incapable of being a detached, neutral and unbiased magistrate as required by the Fourth Amendment of the United States Constitution. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (10/17/01)*

The defendant, who had been served with a summons to appear for trial the Friday evening before the Monday morning hearing, made an oral request for a continuance in order to obtain additional time to hire an attorney. The judge commenced the criminal trial without advising the defendant of his constitutional rights, without taking the defendant's plea, and without obtaining a written jury waiver. Throughout the trial, the judge assumed the role of prosecutor by aiding the alleged victim in the presentation of the case against the defendant. The judge found the defendant guilty of the offense and improperly signed and entered a civil judgment in the criminal matter. The judge denied the defendant's constitutional rights, and demonstrated that the judge lacked competence in the laws governing criminal trial procedures. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (10/17/01)*

The judge took no action for eighteen (18) months on a traffic case pending in the judge's court after the judge voluntarily recused from the case. After a trial was finally held, presided over by another Justice of the Peace, the traffic defendant requested to see the court's file. The judge, based on the Public Information Act, denied the traffic defendant's request. Even after the judge was informed by various sources, including staff of the State Commission on Judicial Conduct, that the Public Information Act did not apply to the records of the judiciary, the judge only permitted the traffic defendant to view certain documents contained in the defendant's court's file. The judge further admitted that the policy of the judge's court was to refer any party who requests to see the court's file on his or her case to the Public Information Act, which is posted in

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the court's office. The judge lacked competence in the laws governing public access to court files and judicial record, and the unreasonable delay in hearing the case constituted an unjustifiable failure to timely execute the business of the court. [Violation of Article 5, Section 1-a(6)A of the Texas Constitution, Section 33.001(b) of the Texas Government Code, and Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (10/28/01)*

The judge magistrated two defendants on a number of charges, including for the aggravated assault of the judge's relative. The judge was required by law to disqualify himself from matters involving the judge's family. [Violation of Article 30.01 of the Texas Code of Criminal Procedure and Canons 2A and 3B(1) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (11/01/01)*

The judge confiscated a defendant's shotgun as surety for payment of a \$300.00 fine. The judge's action was without legal authority. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (11/09/01)*

During a hearing involving a juvenile defendant charged with a traffic offense, the judge made inappropriately sarcastic comments to the defendant. The judge then followed the juvenile defendant and the defendant's parents to the parking lot where the judge and the juvenile's parents had a verbal confrontation. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (01/16/02)*

After voluntarily recusing himself from presiding over a civil lawsuit because of a conflict of interest, the judge granted one party's request for a continuance. The judge lacked the authority to grant the requested *Motion for Continuance* since the judge had already been removed from the case. The judge's written and verbal responses to the Commission's inquiries further demonstrated a lack of knowledge relating to the proper handling of recusals and the transfer of cases. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (01/16/02)*

The judge abdicated his official judicial duties when he allowed his clerk to preside over truancy cases pending in his court, and accept pleas and assess fines in those cases. The judge violated his duty to comply with the law, and failed to hear and decide matters assigned to him when he engaged in this practice. [Violation of Canons 2A and 3B(1) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice Of The Peace (02/15/02)*

The judge, on behalf of a relative, sent a letter on the judge's judicial letterhead to two women who were involved in a financial dispute with the judge's relative. The letter improperly asserted that the judge's court had jurisdiction over the financial dispute. The letter further threatened that the judge's relative would file criminal and civil charges against the two women if they did not stop contact with the relative. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace (03/08/02)*

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The judge improperly intervened on behalf of the defendants to assist them in satisfying a monetary judgment which plaintiffs disputed as inadequate. The judge acted at the request of the defendants made outside the presence of plaintiffs and wrote a letter to plaintiffs insisting, among other things, that plaintiffs accept defendants' personal check in the amount of the judgment. [Violation of Canons 2B and 6C(2) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace (03/08/02)*

The judge engaged in willful or persistent conduct that cast public discredit upon the judiciary when he used initials instead of proper names in the style of his divorce petition in an effort to prevent the public from learning of his pending divorce. When the media learned of the subterfuge, the judge's conduct received negative publicity. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a District Court Judge (10/29/01)*

The judge required at least fifteen defendants to post cash only bonds between August 31, 2000 and May 14, 2001. Attorney General Opinion No. JM-363, affirming prior case law, points out that a court is not vested with the discretion to require a cash or surety bond to the exclusion of the other. The judge misinterpreted the law to read that he could require a cash bond only. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (05/09/02)*

The judge, while acting in his official capacity, used the judge's position and authority as the judge to advance the private interests of a citizen who wished to have a citation transferred from a neighboring precinct. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace (06/05/02)*

As a result of the judge's off-the-bench conduct in connection with his consumption of alcoholic beverages and his inability to remain sober for any extended length of time, and following the judge's successful participation in the Commission's *Amicus Curiae* program, the Commission accepted the recommendation from the *Amicus* Board that the judge remain monitored by *Amicus* for another year. [Violation of Article 5, Section 1-a(6)A of the Texas Constitution.] *Private Order of Additional Education of a Justice of the Peace (06/21/02)*

The judge, while interviewing prospective jurors, exhibited a lack of patience, dignity and respect toward one of the prospective jurors when she ordered the bailiff to forcibly remove the prospective juror's tearful 4-year-old child from the courtroom. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct]. *Private Order of Additional Education of a Justice of the Peace (06/21/02)*

The judge found a courtroom spectator in direct contempt for the unauthorized practice of law, and ordered him to spend 72 hours in jail and pay a fine of \$100. Instead of holding a hearing to determine whether the spectator had engaged in the unauthorized practice of law, the judge drew his own conclusion based on a conversation that was related to him by a third party. The judge did not follow proper contempt procedures, denied the alleged contemnor the right to be heard, and unlawfully deprived the alleged contemnor of his liberty by sentencing him to jail. [Violation of Canons 2A and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge (06/25/02)*

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January 9, 2012

The judge, in an attempt to help a family with whom she was acquainted, became involved in a pending criminal case involving one of the family members. The judge discussed the merits of the case with the victim of the pending criminal case, and did not issue a *capias* based on her relationship with the defendant's family. As a result of the judge's involvement in the case, the defendant received more favorable treatment than other defendants faced with similar charges. [Violation of Canons 2B and 6C(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (07/12/02)*

The judge wrote a letter on official court stationery to the superintendent and board members of the Corpus Christi Independent School District, in which he criticized them for taking a certain action. The letter constituted an extra-judicial activity which cast reasonable doubt on the judge's capacity to act impartially as a judge. [Violation of Canon 4A(1) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a District Court Judge (10/11/02)*

In adjudicating a truancy matter, the judge improperly applied certain provisions of both the Texas Education Code and the Texas Code of Criminal Procedure, while failing to comply with other applicable or mandatory provisions of those statutes. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (10/29/02)*

The judge made an insensitive comment to a court reporter with whom he had dealings in an official capacity, which lacked the appropriate dignity expected of a judicial official. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a Senior Judge (12/17/02)*

The judge improperly exercised his contempt authority by failing to serve the alleged contemnors with proper legal process, and by failing to provide them with full and unambiguous notification of when, how and by what means they had been guilty of contempt. The judge also failed to properly admonish the defendants about proceeding without counsel at the contempt hearings when they faced the possibility of a jail term. He also failed to obtain the defendants' knowing and voluntary waiver of counsel, before finding them in contempt and ordering them to jail. Further, the judge failed to provide proper notice to the parent or guardian of a minor charged with a criminal offense, as required by Texas Code of Criminal Procedure, Art. 45.0215. The judge's actions in exercising his contempt authority, and his procedures involving a minor charged with a criminal offense, demonstrated a lack of professional legal competence. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (02/14/03)*

The judge lent the prestige of his judicial office to advance his own private interest by sending a letter to two assistant district attorneys urging the imprisonment of a particular criminal defendant with whom he had a personal dispute. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge (02/28/03)*

The judge appeared in his judicial robe in an advertisement for a theological seminary. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning of a County Court at Law Judge (02/28/03)*

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The judge berated a law enforcement officer with whom the judge dealt in an official capacity and threatened her with contempt. The judge's actions lacked the appropriate patience, dignity and courtesy expected of a judicial official. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (06/27/03)*

The judge failed to follow proper procedures when he ordered the arrest of a *pro se* defendant following a protective order hearing, without first reading the defendant his statutory warnings, and without affording the defendant the right to counsel, the right to waive counsel, or the right to remain silent. Additionally, the judge's frustration with the applicant's desire to withdraw the request for a protective order resulted in a comment from the judge that suggested an unfavorable comparison between the defendant and Charles Manson, demonstrating a lack of patience, dignity, and courtesy. [Violation of Canons 3B(2) and 3B(4) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a County Judge (06/27/03)*

On behalf of his daughter, a district judge wrote a letter of representation on official court stationery to a municipal court. In this letter, the judge entered a plea of "not guilty" for his daughter, and sought the name of the prosecuting attorney "...for possible plea negotiations." [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge (08/07/03)*

The judge requested and received a number of pre-signed "Marriage Waivers" from a retired district judge. Exercising his discretion, the judge thereafter executed these documents in order to allow couples to waive the 72-hour waiting period as provided by Section 2.204 of the Texas Family Code. There is no provision of law which allows a justice of the peace to execute a marriage waiver. The judge executed the marriage waivers without legal authority. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (08/07/03)*

In resolving a matter involving the failure to show proof of liability insurance, where the defendant subsequently timely provided such proof to the court, the judge charged a \$35 "insurance dismissal fee," a fee that is not allowed by law. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge (08/25/03)*

The judge, while traveling on a state highway at nighttime with his family, chased, stopped, and arrested another motorist based on his perception that the motorist had committed a traffic offense, and therefore presented a danger to other motorists. During the incident, the judge displayed a handgun for which he did not have a license to possess. [Violation of Article 5, Section 1-a(6)A of the Texas Constitution.] *Private Warning of a Justice of the Peace, (8/25/03)*

In one matter, a driver attempted to resolve a traffic ticket in the judge's court by entering a plea of no contest with a request for deferred adjudication, and by paying the requisite fine and fees to the court. Over the next three months, the driver's mother contacted the court numerous times to find out the status of her son's ticket; each time she learned that the case was still open. Eventually, the driver's paperwork was processed correctly. In another matter, the commissioners' court of the judge's county complained that the judge engaged in fiscal mismanagement by failing to fulfill his statutory obligation to deposit monies as required by the

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Local Government Code and the Code of Criminal Procedure. A county auditor's report showed that the judge's court had thousands of dollars worth of un-posted receipts, thousands of unprocessed citations, late deposits and receipts that did not match funds on hand. Further, the audit indicated that the court had not implemented a plan of action to correct similar problems cited in earlier audits. It was also determined that for more than two years, the judge had failed to file requisite monthly activity reports with the Office of Court Administration, contrary to the Government Code and despite receiving several notices that the reports were overdue. The Commission acknowledged that a subsequent audit found that the judge had made substantial progress in addressing the shortcomings found by the initial audit. [Violation of Article 5, Section 1-a(6)A, Texas Constitution, and Canon 2A, Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace (08/25/03)*

### **FY 2004**

The judge misused the powers of his judicial office by causing a fictitious notice to a County Commissioner, a critic of how the judge ran his court administratively, leading the Commissioner to believe that he had been charged with a criminal offense and was facing possible arrest. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace (10/21/03)*

The judge failed to accord an attorney and her client a hearing in a small claims suit for more than a year, despite repeated requests in writing and by telephone for him to provide a hearing in the case. Further, the judge conducted court proceedings in an undignified manner when he heard the case while barefooted and wearing a T-shirt and shorts. [Violation of Canons 3B(1), 3B(4), and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (10/21/03)*

The judge made inappropriate comments toward a county employee who worked under his direct supervision causing that employee to file a sexual harassment claim against the judge. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a County Judge (10/21/03)*

The judge inappropriately adjudicated a matter in which his grandson was the defendant. Additionally, the judge, on an infrequent basis, set bonds over the telephone. [Violation of Canons 2B, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (11/28/03)*

The judge improperly adjudicated a matter in which her husband was the defendant, and subsequently adjudicated a matter in which a defendant was an employee of business in which the judge has an ownership interest. [Violation of Canons 2B and 3B(1) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (11/28/03)*

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January 9, 2012

The judge's arrest for suspicion of driving while intoxicated became publicly known in his community. Although no criminal charges were ever filed against him in connection with this incident, the judge admitted that he was in possession of an open container of beer at the time of his arrest. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Admonition of a Justice of the Peace (01/02/04)*

The judge improperly handled several aspects of a civil suit filed in the judge's court, including the failure to timely issue citation, the failure to document the sending of hearing notices, and improperly dismissing the lawsuit at a pretrial conference. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (02/02/04)*

During a summary judgment hearing in a suit on a note, the judge failed to accord plaintiffs respect and dignity when he disparaged them in court by comparing them and their legal claims to "Scrooge and Marley." [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge (01/15/04)*

The judge engaged in an improper *ex parte* communication when he placed phone calls and considered testimony from witnesses who were not before the court. [Violation of Canon 6C(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace. (01/15/04)*

The judge filed a grievance against defense counsel which was motivated, in part, by his expressed desire to get "aggressive" with counsel. Additionally, the judge ordered an additional, more onerous bond condition for one of defense counsel's clients over two weeks after a mistrial in the case without stating any reason for doing so. [Violation of Canons 2B and 6C(2) of the Texas Code of Judicial Conduct.] *Private Reprimand of a County Criminal Court at Law Judge (02/12/04)*

The judge was unaware that she failed to follow established procedures in handling post-trial matters in a civil lawsuit. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace. (03/19/04)*

In one case, although the judge explained to a *pro se* litigant that he could not engage in an *ex parte* discussion with her, he continued to respond to her questions and criticisms, and asked her "Are you calling me a liar?" In another case, the judge admonished a divorce litigant in open court for berating his own attorney at the courthouse; the judge later testified that he felt the litigant, who was employed as a deputy sheriff in another county, did not exhibit proper behavior as a peace officer. Two years later, the judge's bailiff told him that the same litigant and his mother were in court for the divorce, and had called the judge's court "crooked." The judge chastised the litigant and his mother for criticizing the court, and complained to the litigant's supervisor at the sheriff's department about the litigant's past and present behavior; the litigant was officially reprimanded. The judge conducted court proceedings in an undignified manner, and by reporting the divorce litigant to his superiors, the judge was retaliating against him for firing his attorney two years earlier. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge (4/08/04)*

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January 9, 2012

The judge unilaterally authorized the release of a criminal defendant on personal bond, after the defendant had been magistered and had his surety bond set at \$15,000 by another justice of the peace. The judge took such action, after being notified of the defendant's incarceration by the defendant's coach, with whom the judge was acquainted. [Violations of Article 17.09, Section 3 of the Texas Code of Criminal Procedure and Canons 2A, and 2B of the Texas Code of Judicial Conduct] *Private Order of Additional Education of a Justice of the Peace (04/08/04)*.

The judge lost his temper and used intemperate language while attending a public meeting in his official capacity. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct and Article 5, Section 1-a(6)A of the Texas Constitution.] *Private Admonition of a District Judge (04/08/04)*

The judge, influenced by his relationship to a defendant, unilaterally ordered the defendant released on a personal bond after another judge had magistered the defendant and set a surety bond for him. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Order of Additional Education (04/27/04)*

The judge allowed an attorney with whom he had a close relationship to continue to appear before him, even after another judge had found grounds to order that he be recused from a case because of the relationship. Further, the judge placed undue pressure on his court staff in requesting that they commit their personal time to assist him with his re-election campaign. [Violation of Canon 2B, Texas Code of Judicial Conduct] *Private Admonition of a District Judge (04/27/04)*.

For the purpose of lending the prestige of his office, the judge sent a letter on judicial letterhead to attorneys who were involved with a matter to which the judge had a personal interest threatening them and their firm with a lawsuit. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Reprimand of a District Judge (04/27/04)*

A landlord filed an eviction suit in the judge's court against a tenant, although the rental property that was the subject of the suit was not located in the judge's precinct. The judge conducted an "informal hearing" at which only the tenant appeared, and the judge found in favor of the landlord and ordered the tenant to vacate the property. The next month, the judge granted to the landlord a default judgment for back rent. [Violation of Canon 2A, Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (06/25/04)*

The judge failed to obtain the mandatory judicial education requirements for fiscal year 2003. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct]. *Private Order of Additional Education of a Justice of the Peace (06/25/04)*

The judge failed to obtain the mandatory judicial education requirements for fiscal year 2003. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct]. *Private Order of Additional Education of a Justice of the Peace (06/25/04)*

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January 9, 2012

A landlord filed an eviction suit in the judge's court against a tenant, although the rental property that was the subject of the suit was not located in the judge's precinct. The judge conducted an "informal hearing" at which only the tenant appeared, and the judge found in favor of the landlord and ordered the tenant to vacate the property. The next month, the judge granted to the landlord a default judgment for back rent. [Violation of Canon 2A, Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace (07/09/04)*

The judge used the prestige of his judicial office to instigate a groundless, or bad-faith, criminal investigation of the constable by alleging that the constable committed perjury by making an affidavit in connection with the constable's attempt to serve suit papers on the judge's son. Based on the circumstances, the Commission concluded that the judge acted in furtherance of the private interests of the judge or those of his son. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace (07/14/04)*

The judge sent an e-mail to various individuals, including other judges and attorneys, soliciting donations for the Multiple Sclerosis Society. The judge's name and title appear in the heading of the e-mail. [Violation of Canon 2B of the Texas Code of Judicial Conduct]. *Private Admonition of a District Judge (08/31/04)*

The judge failed to obtain the required hours of mandatory judicial education for fiscal year 2003, as required by Rule 2a(2) of the Texas Rules of Judicial Education. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct]. *Private Order of Additional Education of a Retired District Judge (08/31/04)*

The judge's actions and suggestions regarding the administration of corporal punishment by parents to their children constituted willful or persistent conduct that cast public discredit upon the judiciary or administration of justice. [Violation of Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning and Order of Additional Education of a Justice of the Peace (08/31/04)*

## **FY 2005**

The judge's actions regarding the adjudication of a defendant's case, particularly his telephone call to the defendant requesting her to appear before him and his actions in reducing an assault charge to a Class "C" misdemeanor offense in order to place the case within the jurisdiction of his court, did not comply with the Texas Code of Criminal Procedure, indicating a lack of competence in the law. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace (09/09/04)*

The judge failed to maintain an accurate bookkeeping and accounting system in his court and failed to timely and properly account for and deposit monies collected by his court, indicating a lack of competence in the law [Violations of Section 103.004 of the Texas Code of Criminal Procedure, Section 113.022 of the Texas Local Government Code, and Canon 3B(2) of the Texas Code of Judicial Conduct] *Private Order of Additional Education of a Justice of the Peace (09/09/04)*

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January 9, 2012

Using county letterhead, the judge wrote a letter to a U.S. Senator regarding a private dispute. The letterhead included the judge's full name and title, listed the names of the county commissioners, and was signed by the judge with the designation of "County Judge." The bottom of the letter bore the statement, "Not printed or mailed at government expense." In his explanation to the Commission, the judge stated that he thought he would be in compliance with the Code of Judicial Conduct by adding the phrase, "Not printed or mailed at government expense." [Violation of Canon 2B of the Texas Code of Judicial Conduct] *Private Warning of a County Judge (11/18/04)*

The judge leased office space to an attorney who regularly practiced in his court, conveying or permitting others to convey the impression that the attorney was in a special position to influence the judge. The judge's business relationship with the attorney also involved the judge in frequent transactions with a lawyer who regularly comes before the court. Finally, the judge's failure to disclose the nature of his relationship with the attorney to prosecutors prevented any opportunity for the opposing side to urge the judge's recusal if such actions were appropriate. [Violation of Canons 2B, 3B(1) and 4D(1) of the Texas Code of Judicial Conduct] *Private Admonition of a District Judge (11/18/04)*

The judge allowed an attorney who regularly practices in his court to office in his building and perform legal work for his company, conveying the impression that the attorney was in a special position to influence the judge. The judge's business relationship with the attorney also reflected adversely on the judge's impartiality and involved the judge in frequent transactions with a lawyer who regularly appeared in his court. Finally, the judge's failure to voluntarily recuse himself from a case involving the attorney or, in the alternative, to disclose the nature of his business relationship with the attorney to opposing counsel and the litigants, led to an appearance of impropriety of such nature and degree as to ultimately require that the judge be ordered removed from the case. [Violation of Canons 2B, 3B(1) and 4D(1) of the Texas Code of Judicial Conduct] *Private Admonition of a County Court at Law Judge (11/18/04)*.

The judge acted in a biased manner by appointing her friend and former colleague as special prosecutor in a high profile criminal case after the attorney had previously represented the judge in a matter relating to the investigation of the criminal case in question. By making such an appointment, the Commission concluded that the judge allowed her relationship with the attorney to influence her conduct and judgment. Although the judge had authority to appoint a special prosecutor in the case, the Commission further concluded that in this particular instance, the judge's appointment of her friend lacked impartiality and involved factors unrelated to merit alone. [Violation of Canons 2B, 3B(5) and 3C(4), Texas Code of Judicial Conduct] *Private Admonition of a District Judge (12/21/04)*.

Based on a complaint filed by his clerk, the judge issued an arrest warrant without analyzing the complaint to determine if probable cause existed. The Commission concluded from the judge's conduct that he failed to comply with the law and failed to maintain professional competence in the law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace (12/21/04)*.

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January 9, 2012

The judge failed to comply with the law and failed to maintain professional competence in the law when he issued criminal process for defendants in civil cases, and summoned them to court with a show cause order. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace (01/19/05)*.

The judge displayed a bumper sticker or sign endorsing his son's candidacy for public office on a vehicle which the judge owned and operated. The judge's conduct was found to have constituted a public endorsement of another candidate for public office. The judge was also found to have lent the prestige of his judicial office to advance the private interests of his son. [Violation of Canons 2B and 5(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace (01/19/05)*.

While presiding over a felony jury trial, the judge directed profanity at the defense attorney in a conversation before the bench. The judge's statement to the lawyer during these proceedings was found to lack patience, dignity and courtesy. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning of a Senior Judge (01/19/05)*.

Following a hearing in a hotly contested custody dispute, the judge observed a meeting between the *pro se* litigant and opposing counsel and approached them to foster a settlement discussion between the two. During the discussion, the judge engaged the litigant in a confrontational conversation that escalated to the point that the judge threatened to shoot the man if he ever saw him near the judge's home. The judge's statements to the litigant were found to lack patience, dignity and courtesy. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge (01/19/05)*.

The judge lent the prestige of his judicial office to advance the private interests of his wife when he publicly supported her campaign for county commissioner, and when he allowed his judicial title to be used in her campaign literature. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning of a District Judge (02/21/05)*.

A school district's police officers were conducting traffic stops within the judge's precinct, during which time the judge was pulled over and issued a verbal warning. Thereafter, the judge wrote a letter to the chief of police for the local independent school district threatening to hold the school district police department in contempt of court although (a) no criminal complaint or case was pending in his court, (b) no court order had been issued to form the basis of contempt charges, and (c) the judge was unaware that the police officers were acting with authority. [Violation of Canon 3B(2) of the Code of Judicial Conduct] *Private Order of Additional Education of a Justice of the Peace (02/21/05)*.

The judge conducted a trial and entered an order purporting to enforce a provision in a decree of divorce, even though the judge did not have jurisdiction to hear the matter. [Violation of Canons 2A and 3B(4) of the Texas Code of Judicial Conduct] *Private Order of Additional Education of a Justice of the Peace (03/17/05)*.

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January 9, 2012

The judge's failure to render a judgment in a small claims matter until sixteen (16) months after the case was heard, and after the plaintiff made numerous attempts to contact the judge in order to obtain a judgment, constituted a willful, persistent and unjustifiable failure to timely execute the business of the court. [Violation of Article V, Section 1-a(6)A of the Texas Constitution and Section 33.001(b)(1) of the Texas Government Code] *Private Admonition of a Justice of the Peace* (03/17/05)

The judge adjudicated a dispute between two individuals and issued a written order granting possession of property to one of the individual's representatives when there was no case pending in his court. In doing so, the judge failed to comply with the law, and failed to maintain professional competence in the law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace* (04/29/05).

The judge displayed poor judgment when he met privately with a person who had a disagreement with the judge, and then made comments to that person that could reasonably be construed as threatening or intimidating. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning of a County Court at Law Judge* (04/29/05).

The judge made sarcastic and untoward remarks to the defendant and his attorney with others present in the courtroom hallway while the defendant was waiting to appear before a grand jury. The judge's remarks demonstrated a lack of dignity and courtesy and also displayed prejudice against the defendant. The judge's remarks were possibly heard by some of the grand jurors who subsequently returned an indictment against the defendant. [Violation of Canons 3B(4) and 3B(5) of the Texas Code of Judicial Conduct] *Private Warning of a Former District Judge* (06/08/05).

The judge failed to comply with the law and failed to maintain professional competence in the law when he allowed a case that had originally been filed in a municipal court to be "transferred" to his justice court. Further, the judge failed to take the necessary steps to bring the criminal defendant before the court prior to adjudicating his guilt in the case [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace* (06/08/05)

The judge exploited his position and used the prestige of his judicial office to advance his own private interests when he sent a pre-suit demand to the defendants in his private lawsuit, and then filed pleadings in the case, utilizing his judicial title in both instances. [Violation of Canons 2B and 4D(1) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace* (06/08/05).

The judge failed to comply with the law and failed to maintain professional competence in the law when she issued letters to two individuals which were *de facto* peace bond orders in which the judge threatened the recipients with confinement in jail if her instructions were violated. The judge failed to give the recipients of her letters the opportunity to be heard in the matter, and failed to conduct a hearing of any sort in the case. [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace* (06/08/05).

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January 9, 2012

The judge wrote a letter on behalf of a local political party, identifying himself as the County Judge, and criticized an incumbent candidate for public office. By singling out and targeting this particular candidate for criticism, the judge implicitly urged voters to support the candidate's opponent. Although the judge performed judicial functions, the Commission determined that he was not acting in an administrative capacity as Chief Executive Officer of the County when he sent the letter. [Violation of Canons 2B, 5(2), and 6B(1) of the Texas Code of Judicial Conduct.] *Private Warning of a County Judge* (06/08/05).

The judge failed to render judgment in open court at the conclusion of a trial in a small claims suit, as required under Rule 557 of the Texas Rules of Civil Procedure. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace* (06/08/05).

The judge used "vulgar and profane language" in front of students, their parents, school personnel and court officials while presiding over truancy matters. The Commission concluded that the judge's "tough love" lecture to students appearing before her in criminal proceedings lacked the patience, dignity and courtesy required of a judicial officer. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace* (06/08/05).

The judge engaged in improper *ex parte* communications concerning the merits of a case that was likely to come before his court, failed to afford the defendant the basic rights and safeguards guaranteed by the constitutions of Texas and the United States, and dismissed a case without authority from the State when he conducted an "informal hearing" and attempted to mediate the issues between two litigants in the absence of one of the parties and the State. [Violation of Canons 2A, 3B(2) and 6C(2), Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace* (08/11/05).

The judge received free use of a limousine on two occasions from parties or persons whose interests frequently came before him. [Violation of Canon 4D(4)(c) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge* (08/30/05).

The judge failed to maintain professional competence in the law by failing to issue a *Magistrate's Order for Emergency Protection* when required by law and by setting differential bail amounts in contravention of well-established legal authority. [Violation of Canon 3B(2), Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a County Judge* (08/31/05).

## **FY 2006**

The judge was quoted in a local newspaper regarding his efforts to raise money through a high school booster club. [Violation of Canon 4C(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge* (09/15/05).

Updated

January 9, 2012

The judge failed to follow proper recusal rules and procedures in several cases where the judge's relatives were parties in interest. [Violation of Canon 3B(1) of the Texas Code of Judicial Conduct.] *Private Warning of a District Judge* (10/21/05).

The judge was overheard loudly criticizing a colleague for not recusing himself from a case involving the judge's child. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning of a District Judge* (10/21/05).

Based on *ex parte* information obtained from his court clerk, the judge reinstated a criminal case after signing an order of dismissal. The judge later dismissed the case a second time. In each instance of dismissal, the judge used a "generic" dismissal motion that had been intended by the prosecutor for use in a different case, or set of cases, than the case in question. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace* (12/09/05).

The judge allowed community service defendants to sign his name to arrest warrants issued by the court, in some instances before the filing of a probable cause affidavit or complaint, rather than allow court staff or city personnel to use the judge's signature stamp in his presence and under his direction, as permitted by law. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge* (01/26/06).

The judge made inappropriate comments to an attorney and conducted cell phone conversations during a proceeding. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Former Judge* (02/03/06).

The judge improperly used the prestige of his judicial office to advance the private interests of his niece and nephew by using official court letterhead to ask a federal judge for consideration in sentencing the judge's relatives. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a County Court at Law Judge* (03/06/06).

The judge, who had previously partnered with an attorney to provide legal services to a party in the administration of an estate, disqualified himself from presiding over the same heirship contest after being sworn into office as County Judge. After agreeing he was disqualified due to his relationship with the attorney and party, the judge improperly appointed a Special County Judge to hear the matter and further, without authority, transferred the case on his ex-partner's *ex parte* motion to transfer. [Violation of Canons 2B and 3B(5) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a County Judge* (03/07/06).

The judge failed to comply with the law and failed to maintain professional competence in the law when he granted deferred adjudication to commercial drivers license holders under Article 42.12 of the Texas Code of Criminal Procedure. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Municipal Judge* (03/23/06).

Updated

January 9, 2012

The judge failed to follow the law and failed to maintain professional competence in the law when, during the magistration process, he dismissed pending traffic citations against a defendant based on his own personal opinion that it was impossible for the defendant's vehicle to travel at the speed alleged by the arresting officer. Likewise, the judge failed to follow the law and failed to maintain professional competence in the law when he credited the defendant with time served on the charges without first accepting the defendant's plea of guilty or no contest on any of the charges. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace* (04/06/06).

The judge made demeaning and discourteous comments to certain litigants appearing before his court in a manner that did not reflect the appropriate demeanor expected of a judicial officer. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a District Judge*. (05/04/06).

The judge made demeaning and discourteous comments to a litigant appearing before his court in a manner that did not reflect the appropriate demeanor expected of a judicial officer. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning of a District Judge*. (05/04/06).

The judge's conduct resulted in the filing of a lawsuit by an employee against the county which received extensive media coverage. As a public official charged with upholding the honor and integrity of the judiciary, the judge knew or should have known that his actions would cast public discredit upon the integrity of the judiciary. [Violation of Article V, §1-a(6)A of the Texas Constitution.] *Private Admonition of a Justice of the Peace*. (05/04/06).

The judge failed to comply with the law and failed to maintain professional competence in the law when he dismissed an eviction suit without notice or hearing, then reinstated the case without notice or hearing. Additionally, the judge or his staff failed to maintain complete and accurate court records. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace*.(05/24/06).

The judge demonstrated a lack of professional competence in the law when he failed to comply with the procedural requirements set out in the Texas Property Code, the Texas Rules of Civil Procedure, and the Texas Civil Practice and Remedies Code in issuing a Writ of Possession. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct]. *Private Order of Additional Education of a Justice of the Peace*. (05/24/06).

The judge demonstrated a lack of professional competence in the law when he failed to announce his ruling in open court, as required by Rule 557 of the Texas Rules of Civil Procedure. [Violation of 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace*. (06/15/06).

Updated

January 9, 2012

The judge demonstrated a lack of professional competence in the law when he dismissed a traffic defendant's speeding ticket without a motion from the prosecutor and based on erroneous representations from the City Administrator that the ticket had been issued outside the city limits. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Municipal Judge.* (07/10/06).

The judge demonstrated a lack of professional competence in the law when she went forward with a trial and found a traffic defendant guilty *in absentia*, then issued an arrest warrant against the defendant for failure to appear without completing the underlying paperwork laying out the requisites of a written complaint upon which to base the warrant. Further, the judge erred when she detained the defendant until she was able to pay the outstanding fine assessed against her in the underlying traffic case and failed to afford the defendant the opportunity to post bond to secure her release from custody. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (07/27/06).

The judge permitted the local county attorney to generate and provide court referral forms to defendants in plea bargain cases, directing them to take domestic violence and other classes, without prior court review or approval. The judge also permitted the local county attorney to generate and signed Notices of Setting with the court's caption directing defendants to appear for court hearings. Further, the judge failed to comply with the law and failed to maintain professional competence in the law when he failed to set a defendant's case for trial after she entered a plea of "not guilty;" failed to review and approve the terms of the defendant's plea bargain agreement with the local county attorney; and improperly ordered the defendant to pay court costs upon dismissal of her case. [Violation of Canons 2A, 2B and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a County Judge.* (08/31/06).

### **FY 2007**

The judge failed to timely execute the business of the court by allowing a defendant's traffic case to remaining pending for over fifteen months without disposition. Further, the judge's court records in the defendant's case demonstrated a lack of diligence in accurately recording what transpired in the case, including entry of court settings, appearances by the defendant and the prosecutor, pleas, waiver of jury trial, and final adjudication, if any. Additionally, in her responses to inquiries about the defendant's traffic case, the judge exhibited a lack of professional competence in the law regarding traffic cases filed in her court. [Violation of Article V, Section 1 –a(6) A of the Texas Constitution and Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Former Justice of the Peace.* (10/04/06)

The judge demonstrated a lack of professional competence in the law when, after sentencing a student for the offense of failure to attend school, he ordered successive "compliance hearings" over an eleven (11) month period for alleged "violations of probation" by the student. Further, the judge erred in requiring the parents to attend school with the defendant as a condition of probation. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (10/31/06).

Updated

January 9, 2012

The judge made impatient and discourteous comments to a defendant, the defendant's attorney, and a prosecutor when they appeared in court regarding the defendant's probation revocation, and did so in a manner that did not reflect the appropriate temperament or demeanor expected of a judicial officer. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a County Court at Law Judge.* (10/31/06).

The judge wrote a letter to the public housing authority, stating that he was a judge and criticizing his neighbor's behavior. Shortly thereafter, the neighbor's rental assistance was terminated by the housing authority for his behavior. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Judge.* (12/06/06).

The judge presided over an eviction case in which his law partner represented the defendant. The judge knew or should have known that, because he and defense counsel were law partners, a conflict of interest existed that should have prevented him from presiding over the case and deciding in favor of his law partner's client. [Violation of Canon 3B(1) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace.* (12/06/06).

The judge signed a possession order in a child custody dispute, a matter that was outside the judge's jurisdiction. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (12/15/06).

The judge personally endorsed an appeal bond refund check, which rightfully belonged to the judgment debtor, and turned the entire amount over to the judgment creditor. Furthermore, the judge personally assisted the judgment creditor in obtaining funds from the judgment debtor to satisfy the judgment without requiring the creditor to pursue any post-judgment collection remedies in court. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace.* (12/15/06).

The judge interceded in a dispute between two parties in a small claims suit and attempted to assist one of the parties collect on a debt. The judge's involvement on the party's behalf lent the prestige of judicial office to advance the party's interest and gave the appearance that the party was in a special position to influence the judge in the small claims action. [Violation of Canons 2A, 2B, and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace.* (03/01/07)

The judge failed to comply with the law and maintain professional competence in the law when she telephone the jail to set a bond for a defendant, who was then allowed to be released without first having to appear before a magistrate, as required by law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace.* (03/23/07)

Updated

January 9, 2012

The judge issued a peace bond without conducting a hearing and without otherwise following procedures set forth in the Code of Criminal Procedure based on complaints filed by an individual with whom he had a personal relationship. The judge failed to follow the law, failed to maintain professional competence in the law, allowed his relationship with the complainant to influence his judicial judgment, used his position to advance another's private interest, and permitted the complainant requesting the peace bond to convey the impression that she was in a special position to influence him. [Violation of Canons 2A, 2B and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace.* (03/23/07)

The judge presided over the magistration of a defendant who had been arrested based on a criminal complaint filed by the judge's son. The defendant had been charged with unlawful restraint of a child and injury to a child, the judge's grandson. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial.] *Private Warning and Order of Additional Education of a Justice of the Peace.* (03/23/07)

The judge negligently filed a homestead exemption affidavit representing that his primary residence was outside the judicial precinct to which he was elected, when in fact he did reside in the precinct to which he was elected. When the mistake was brought to the judge's attention through a newspaper article, he took appropriate steps to correct the error. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (05/07/07)

With no complaint filed in her court, and without legal authority, the judge summoned her in-laws and another couple to her office to explain peace bond procedures and attempt to mediate a criminal dispute between them. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace.* (05/07/07)

During his campaign for re-election, the judge knowingly misrepresented that he was endorsed by a group of local judges, when he knew or should have known the judges had disclaimed such an endorsement. [Violation of Canon 5(1)(ii) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Former District Judge.* (05/07/07)

The judge found a traffic defendant guilty, assessed a fine against him, and suspended his driver's license based solely on telephone conversations with the defendant. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (06/07/07)

The judge refused to sign a defendant's appeal bond, which refusal appeared to have been the sole cause for the county court at law to dismiss the defendant's appeal. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (06/14/07)

Updated

January 9, 2012

The judge attempted to mediate a dispute between two parties prior to criminal charges being filed in the case, issued a “cash only” bond that prevented one of the parties from being released from jail for 25 days, and dismissed a traffic ticket without a motion from the prosecutor and based on an improper *ex parte* communication with a family she knew from church. [Violation of Canons 2A, 2B and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace.* (06/15/07)

Following magistration, the judge made a statement to a jailer regarding an arrestee that was overheard by a number of witnesses, which suggested to some members of the public that he was exhibiting a bias or prejudice against the arrestee on the basis of race. [Violation of Canon 3B(6) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a Municipal Judge.* (07/13/07)

In anger, following a contentious child custody hearing, the judge wrote a letter to a litigant’s employer informing the employer that the litigant had behaved disrespectfully and unprofessionally in his court resulting in his finding the litigant in contempt. In the letter, the judge requested that the employer advise her staff to show proper respect when coming to court. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a County Court at Law Judge.* (07/13/07)

The judge failed to obtain the mandatory judicial education hours during fiscal year 2006 and was ordered to come into compliance by a date certain. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (08/24/07).

The judge failed to obtain the mandatory judicial education hours during fiscal year 2006 and was ordered to come into compliance by a date certain. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (08/24/07).

The judge failed to obtain the mandatory judicial education hours during fiscal year 2006 and was ordered to come into compliance by a date certain. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (08/24/07).

The judge failed to obtain the mandatory judicial education hours during fiscal year 2006 and was ordered to come into compliance by a date certain. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (08/24/07).

The judge failed to obtain the mandatory judicial education hours during fiscal year 2006. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former Justice of the Peace.* (08/24/07).

Updated

January 9, 2012

Immediately following the trial of a high-profile criminal case, the judge exhibited a lack of patience, dignity and courtesy required of a judicial official when he intemperately addressed a news reporter and seized the camera equipment from a camera operator as they were attempting to report on the case. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former Judge.* (08/24/07).

The judge dismissed a Class B misdemeanor charge against a defendant during the magistration process in the absence of a prosecutor or a motion to dismiss filed by the State. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Judge.* (08/24/07.)

### **FY 2008**

The judge failed to obtain the mandatory judicial education hours during fiscal year 2006. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (10/02/07).

The judge engaged in improper *ex parte* communications and improperly delegated his role as fact-finder by approaching a private accountant to act as an “expert witness” in determining whether the plaintiff had proven his case. Although the judge obtained the consent of the parties before involving the accountant, the judge did not provide the parties with the opportunity to review or challenge the accountant’s findings in court. [Violation of Canons 2A, 3B(2), and 6C(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (10/09/07).

The judge engaged in improper *ex parte* communications with a traffic defendant, dismissed the defendant’s case without a motion from or notice to the prosecutor, and required a newspaper reporter to file a written request under the Texas Public Information Act before providing him with a copy of the court’s file in the case. [Violation of Canons 2A, 3B(2) and 6C(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Judge.*(10/18/07).

The judge failed to follow proper procedures and denied a traffic defendant his due process rights by finding the defendant in direct contempt of court for arriving late for his trial. [Violation of Canons 2A and 3B(2) of the Code of Judicial Conduct.] *Private Admonition of a former Municipal Judge.* (12/13/07).

The judge ordered a criminal defendant to remain incarcerated without bond prior to his trial after *sua sponte* finding that his surety bond was insufficient. The judge further engaged in conduct that caused at least two jurors to believe that she had a disqualifying bias or prejudice against the criminal defendant and his attorney. [Violations of Canons 2A, 3B(2), and 3B(5) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (01/14/08)

Updated

January 9, 2012

The judge found an out of town attorney in constructive contempt of court without affording him certain due process rights. In lieu of serving time in jail, the attorney was offered the opportunity to donate large sums of money to several charitable organizations, one to which the judge had a close connection. [Violations of Canons 2A, 2B, 3B(2) and 4C(2) of the Texas Code of Judicial Conduct.] *Private Reprimand of a County Court at Law Judge.* (02/04/08)

The judge denied an indigent *pro se* litigant the right to file suit and to be heard in her court. [Violation of Canons 2A, 3B(2), and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a former Justice of the Peace.* (02/27/08)

While presiding over a case against a defendant charged with violating a city ordinance, the judge violated several procedures, including, but not limited to, (a) closing the proceedings to the public; (b) failing to take the defendant's plea; (c) conducting a criminal proceeding without a prosecutor; (d) reconvening the hearing at the defendant's property to observe a compliance inspection; (e) engaging in improper *ex parte* communications; and (f) ordering the arrest of the defendant and a friend without having sufficient probable cause. [Violation of Canons 2A, 3B(2), and 6C(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Municipal Judge.* (02/28/08)

In one case, the judge allowed his frustration with the behavior of certain litigants to manifest itself in a lack of patience, dignity and courtesy. The judge further failed to allow the parties an opportunity to be heard regarding the terms of an attorney's employment contract, despite objections that the judge may have received the contract and a motion to award the attorney a disputed amount of interest in real property in an improper *ex parte* manner. In a separate matter, the judge criticized an attorney and her paralegal at a social function and informed that attorney's client that he intended to find the attorney in contempt of court at an upcoming hearing. The judge further failed to notify the attorney that the upcoming hearing would involve contempt charges. [Violation of Canons 3B(4) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Warning of a District Court Judge.* (03/06/08)

After presiding over the trial of a landlord-tenant case, the judge rejected the jury's verdict and granted a new trial without either party requesting that he take such action. [Violation of Canons 2A and 3B(2) of the Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (04/07/08)

After the defendant failed to answer a small claims suit, the judge scheduled a default judgment hearing to determine the amount of damages to award the plaintiff. However, nearly one month prior to the scheduled hearing, without notice to the parties, the judge entered a default judgment finding that the plaintiff was not entitled to recover any damages. [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (04/07/08)

The judge failed to conduct a hearing before issuing peace bonds, as required by Art. 7.01, *et seq.*, of the Texas Code of Criminal Procedure. [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (04/07/08)

Updated

January 9, 2012

The judge abdicated official judicial duties by relinquishing control of the court's criminal docket to the county attorney, whose office was unable to handle the volume of work due to staff shortages. In doing so, the judge failed to ensure that the criminal cases filed were set for hearings and trials in a timely manner, which jeopardized the due process rights of defendants and left the public's interests likewise unprotected. [Violation of Canons 3B(1) and 3B(8) of the Texas Code of Criminal Procedure, Article V, Section 1-a(6)A of the Texas Constitution, and Section 33.001(b)(1) of the Texas Government Code.] *Private Warning and Order of Additional Education of a County Judge.* (04/07/08)

After the defendant failed to answer a small claims action filed against him, the plaintiff requested a default judgment and asked for a hearing to determine his claim for unliquidated damages. Prior to the scheduled hearing, the judge reviewed the case file and determined on her own, without notice or hearing, that the plaintiff was not entitled to recover damages from the defendant. The judge entered a default judgment in plaintiff's favor, awarding him no money, one month before the scheduled hearing, effectively depriving the parties of their right to be heard. Though none of the parties had been notified to appear at the time of her decision, the judge did announce her ruling "in open court." [Violations of Canons 2A, 3B(2), and 3B(8) of the Texas Code of Judicial conduct.] *Private Order of Additional Education of a Justice of the Peace.* (04/07/08)

As a result of a personal relationship with an attorney involved in a case pending before his court, the judge used his position to advance the attorney's private interests, allowed the attorney to convey to opposing counsel and his client that she was in a special position to influence the judge, and engaged in improper *ex parte* communications with the attorney about the merits of the pending matter. [Violations of Canons 2A, 2B, 3B(5) and 3B(8) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution.] *Agreed Private Reprimand of a Former County Court at Law Judge.* (05/03/08)

After learning that his nephew had been arrested, the judge went to the jail, rescinded the bond set by the magistrate, and ordered the release of his nephew from jail on a personal recognizance bond without first reviewing the probable cause affidavit supporting his nephew's arrest. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace.* (05/05/08)

The judge favored his court investigator and his personal accountant with court appointments to a guardianship matter pending in his court. The judge continued to preside over the probate matter during his brief marriage to his court investigator, and signed an order approving an award of fees to his wife's attorney during this time. [Violations of Canons 2A, 3B(1), 3C(4) and 4D(1) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution.] *Private Admonition of a County Probate Court Judge.* (05/05/08)

Updated

January 9, 2012

After her vehicle was repossessed, a neighbor asked the judge to become personally involved in her dispute with the seller. On the neighbor's behalf, the judge wrote a letter, on judicial letterhead, stating that the seller had "illegally removed" the neighbor's automobile, even though no case was pending and no court had made such a finding. In the letter, the judge represented that the dispute was a "pending matter" and that any questions could be directed to the judge. The neighbor was allowed to use the judge's letter to persuade the towing company to release the automobile to her. [Violation of Canons 2A, 2B, 3B(2) and 3B(10) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace* (05/29/08).

The judge issued an arrest warrant for an individual based on information provided to her by a private citizen rather than by law enforcement. The judge then magistered the individual the day after assisting the complaining citizen in securing belongings from the individual's home, and released the individual on a PR bond in violation of Article 17.03(b)(1)(E) of the Texas Code of Criminal Procedure. The judge further failed to notify the individual of the date and time of his appearance in court, as required by Article 17.04 and 17.08 of the Texas Code and Criminal Procedure. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace* (07/21/08).

Although the judge agreed to accept the transfer of the plaintiff's small claims case, he unreasonably delayed the resolution of the case, denied the litigant his right to be heard, and denied the litigant access to the courts by failing to communicate with the transferring court, located across the hall, as to the legal status of the case, which had mistakenly been closed by the clerk of the transferring court. When the plaintiff, out of frustration, filed a new statement of claim in the judge's court and paid another filing fee, the judge refunded plaintiff's filing fee and transferred the new case back to the original court where the judge erroneously believed the first case was still pending. This unnecessary action further delayed the processing and resolution of plaintiff's case. [Violation of Canons 3B(2), 3B(8) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.] *Private Warning and Order of Additional Education of a Justice of the Peace* (07/22/08).

After the judge granted the plaintiff's request for transfer of venue, he failed to follow through with the transfer of the case to the other court, located just across the hall. The judge further failed to inform the plaintiff, despite numerous inquiries, that his court clerk had mistakenly closed the case. The judge's actions and failure to communicate with the plaintiff denied the litigant his right to be heard and denied him access the courts and unreasonably delayed the resolution of plaintiff's case. (Violation of Canons 3B(2) and 3B(8) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.) *Private Warning and Order of Additional Education of a Justice of the Peace* (07/22/08)

The judge erroneously applied federal law, instead of state law, when he failed to immediately order a defendant convicted of murder be taken into custody following sentencing. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution.] *Private Warning of a District Judge* (08/05/08).

Updated

January 9, 2012

The judge failed to accept a litigant's small claims filings, failed to investigate and resolve concerns as to potential procedural defects regarding the litigant's claims, and failed to communicate with the litigant or respond to his inquiries as to the status of his claims. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Former Justice of the Peace* (08/05/08).

The judge failed to comply with well-established procedures requiring full disclosure of a relationship that might warrant his recusal, which effectively prevented the litigants from making an informed decision about whether the judge was capable of fairly and impartially deciding a custody case. [Violation of Canons 2A, 2B, and 3B(1) of the Texas Code of Judicial Conduct.] *Private Warning of a County Court at Law Judge* (08/15/08).

In one case, the judge permitted a litigant's attorney to engage in improper *ex parte* communications with the court and court staff and, in a separate case, failed to comply with the law when he granted that same attorney *ex parte* "emergency" relief in the absence of sworn pleadings or affidavits in support of the request. [Violation of Canons 2A and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a Probate Judge* (08/29/08).

### **FY 2009**

The judge, without notice to the defendant or his attorney, contacted the defendant's employer to alert them to the fact that criminal charges were pending against the defendant. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition of a County Court at Law Judge* (09/22/08).

A judge allowed his name and judicial title to be used to solicit funds on behalf of a scholarship program. [Violation of Canons 2B and 4C(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace* (09/22/08).

The judge failed to provide a citizen reasonable access to inquest records as required by law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace* (09/22/08).

Following a small claims hearing at which the defendant failed to appear, the judge signed and issued to the plaintiff improper orders in the case. In doing so, the judge failed to comply with the law, demonstrated a lack of professional competence in the law, and failed to accord a litigant the right to be heard according to law. [Violation of Canons 2A, 3B(2), and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace*. (12/02/08)

The judge chastised and directed profanity toward a constable on two separate occasions – one relating to service of process on a small claims defendant and one relating to service of an arrest warrant. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace*. (12/02/08)

Updated

January 9, 2012

Because of prior dealings with a member of a local defense firm, the judge criticized an attorney from that firm who had asked for a continuance in his client's traffic case, questioning his professionalism, integrity and decency. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (12/18/08)

After her mother-in-law received a traffic citation, the judge wrote a letter to and telephoned another court in an attempt to resolve the case and obtain favorable treatment for her relative. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Warning of a Municipal Court Judge.* (12/18/08)

The judge mishandled a traffic case by assessing a dismissal fee and assessing a fine when no trial had been conducted. The judge also presided over cases involving speeding citations issued by a Department of Public Safety patrolman, who was related to the judge within the degree prohibited by law, improperly exercised jurisdiction over Class A misdemeanor cases, and erroneously assessed fines in those cases. The judge further improperly jailed a parent for contributing to truancy without first determining that the parent did not have legal custody of the child. [Violation of Canons 2A, 3B(2) and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (12/18/08)

The judge entertained a tenant's *ex parte* complaint about the landlord's termination of water service to the property; called the landlord by telephone and ordered him to restore water service to the rental property before the eviction hearing took place; and penalized the landlord for terminating water service to the property by refusing to award the landlord past-due rent. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace.* (12/18/08)

Following an argument with an individual in the judge's office, the judge caused the individual to be detained in county jail on a contempt of court charge, which was later changed to a disorderly conduct charge. Shortly after the detention, the judge magistrated and released the individual from custody. [Violation of Canons 2A, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (01/21/09)

The judge failed to comply with the Code of Criminal Procedure when handling an attorney's timely written requests to appeal his clients' traffic cases. Instead, the judge had the clients served with *capias pro fine* warrants without notice to their attorney and without permitting the defendants the requisite period of time in which to pay their fines or file an appeal bond. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (01/22/09)

The judge failed to follow the law and failed to maintain professional competence in the law by: 1) issuing a *capias pro fine* warrant for a truant's arrest for violating the terms of deferred disposition without complying with the procedures set forth in Article 45.051(c-1), (c-2) and (d) of the Texas Code of Criminal Procedure; 2) issuing a *capias pro fine* warrant for a truant's arrest for an offense committed before the truant's seventeenth birthday without complying with the procedures set for in Articles 45.045 and 45.050 of the Texas Code of Code of Criminal Procedure; and 3) destroying court records in violation of the law. [Violation of Canons 2A and

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3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace.* (03/09/09)

The judge failed to follow the law and maintain competence in the law when she barred an eviction suit party's non-attorney representative from the courtroom during the eviction proceeding. Further, the judge improperly denied the party's fundamental right to be heard according to law by not allowing the party's agent to assist him in the eviction proceeding. [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (04/06/09)

The judge failed to follow the law and demonstrated a lack of professional competence in the law when he summoned individuals to his court to attempt to mediate a dispute between the individuals when no case was pending in his court. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Municipal Judge.* (04/06/09)

The judge failed to follow the law and demonstrated a lack of professional competence in the law when she summoned individuals to appear in her court when no criminal complaint had been filed and no case was pending. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace.* (04/06/09)

The judge initiated a communication concerning a contested motion for summary judgment with an attorney who was his former law partner outside the presence of the other parties or their attorneys. [Violation of Canon 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (04/16/09)

The judge issued a Writ of Execution pursuant to Rule 632 of the Texas Rules of Civil Procedure, which would have improperly allowed for the execution on personal property in satisfaction of a default judgment issued out of small claims court. As a result, the judgment debtor was arrested for following the advice of counsel and not allowing the constable to execute an unlawful Writ. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace.* (04/16/09)

The judge relinquished his judicial duties to officers in the police department and allowed them to accept pleas and collect fines and court costs from criminal defendants arrested on Class C misdemeanor or "sight" offenses and/or arrested on outstanding warrants and capiases. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge.* (04/28/09)

The judge failed to obtain the mandatory judicial education hours during fiscal year 2008. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge.* (05/26/09).

The judge failed to obtain the mandatory judicial education hours during fiscal year 2008. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (06/03/09).

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The judge failed to obtain the mandatory judicial education hours during fiscal year 2008. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (06/03/09).

### **FY 2010**

The judge failed to follow the law when she denied a defendant his constitutional right to a jury trial, which he had properly requested. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Warning of a Former Justice of the Peace.* (10/05/09)

The judge failed to follow the law, failed to disqualify herself and failed to maintain professional competence in the law when she disposed of a traffic case involving a relative without the prosecutor's consent. [Violation of Canons 2A, 2B, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning of a Justice of the Peace.* (10/06/09)

The judge failed to follow the law when he denied three defendants their right to a bond. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (10/09/09)

The judge used his official judicial letterhead to express his opposition to the Texas Alcoholic Beverage Commission's plan to issue a mixed beverage license to an establishment in his community. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (10/14/09)

The judge failed to disclose her relationship to an attorney while presiding over a case in which the attorney represented a party. The judge further appointed the attorney as an *ad litem* in several proceeding in her court, awarded the attorney fees, and failed to voluntarily recuse herself from those cases and/or disclose the relationship with the attorney to the parties in those cases. [Violation of Article V, Section 1-a(8), of the Texas Constitution.] *Private Reprimand of a Senior Judge.* (10/30/09)

The judge met privately with a party and discussed substantive issues about a case, outside the presence of the opposing party. Based on the improper *ex parte* discussion, the judge granted the party's motion to vacate an order he had previously rendered in favor of the opposing side. The judge's conduct deprived the opposing party their right to be heard, and raised a legitimate question as to the judge's ability to decide the case in a fair and impartial manner, resulting in the judge's eventual recusal. [Violation of Canon 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (11/19/09)

The judge represented criminal defendants in their respective cases after he had magistrated the same defendants while serving as a municipal judge. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (11/19/09)

The judge acted without legal authority by mandating that parents appear before the court with their 17-year old child in order to resolve a traffic offense. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (12/09/09)

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The judge issued a judgment “conditionally” in a small claim case, and subsequently changed the judgment without notice and without affording the parties an opportunity to be heard according to law. [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (12/09/09)

The judge detained a defendant and ordered the defendant to undergo a urinalysis test after the jury returned a verdict of acquittal. [Violation of Canon 2A of the Texas Code of Judicial Conduct.] *Private Admonition of a Former District Judge.* (12/17/09)

In a news column, the judge identified himself as a judge, and then made specific comments about race to the extent that they were perceived by the public to be derogatory towards Whites, which called into question the judge’s capacity to act impartially as a judge and cast public discredit on the judiciary and administration of justice. [Violation of Canon 4A(1) of the Texas Code of Judicial Conduct and Article 5, Section 1-a(6) of the Texas Constitution.] *Private Admonition of a Municipal Judge.* (12/18/09)

The judge failed to follow the law, demonstrated a lack of professional competence in the law, and denied a party the right to be heard according to law by: (a) continuing to preside over the parties’ lawsuit and rendering decisions in the case for almost nine (9) months after advising the parties she was recusing herself from the matter; (b) granting a party *ex parte* request to “postpone” setting a trial date without providing opposing party notice and/or the opportunity to oppose the request; and (c) engaging in inadequate record-keeping practices in this matter, including her failure to make a written record of her decisions in three case and her failure to maintain a civil docket sheet recording the proceedings held in the case, as required by the Texas Rules of Civil Procedure. [Violation of Canons 2A, 3B(2), 3B(8) and 6C(2) of the Texas Code of Judicial Conduct]. *Private Order of Additional Education.* (12/18/09)

The judge attempted to use her position as judge in order to advance the private interests of her husband when she (a) advised her husband not to cooperate with the law enforcement and (b) informed the officer that if her husband were arrested, the judge would use her position to immediately release him. [Violation of Canon 2B of the Texas Code of Judicial Conduct]. *Private Admonition of a County Judge.* (1/14/10)

The judge failed to comply with the law by: (a) failing to issue Magistrate’s Orders for Emergency Protection in at least two family violence cases involving aggravated assault; (b) issuing multiple, inconsistent orders and instructions for a defendant’s release; and (c) purporting to adjudicate a case involving a class A misdemeanor over which the judge lacked subject-matter jurisdiction. The judge further lent the prestige of his office by providing transportation for a defendant whom he had just magistrated. [Violations of Canons 2A, 2B and 4A(1) of the Texas Code of Judicial Conduct] *Private Warning and Order of Additional Education of a Justice of the Peace.* (1/27/10)

The judge failed to comply with the law by hiring a relative to work in her court. [Violation of Canon 2A of the Texas Code of Judicial Conduct] *Private Admonition of a Justice of the Peace.* (1/27/10)

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The judge failed to comply with the law and failed to maintain professional competence in the law by detaining certain juvenile non-offenders in a local juvenile detention center. [Violations of Canon 2A and 3B(2) of the Texas Code of Judicial Conduct] *Private Reprimand of a District Judge*. (2/3/10).

The judge failed to comply with the law and failed to demonstrate professional competence in the law by (1) consolidating five separate Class C misdemeanor charges (bad checks) against a defendant into one criminal complaint; (2) issuing warrants for the defendant's arrest and assessing warrants in four additional cases even though the defendant was already incarcerated; (3) assessing fines in each of the cases filed against the defendant in excess of the \$500.00 statutory maximum allowed for Class C misdemeanors; (4) adding the face value of the "bad checks" written by the defendant to his total judgment, rather than ordering the defendant to pay the merchants these amounts as restitution; (5) failing to follow the procedures set forth in Article 45.046 of the Texas Code of Criminal Procedure prior to incarcerating the defendant; (6) failing to enter final, written judgments and/or written commitment orders in any of the cases against the defendant; (7) imposing a ten-day jail sentence in the defendant's contempt case in excess of the three-day maximum sentenced authorized by law; and (8) failing to maintain adequate and complete court records and docket sheets in the defendant's cases. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace*. (2/24/10).

The judge failed to accord a divorce petitioner the right to be heard when she dismissed his divorce petition for "want of prosecution" on two separate occasions without giving him the opportunity to appear. By failing to make an appropriate inquiry to determine whether the party intended to prosecute his default divorce case and/or whether he had made timely and appropriate attempts to appear in court to have his case heard, the judge denied him his fundamental right to access to the court. [Violation of Canons 2A and 3B(8) of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge*. (3/3/10).

The judge acted improperly in a truancy case when she (a) engaged in various *ex parte communications* with individuals regarding the merits of the pending case; (b) directed family members to meet in her office to try to resolve family conflicts; (c) conducted her own independent investigation to determine compliance with her order; and (d) "closed" the case based on her conversation with a third party/extra-judicial source. Additionally, in a separate case, the judge (a) failed to order a defendant in an MIP case to perform community service as a condition of his deferred disposition; (b) failed to order DPS to suspend the driver's licenses of two defendants convicted of MIP offenses; and (c) dismissed two citations that were pending in her court without a written motion from the prosecution. [Violation of Canons 2A, 3B(2), and 6C(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace*. (3/10/10)

The judge failed to follow the law and failed to maintain professional competence in the law when he denied the first recusal motion on its merits instead of referring the motion to the presiding judge, as required in Rule 18a of the Texas Rules of Civil Procedure, and denied the second recusal motion as being untimely filed even though the motion was filed more than ten days prior to the scheduled trial date in accordance with Rule 18a. The judge continued to take action in the case while the recusal motions were still pending. [Violation of Canons 2A, and 3B

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(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Judge.* (3/30/10)

The judge persistently failed to follow the law and demonstrated a pattern of failure to maintain professional competence in the law when he (a) granted deferred disposition to Commercial Driver's License holders who were cited for the offense of speeding; (b) improperly waived the statutory requirement for minors cited for consumption of alcohol to attend alcohol awareness programs and/or to perform community service; (c) placed a defendant's criminal case on "hold" for a year after the defendant informed the court that he was being deployed overseas; (d) placed a defendant on deferred disposition for a period of time in excess of the maximum 180 days allowed by law; (e) dismissed three traffic citations without a motion from the city prosecutor and/or without first placing the defendant on deferred disposition; and (f) failed to reduce his orders of deferred disposition and final judgments to writing. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Municipal Judge.* (04/01/10)

The judge, while acting as a magistrate, (a) routinely advised defendants of his opinion that a local towing company was charging excessive fees; (b) directed defendants to file complaints with local law enforcement agencies and/or with "Austin" with regard to the towing company's allegedly excessive fees; and (c) on at least one occasion questioned the "legal" status of the towing company. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (04/21/10)

The judge misused the prestige of his judicial office to advance his personal interest by issuing a judicial order to prison officials ordering them to confiscate his personal response to a former client's attorney grievance against him. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (05/17/10)

The judge failed to follow the law and failed to maintain professional competence in the law when he (1) granted new trials without requiring a written motion showing good cause, and (2) granted a new trial and conducted a hearing more than 30 days after he had adjudicated the case. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (05/17/10)

The judge failed to obtain the mandatory judicial education hours during fiscal year 2009. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Judge.* (05/17/10).

The judge failed to comply with the law and failed to maintain professional competence in the law when he found a juvenile's father in contempt of court and had him arrested before the time for compliance with the judge's order had expired. The judge's actions against the juvenile's father were premature and without authority. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former Municipal Judge.* (05/17/10)

The judge authorized the public use of her name endorsing another candidate for public office when she sent an e-mail communication expressly advocating that other individuals should vote

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for a specific candidate in the 2010 primary election. [Violation of Canon 5(2) of the Texas Code of Judicial Conduct.] *Private Warning of a County Court at Law Judge.* (07/08/10)

The judge failed to comply with the law and demonstrated a lack of professional competence in the law in her handling of a request from a local law enforcement officer that she issue a *subpoena duces tecum*. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Judge.* (08/02/10)

The judge lent the prestige of his judicial office to advance his pastor's private interests by requesting special treatment from another judge presiding over the pastor's case. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace.* (08/02/10)

The judge misused her judicial office to advance the private interest of others and engaged in extra-judicial activities that cast reasonable doubt on her capacity to act impartially as a judge by (a) improperly meddling in the administrative affairs at a secondary school; (b) going to the school and directly intervening in student affairs and disciplinary matters when no case relating to same was pending in her court; and (c) improperly asserting jurisdiction in cases involving students who were charged with offenses greater than a class C misdemeanor. [Violation of Canons 2A, 2B and 4A(1) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former Municipal Court Judge.* (08/02/10).

The judge failed to comply with the applicable Texas Rules of Civil Procedure by: (1) ordering a trial in an eviction case to be continued indefinitely and waiting almost eight months to then hold trial in the case; (2) failing to timely issue a writ of possession to a party after granting the party possession of the property; (3) failing to require a party to post an appeal bond and/or to file a pauper's affidavit attesting to his inability to post bond before transmitting the case to the county court on appeal. The judge further granted a party's *ex parte* request for a continuance and extension of time to vacate a premises without notice to the opposing party and/or without giving the opposing party the opportunity to be heard before making his ruling. [Violation of Canons 2A, 3B(2) and 6C(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace.* (08/04/10)

The judge failed to notify the parties of a conflict of interest when she found her neighbor guilty of a city ordinance and assessed a fine. The case was filed in her court as a result of the judge's inquiry to a city code enforcement officer regarding her neighbor's property being in violation of a city ordinance. The judge further engaged in improper *ex parte* communication with an alleged victim in a case, and then failed to accord the defendant the right to be heard when she instructed her clerk not to provide notice to the defendant's attorney in the pending criminal matter. [Violations of Canons 2B, 3B(1), 3B(8), and 6C(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge.* (08/04/10)

The judge failed to timely execute the business of the court by consistently failing to hold trials. This caused unreasonable delays and prevented defendants the right to be heard. The judge's conduct demonstrated a failure to comply with established law, and a lack of professional competence in the law. [Violation of Canons 2A, 3B(1), 3B(2), 3B(8) and Article V, Section 1-

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a(6) of the Texas Constitution.] *Private Warning and Order of Additional Education of a County Judge.* (08/04/10).

### **FY 2011**

The judge failed to follow the proper procedures set forth in the Texas Code of Criminal Procedure prior to incarcerating an individual for his inability to pay his fines. The judge's conduct demonstrated a failure to comply with established law, and a lack of professional competence in the law. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge.* (09/24/10).

The judge improperly acted as an advocate and legal counsel for a family member in a small claims action by (a) initiating contact with opposing counsel in an effort to negotiate a settlement on behalf of the family member; and (b) appearing at trial, passing notes to the family member that included legal advice and trial strategy, and requesting that he be permitted to sit at counsel table with the family member. [Violation of Canon 4G of the Texas Code of Judicial Conduct.] *Private Admonition of a District Judge.* (10/14/10).

The judge failed to comply with the law and demonstrated a lack of professional competence in the law when he signed an "Order of Reversal" reinstating a traffic case without input or participation from the State. [Violation of Canon 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Municipal Court Judge.* (11/23/10).

The judge went beyond the scope of his judicial role as a neutral arbiter and deprived the parties of an opportunity to respond to his findings when he undertook an independent investigation as to whether the witnesses had committed perjury. At the time of this investigation the judge had not issued a final judgment in the still-pending case. The judge knew or should have known his actions could have caused a reasonable person to question whether or not he would be impartial or could have resulted in his becoming a fact witness in post-trial proceedings. [Violation of Canon 3B(8) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a County Court at Law Judge.* (12/08/10).

The judge failed to comply with the law and demonstrated a lack of professional competence in the law by: (1) denying Complainant his due process rights to a hearing regarding a permit violation charge when she failed and/or refused to provide Complainant with the opportunity to enter a "not guilty" plea to the charge and/or have a trial in the matter; (2) adjudicating Complainant's guilt and assessing a fine in his absence without notice and without setting a court date; and (3) threatening Complainant with arrest if he did not pay the fine when he appeared in court. The judge also acted improperly when she shredded documents in violation of the minimum records retention schedule established by the Texas State Library and Archives Commission. [Violation of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] *Private Reprimand and Order of Additional Education of a Justice of the Peace.* (12/10/10).

The judge failed to follow the law and maintain professional competence in the law by (1) failing to provide a party with notice of a hearing, and (2) issuing orders in a case over which she had

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lost plenary power. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the Peace*. (01/19/11).

The judge exceeded the scope of his authority and failed to comply with the law by jailing an individual, without notice and a hearing, for contempt following a confrontation between the judge and the individual after court proceedings had adjourned. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Reprimand of a District Judge*. (01/26/11).

The judge forwarded letters of introduction to specific members of the community, which cast doubt on the judge's ability to act impartially in certain types of cases those members filed in his court and conveyed the impression that they would be in a special position to influence the judge when deciding cases. The judge further delayed providing pertinent information in response to the Commission's inquiries, which hindered the Commission's ability to make a timely and informed decision about the matter. [Violation of Canons 2B, 4A(1) and Article V, Section 1-a(6) of the Texas Constitution.] *Private Warning of a Justice of the Peace*. (01/31/11).

The judge failed to follow the law and demonstrated a lack of professional competence in the law by: (a) failing to issue an adequate show cause order specifying the underlying contemptuous act of which Complainant was accused; (b) failing to ensure that Complainant was personally served with a copy of the order to show cause; (c) treating Complainant's contempt proceeding in a matter suggesting that Complainant had been accused of a criminal offense; (d) entering an order adjudging Complainant in contempt of court and setting a fine in his case prior to the hearing; (e) setting Complainant's fine in an amount in excess of the \$100.00 limit provided in section 21.002(c) of the Texas Government Code. The judge further engaged in an improper *ex parte* communication with the prosecutor; dismissed the Complainant's case without first receiving a written motion from prosecutor; and failed to enter a final written order or judgment in Complainant's case. [Violation of Canons 2A, 3B(2), and 6C(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge*. (02/15/11).

The judge presided over a criminal matter wherein he was the injured party. The judge was disqualified from presiding over the matter and should have arranged to have another judge handle the plea. [Violation of Canon 2A and 3B(1) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former County Judge*. (03/31/11).

Six (6) judges failed to obtain the mandatory judicial education hours during the 2010 academic year. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of Justices of the Peace and a Municipal Court Judge*. (03/29/11 – 04/07/11).

The judge failed to comply with the law and failed to maintain professional competence in the law when she allowed her court staff and city prosecutors to "take" pleas from juvenile defendants in her absence. The judge failed to comply with the plain language of the statute, which requires that juvenile pleas be taken and accepted contemporaneously in a courtroom setting in the presence of both the judge and the juvenile's parent or guardian. [Violation of Canon 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Former Municipal Court Judge*. (04/04/11).

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The judge failed to comply with the law and failed to maintain professional competence in the law when he: (1) ordered various individuals in his court into “timeout”, and ordered his bailiff to handcuff two individuals when they tried to leave during the “timeout” period; (2) attempted to mediate a dispute between two roommates in a matter that was not pending in his court; (3) allowed tenants in eviction cases to “cure” defaults in their rental obligations, in contravention of the parties’ rental agreements; and (4) held a show cause hearing in which he summoned a landlord’s attorneys back to court after losing jurisdiction in an eviction case, threatened to sanction the attorneys for allegedly acting in bad faith, and thereafter issued a public memorandum chastising one of the attorneys for his conduct in the case. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a former Justice of the Peace*. (05/09/11).

The judge willfully and/or persistently violated the law when he allowed defendants to make donations to private non-profit organizations in exchange for a credit on their assessed fines. The judge’s practice of maintaining and providing a list of approved organizations to which the defendants were allowed to make donations, which list included a scholarship program started by the judge, combined with the “Thank You” letters sent to the judge by the organizations who received the donations, created the impression that (1) he was personally soliciting donations on behalf of those organizations, (2) he was lending the prestige of his judicial office to advance the organizations’ private interests, and (3) the organizations were in a special position to influence him. [Violation of Canons 2B and 4C(2) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Justice of the Peace*. (07/11/11).

The judge willfully and/or persistently violated the law when he: (1) engaged in conduct that favored a relative of a member of the city council; (2) engaged in an undignified, impatient, and discourteous conversation with the mother of a juvenile defendant; and (3) engaged in undignified, impatient, and discourteous treatment of the juvenile including having the juvenile arrested and handcuffed. [Violation of Canons 2B and 3B(4) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Municipal Court Judge*. (07/11/11).

The judge failed to comply with the law, engaged in an improper *ex parte* communication with a litigant, and denied a party the right to be heard according to law when he: (1) communicated and plea bargained with a defendant outside the presence of the State; (2) dismissed several of the defendant’s cases without input or consent from the State; and (3) erroneously noted on the file jackets of the dismissed cases that the State and its witness were not ready for trial. [Violation of Canons 2A, 3B(8), and 6C(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Municipal Court Judge*. (07/12/11).

The judge failed to comply with the law and failed to maintain professional competence in the law by permitting defendants to make charitable donations in lieu of performing community service when he knew, or should have known, the law does not permit such a substitution for class C misdemeanors. When asked by a defendant wishing to make a charitable donation in lieu of performing community service to which organization to give, the judge lent the prestige of judicial office to advance the private interests of those specific charitable entities he identified. The judge also failed to comply with the law and failed to maintain professional competence in the law when he followed a procedure that had the practical effect of placing a commercial

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driver's license holder on deferred disposition, when he knew that the law prohibited him from doing so. Finally, the judge failed to treat a member of his court staff in a patient, dignified and courteous manner by making jokes in court that he knew, or should have known, would cause the staff member public embarrassment and humiliation. [Violation of Canons 2A, 2B, 3B(2), and 3B(4) of the Texas Code of Judicial Conduct.] *Private Reprimand of a Former Municipal Court Judge.* (08/31/11).

## **FY 2012**

The judge failed to comply with the law, failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, and engaged in willful conduct that was inconsistent with the proper performance of her duties by engaging in conduct that violated Section 49.031 of the Texas Penal Code. [Violation of Canon 2A of the Texas Code of Judicial Conduct and Article V, §1-a(6) of the Texas Constitution.] *Private Reprimand of a Former District Court Judge.* (09/01/11).

The judge failed to comply with the law and demonstrated a lack of professional competence in the law when he summoned a party to appear in court when no case was pending. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Justice of the Peace.* (09/08/11).

The judge failed to perform his judicial duties without bias or prejudice by participating in improper *ex parte* communications with Defense counsel and with the Defense's expert witness. Relying on the information obtained *ex parte* from the expert, who alleged that a party to the litigation had engaged in fraudulent conduct, the judge undertook the role of investigator or special prosecutor in an effort to ferret out whether the party had committed fraud. Once the judge became embroiled in the parties' discovery dispute, he created a strong perception that he could not be a fair and impartial arbiter in the case. [Violation of Canon 3B(8) of the Texas Code of Judicial Conduct.] *Private Warning of a District Judge.* (09/13/11).

The judge failed to follow the law and demonstrated a lack of professional competence in the law when he reduced a defendant's bond that had been set by another magistrate. The judge reduced the bond based on an oral request from members of the defendant's family and without notice to the State as required by Article 17.091 of the Texas Code of Criminal Procedure. The judge had previously been counseled against this practice by the District Attorney. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace.* (09/26/11).

The judge failed to follow the law and demonstrated a lack of professional competence in the law when he reduced a defendant's bond that had been set by another magistrate. The judge reduced the bond based solely on an oral request from a defense attorney. The judge had previously been counseled against this practice by the District Attorney. [Violations of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace.* (09/29/11).

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The judge failed to obtain mandatory judicial education hours during the 2009 academic year. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Order of Additional Education of a Municipal Court Judge*. (10/10/11).

The judge failed to follow the law and demonstrated a lack of professional competence in the law when he reduced defendants' bonds that had been set by other magistrates. The judge reduced the bonds based solely on the oral requests from a defense attorney and/or a defendant's family member. The judge had previously been counseled against this practice by the District Attorney. [Violations of Canon 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Warning and Order of Additional Education of a Justice of the Peace*. (10/12/11).

The judge lent the prestige of judicial office when he identified himself as a judge in a letter sent on official court letterhead to another court asking that a city official receive favorable treatment. [Violation of Canon 2B of the Texas Code of Judicial Conduct.] *Private Admonition of a Municipal Court Judge*. (11/03/11).

The judge failed to follow the proper steps under Article 45.046 of the Texas Code of Criminal Procedure when issuing a *capias pro fine* and a commitment order directing a defendant to serve time in jail in order to discharge a fine. Other discrepancies in the court records raised questions as to whether the judge had followed proper procedures in earlier stages of the case. [Violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Municipal Court Judge*. (11/22/11).

The judge failed to announce the court's ruling in open court as required by Rule 557 of the Texas Rules of Civil Procedure. [Violation of Canon 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace*. (01/03/12).

The judge exceeded his authority when he issued summonses directing several individuals to appear in his court in an apparent attempt to mediate a private dispute and admonish the individuals regarding their conduct. Although the judge claimed that criminal charges had been filed against many, if not all, of the individuals, none of them entered a plea before discussing the merits of the alleged offenses, no prosecutor was present during the proceedings, and no records were found indicating that charges had been filed. Additionally; the judge failed to adequately maintain and preserve court records; failed to ensure that his court staff maintained a docket of the proceedings; and demonstrated a lack of professional competence in the law. [Violation of Canons 3B(2) and 6(C)2 of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Municipal Court Judge*. (01/03/12).

The judge acted improperly when he followed a litigant into the court's parking lot and angrily confronted the litigant about statements made to court staff questioning the judge's authority to hear a case. [Violation of Canon 3B(4) of the Texas Code of Judicial Conduct.] *Private Admonition of a Justice of the Peace*. (01/03/12).

The judge failed to maintain professional competence in the law when he: (1) dismissed a criminal complaint without a motion from the prosecutor; and (2) set a personal recognizance bond, in violation of Section 17.02 of the Texas Code of Criminal Procedure, in another case involving a defendant charged with injury to a child. Additionally, the judge allowed his

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relationship with the defendant's relative to improperly influence his conduct and judgment, which resulted in the defendant receiving favorable treatment. The judge also used his judicial position in an attempt to influence the police department to reduce the charges against the defendant. [Violation of Canons 2B and 3B(2) of the Texas Code of Judicial Conduct.] *Private Admonition and Order of Additional Education of a Justice of the peace.* (01/03/12).