

Administrative Offices
of
Hidalgo County

VOL 0211 PAGE 313

Aaron

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on MONDAY, AUGUST 21, 1995 at 2:00 P.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Accept resignation of Juan J. Hinojosa as Acting County Judge
2. Accept resignation of County Court at Law #3 Judge
3. Approval of Official Bond for the Office of County Judge for Richard Garcia
4. Swearing in of Acting County Judge

Dated this the 14th day of August, 1995

P.O. Box 1356
Edinburg, TX 78540
(210) 318-2600

**Administrative Offices
of
Hidalgo County**

Aaron

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on MONDAY, AUGUST 21, 1995 at 2:00 P.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Accept resignation of Juan J. Hinojosa as Acting County Judge *Res/Garcia*
2. Accept resignation of County Court at Law #3 Judge *San/Res*
3. Approval of Official Bond for the Office of County Judge for Richard Garcia *Resel/Garcia #5,000*
4. Swearing in of Acting County Judge

San/Res

Dated this the 14th day of August, 1995

**P.O. Box 1356
Edinburg, TX 78540
(210) 318-2600**

Speed Matrix Monday 11/11/11

,

EXHIBIT
LAW OFFICES OF
HINOJOSA & POWELL, P.C.
ATTORNEYS AT LAW
5921 NORTH 23RD.
MCALLEN, TEXAS 78504
(210) 686-2413 · FAX (210) 686-8462

JUAN J. HINOJOSA

VOL 0211 PAGE 318

GEORGE P. POWELL
Board Certified
Personal Injury Trial Law
Texas Board of Legal Specialization

August 15, 1995

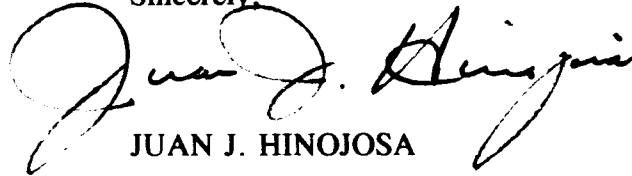
TO: HIDALGO COUNTY COMMISSIONERS

Gentlemen:

I submit my resignation as Hidalgo County interim judge effective August 4, 1995 for the reasons set out in the attached memo.

Thank you for your confidence in me.

Sincerely,



JUAN J. HINOJOSA

JJH/mlc

TO: HIDALGO COUNTY COMMISSIONERS
FROM: INTERIM COUNTY JUDGE HINOJOSA
DATE: 08-04-95

From the time of my appointment as Interim County Judge, the issue of a conflict of interest because of my law firm representations of the sheriff's deputies has been raised. I have struggled every day in searching for a resolution of this conflict in a legal and ethical way. I have discussed this conflict with numerous attorneys. My choices to resolve this conflict are to continue as interim county judge and break-up my law firm of 15 years or resign as interim county judge.

This is one of the most difficult decisions I have had to make politically. But I must do what is legally and ethically required of me to resolve this conflict. I do not want to break up my partnership with my law partner, George P. Powell or my sisters who work with me in my law practice. Our conflict of interest of laws are there for a purpose. They are there to protect the public and to insure that there is no actual or a perception of wrongdoing. While I feel I can do an excellent job as county judge, no individual is indispensable. The public must have trust in their public officials. Therefore, I am resigning as interim county judge of Hidalgo County effective today at 5:00 p.m.

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 21ST day of AUGUST, 1995, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court and the Drainage District, in the Commissioners' Courtroom of the Administration Building in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. Richard H. Garcia
Interim County Judge

Hon. Samuel Sanchez
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Juan Rosel
County Commissioner, Precinct #3

Hon. Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

-----000-----

SPECIAL MEETING

=====

Commissioner Arcaute called this meeting to order, whereupon the following items were had to wit:

ITEM 1. ACCEPT RESIGNATION OF JUAN J. HINOJOSA AS ACTING COUNTY JUDGE

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to accept the resignation of Juan J. Hinojosa as the acting County Judge.

MOTION CARRIED
(SEE EXHIBIT A)

ITEM 2. ACCEPT RESIGNATION OF COUNTY COURT AT LAW #3 JUDGE

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel to accept the resignation as submitted by Richard Garcia from the position of County Court at Law #3.

MOTION CARRIED
(NO EXHIBIT AVAILABLE)

ITEM 3. APPROVAL OF OFFICIAL BOND FOR THE OFFICE OF COUNTY JUDGE FOR RICHARD GARCIA

Commissioner Rosel made a motion which was seconded by Commissioner Sanchez to approve of the official bond for the office of the County Judge for Richard Garcia. For clarification purposes, Commissioner Arcaute stated that \$5,000 was for Drainage District Director and \$5,000 was for County Judge. The motion was put to a vote whereupon all the commissioners voted in favor.

MOTION CARRIED
(SEE EXHIBIT B)

ITEM 4. SWEARING IN OF ACTING COUNTY JUDGE

JUDGE RAMIREZ I, Richard H. Garcia
JUDGE GARCIA I, Richard H. Garcia

JUDGE RAMIREZ do solemnly swear
JUDGE GARCIA do solemnly swear

JUDGE RAMIREZ that I will faithfully execute the duties
JUDGE GARCIA that I will faithfully execute the duties

JUDGE RAMIREZ of the office of Acting County Judge
JUDGE GARCIA of the office of Acting County Judge

JUDGE RAMIREZ of Hidalgo County
JUDGE GARCIA of Hidalgo County

JUDGE RAMIREZ of the State of Texas
JUDGE GARCIA of the State of Texas

(08/21/95)

2

JUDGE RAMIREZ and will to the best of my abilities
JUDGE GARCIA and will to the best of my abilities

JUDGE RAMIREZ preserve
JUDGE GARCIA preserve

JUDGE RAMIREZ protect
JUDGE GARCIA protect

JUDGE RAMIREZ and defend the Constitution
JUDGE GARCIA and defend the Constitution

JUDGE RAMIREZ and laws of the United States
JUDGE GARCIA and laws of the United States

JUDGE RAMIREZ and of this State
JUDGE GARCIA and of this State

JUDGE RAMIREZ so help me god
JUDGE GARCIA so help me god

A motion was made by Commissioner Sanchez and was seconded by
Commissioner Garces to adjourn.

MOTION CARRIED

There being no further business to come before this Commissioner's
Court, this meeting is hereby adjourned.

THERE BEING NO FURTHER BUSINESS TO COME

BEFORE SAID COURT, the meetings of the Commissioners' Court and the Drainage District were hereby adjourned.

Richard H. Garcia
Interim County Judge

Samuel Sanchez
County Commissioner, Precinct #1

Lalo Arcaute
County Commissioner, Precinct #2

Juan Rosel
County Commissioner, Precinct #3

Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

Dated this 21ST day of AUGUST, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas



By: Aaron Betancourt
AARON BETANCOURT, Deputy

Texas

VOL 0211 PAGE 320



Western Surety Company

FILED
 AUG 24 1995
 JOSE ELOY PULIDO, CLERK
 COUNTY COURT AT LAW NO. 2 OF HIDALGO COUNTY TEXAS

OFFICIAL BOND AND OATH

THE STATE OF TEXAS }
 County of Hidalgo } ss

BOND No. 14273103

KNOW ALL MEN BY THESE PRESENTS:

That we, Richard H. Garcia, as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Texas, as Surety, are held and bound unto County of Hidalgo, his successors in office,

in the sum of Ten Thousand and No/100 (\$ 10,000.00) DOLLARS, for the payment of which we hereby bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

Dated this 17th day of August, 1995.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal was on the 14th day of August, 1995, duly appointed to the office of Judge in and for Hidalgo (Elected-Appointed) County, State of Texas, for a term of indefinite year commencing on the 21st day of August, 1995.

NOW THEREFORE, if the said Principal shall well and faithfully perform and discharge all the duties required of him by law as the aforesaid officer, ~~XXXXXX~~

then this obligation to be void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that regardless of the number of years this bond may remain in force and the number of claims which may be made against this bond, the liability of the Surety shall not be cumulative and the aggregate liability of the Surety for any and all claims, suits, or actions under this bond shall not exceed the amount stated above. Any revision of the bond amount shall not be cumulative.

PROVIDED, FURTHER, that this bond may be cancelled by the Surety by sending written notice to the party to whom this bond is payable stating that, not less than thirty (30) days thereafter, the Surety's liability hereunder shall terminate as to subsequent acts of the Principal.

Countersigned
 By [Signature]
 Resident Agent

[Signature] Principal
 WESTERN SURETY COMPANY
 By [Signature]
 Joe P. Kirby, President

ACKNOWLEDGMENT OF PRINCIPAL

THE STATE OF TEXAS }
 County of _____ } ss

Before me, _____ on this day, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at _____, Texas, this _____ day of _____, 19____.

SEAL _____ County, Texas

COMPLAINT NOTICE: Should any dispute arise about your premium or about a claim that you have filed, contact the agent or write to the issuer of this bond, Western Surety Company. If the problem is not resolved, you may also write to the State Board of Insurance, P.O. Box 149091, Austin, Texas 78714-9091, FAX #(512)475-1771. This notice of complaint procedure is for information only and does not become a part or condition of this bond.

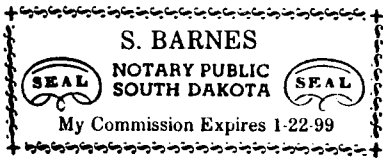
ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

STATE OF SOUTH DAKOTA }
County of Minnehaha } ss

Before me, a Notary Public, in and for said County and State on this 17th day of

August, 19 95, personally appeared Joe P. Kirby

to me known to be the identical person who subscribed the name of WESTERN SURETY COMPANY, Surety, to the foregoing instrument as the aforesaid officer and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of such corporation for the uses and purposes therein set forth.



S. Barnes
Notary Public

Western Surety Company

OFFICIAL
BOND AND OATH

On Behalf of

Principal

Official Title

Texas

Filed the _____ day of _____, 19____,

at _____ o'clock _____ M.

Clerk

County Court _____ County, Texas


ORDER APPROVING BOND

THE STATE OF TEXAS

COUNTY OF HIDALGO

The foregoing bond of _____
as _____ in and for the County of Hidalgo
and State of Texas, this day APPROVED in open Commissioners' Court.

Dated this _____ day of _____, 1987.



County Judge, Hidalgo County, Texas

ATTEST:

JOSE ELOY PULIDO
Clerk of the County Court
of Hidalgo County, Texas

By: _____
Deputy

CERTIFICATE

THE STATE OF TEXAS

COUNTY OF HIDALGO

I, WILLIAM "Billy" LEO, Clerk of the County Court in and for
said County and State, do hereby certify that the foregoing bond of
_____ dated the _____ day of _____,
1987, was filed for record in my office on the _____ day of _____,
1987, at _____ o'clock _____ m, and duly recorded the _____ day of
_____, 1987 at _____ o'clock _____ m, in the Official Bond
Records, Volume _____ Page _____.

WITNESS my hand and seal of said Court at my office in Edinburg,
Texas, the day and year last above written.

JOSE ELOY PULIDO
Clerk of the County Court
of Hidalgo County, Texas

By: _____
Deputy