

# Hidalgo County Commissioners' Court

## Agenda Request Form

"Exhibit A"

No. \_\_\_\_\_

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Date: November 29, 2006 Meeting Date: December 05, 2006  
Deadline for Action: \_\_\_\_\_ Contact Person: Dora L. Munoz, Commander  
Department Hidalgo Count HIDTA Task Force Phone: 956 381-0444 Fax: 956 381-8722  
Dept. Head/Official Signature: \_\_\_\_\_ 

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### **Caption:**

### **High Intensity Drug Trafficking Areas (H.I.D.T.A.) Task Force**

1. Discussion, consideration and approval to destroy a 1996 Dodge Pickup (manufactured in Mexico) VIN #B7HF26Z4TM168650 under the guidelines of Texas Department of Transportation, Vehicle Titles and Registration Division which states: "Once the vehicle is removed from your agency and will no longer be used for law enforcement activities the vehicle must be scrapped ..."
2. Approval to use Abrego Trucking Service for destruction of the 1996 Dodge Pickup VIN #B7HF26Z4TM168650 at no cost to the Task Force
3. Approval to remove from inventory a 1996 Dodge Pickup - VIN #B7HF26Z4TM168650

### **Background:**

The Hidalgo County HIDTA Task Force was awarded one (1) 1996 Dodge Pickup, VIN #3B7HF26Z4TM168650 under Cause No. C-4521-99-F, signed on February 29, 2000. For several years under an "Interlocal Agreement", the Dodge Pickup was used for law enforcement by the San Juan Police (under the Articles 59.01 (2), 59.05(e) of the Texas Code of Criminal Procedure). The Dodge Pickup was returned to the Task Force on November 28, 2006. The Dodge Pickup is in poor working order and of no use to the Task Force. Under the Texas Department of Transportation, Vehicle Titles and Registration Division guidelines the Task Force can not surplus, export, or make a profit from the Dodge Pickup -- it must be destroyed.

### **Budgetary Impact:**

*NONE*

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Please Initial for approval:

Legal Counsel \_\_\_\_\_ Budget \_\_\_\_\_ Human Resources \_\_\_\_\_

Dept./Fund No: \_\_\_\_\_ Amt Expnd:\$ \_\_\_\_\_ Fnds/Staffing Budgeted: Yes \_\_\_\_\_ No \_\_\_\_\_

Account Code: \_\_\_\_\_ Impact on Future budget: Yes \_\_\_\_\_ No \_\_\_\_\_

### **Comments:**

Action taken by Commissioners' Court:

Approved \_\_\_\_\_ Tabled \_\_\_\_\_ Denied \_\_\_\_\_ Motion made by \_\_\_\_\_ Seconded \_\_\_\_\_ Vote \_\_\_\_\_

CAUSE NO. C-4521-99-F

THE STATE OF TEXAS

X

IN THE DISTRICT COURT

VS.

X

332nd JUDICIAL DISTRICT

ONE (1) 1996 DODGE PICKUP,  
VIN #3B7HF26Z4TM168650

X

HIDALGO COUNTY, TEXAS

DEFAULT JUDGMENT

ON this date, came to be considered the above-entitled and numbered cause wherein the State of Texas as Plaintiff alleged that it had seized **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650** alleged in the Original Notice of Seizure and Intended Forfeiture filed herein.

The Court finds that citation and certified copy of Plaintiff's Original Notice and Intention to Forfeit was duly served on **RAMON CEDRON CANTU** by posting at the courthouse door pursuant to Article 59.04(c) Texas Code of Criminal Procedure, and that said citation was returned to the Clerk of the Court where it has remained on file for the time required by law. The Court finds that no answer has been filed herein by the above-named defendant and that the defendant has failed to appear and has wholly made default.

Plaintiff, THE STATE OF TEXAS, announced ready for trial and presented evidence to the Court that the **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650** the subject of this suit, was contraband pursuant to Article 59.01, Texas Code of Criminal Procedure, in that it was used or intended to be used in the commission of a felony under Chapter 481 of the Texas Health and Safety Code. Pursuant to Article 59.05(e) and **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650**, should be forfeited to the Criminal District Attorney of Hidalgo County, Texas as agent for the State of Texas and the **HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE** in accordance with their local agreement.

The Court, after duly considering the evidence and the law, is of the opinion and so finds that **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650**, the subject of this suit, is contraband as defined in the Texas Code of Criminal Procedure, Article 59.01(2). The court further finds that the said **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650** was used or intended to be used in violation of the Texas Controlled Substance Act, Chapter 481 of the Texas Health and Safety Code. Plaintiff, pursuant to Articles 59.01(2), 59.05(e) of the Texas Code of Criminal Procedure requests that **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650** the subject of this suit, be forfeited to the **CRIMINAL DISTRICT ATTORNEY OF HIDALGO COUNTY**, as agent for the State of Texas and the **HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE**, in accordance with their local agreement.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the **ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650** made the subject of this suit and identified in Plaintiff's Original Petition and Notice of Seizure is hereby disposed in the following manner:

**ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650**, is forfeited to the **CRIMINAL DISTRICT ATTORNEY OF HIDALGO COUNTY, TEXAS** and the **HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE**, pursuant to the parties' local agreement.

TF# 99-08-001

IT IS FURTHER ORDERED that the ONE (1) 1996 DODGE PICKUP, VIN #3B7HF26Z4TM168650; hereinafter referred to as the "subject vehicle"; the subject of this suit, be awarded to the HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE, to be used for Law Enforcement purposes.

IT IS FURTHER ORDERED that the "subject vehicle" be released INSTANTER to the HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE, and the State Department of Highway and Public Transportation is ordered to issue valid certificate of title to HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE, for the "subject vehicle".

IT IS FURTHER ORDERED that in the event the "subject vehicle" is to be sold at auction by the HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE pursuant to the Texas Transportation Code and/or the Texas Code of Criminal Procedure, the State Department of Highway and Public Transportation is ordered to issue valid certificate of title to the PURCHASER of the "subject vehicle" subsequent to the sale at auction.

All costs of Court in this cause shall be adjudged against the HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE.

SIGNED AND ENTERED this the 29th day of February, 2000.

  
\_\_\_\_\_  
JUDGE PRESIDING  
332nd DISTRICT COURT

DATE 2/29/00  
Attest, copy I certify  
PAULINE G. GONZALEZ  
District Clerk, Hidalgo County, Texas  
By M. D. Deputy



## **Texas Department of Transportation**

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN, TEXAS 78779-0001 • (512) 465-7611

The **first digit** of the vehicle identification number (VIN) indicates that the vehicle was **manufactured in Mexico or Canada**. Therefore, the vehicle must meet the safety requirements issued by the **U.S. Department of Transportation (DOT), office of the National Highway Traffic Safety Administration (NHTSA)**.

Therefore, the information retrieved from the VIN assist program indicates the VIN shown on the attached documents is not a good VIN. Therefore, the enclosed Form VTR-270 (statement of physical inspection) must be submitted to verify the correctness of the VIN.

If the VIN still fails the test, one of the following must be submitted in order to register the vehicle in the State of Texas:

Vehicles manufactured in Mexico & Canada can **ONLY** be titled in the State of Texas providing that one of the following be submitted along with the enclosed documents.

**DOT HS Form 7, issued by the NHTSA or;**

**Verification from a law enforcement agency stating that the NHTSA approved vehicle safety emblem appears on the vehicle. A picture of the emblem must be submitted.**

**Verification (on letterhead) from the manufacturer stating that the vehicle was manufactured to NHTSA safety specifications. The VIN of the vehicle must be included in the letter.**

The vehicle may be registered as registration purposes only (RPO) for law enforcement use. To register the vehicle for law enforcement use only, please complete the Form VTR-274, (request for Non-Negotiable Title form). **Box 6** should be checked with the remark; "vehicle will be used for law enforcement only."

Once the vehicle is removed from your agency and will no longer be used for law enforcement activities the vehicle must be scrapped or returned to the manufacturing country without one of the above requirements.

If you have any questions regarding this matter, please contact this department at **(512) 374-5363**.