

Hidalgo County District Attorney's Office
H.I.D.T.A. TASK FORCE



MEMORANDUM

TO: Liza Lopez, Surplus Manger
Hidalgo County Purchasing Department

FROM: Dora L. Munoz, Commander
Hidalgo County HIDTA Task Force

DATE: December 14, 2010

SUBJ: Items to be declared surplus

The following item is ready to be declared surplus and ready for auction:

- ONE (1) HOME MADE 5' X 10' TWO WHEEL TRAILER**

If you have any questions, do not hesitate to contact me at (956) 381-0444.

12/15/10

CAUSE NO. C-6251-97-G

THE STATE OF TEXAS X IN THE 370TH DISTRICT COURT
VS. X OF
ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; X HIDALGO COUNTY, TEXAS
ONE (1) MITSUBISHI TELEVISION, S.N.
20SX163799; ONE (1) MAGNAVOX VCR, S.N.
32595539; AND, ONE (1) HOMEMADE 5' X 10'
TWO-WHEEL TRAILER

NUNC PRO TUNC FINAL JUDGMENT

On JANUARY 22, 1998, came to be considered the above entitled and numbered cause wherein the State of Texas by and through the Criminal District Attorney of Hidalgo County, Texas, as Plaintiff, alleged that it had seized ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER, alleged in the Original Petition and Notice of Seizure and Intended Forfeiture filed herein.

The Court found that citation was duly served on Respondent, RAMIRO MORALES, and the said citation was returned to the Clerk of the Court where it had been on file for the time required by law. The Court found that Respondent, RAMIRO MORALES, had theretofore signed and executed an Agreed Judgment in this matter, waiving all interest he had in ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER.

The Court found that Respondent GEICO had been served with process and had filed a Waiver of Citation and Interest therein.

Plaintiff, THE STATE OF TEXAS, announced ready for trial and presented evidence to the Court that the seized ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER should 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.

The Court, after duly considering the evidence and the law, was of the opinion and so found that ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER, the subject of the suit, were contraband as defined in the Texas Code of Criminal Procedure, Article 59.01(2). The Court further found that the said ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER were 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) and 59.06 of the Texas Code of Criminal Procedure, requested that ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER,

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subject of this suit, 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.

It was ORDERED, that the ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; ONE (1) MITSUBISHI TELEVISION, S.N. 20SX163799; ONE (1) MAGNAVOX VCR, S.N. 32595539; AND, ONE (1) HOMEMADE 5' X 10' TWO-WHEEL TRAILER, the subject of this suit, as identified in Plaintiff's Original Petition and Notice of Seizure and Intended Forfeiture, were thereby FORFEITED to the CRIMINAL DISTRICT ATTORNEY OF HIDALGO COUNTY, TEXAS and the HIDALGO COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA "HIDTA" TASK FORCE, as provided by Article 59.05(e) and Article 59.06 of the Texas Code of Criminal Procedure, and pursuant to the parties' local agreement.

IT WAS FURTHER ORDERED that the ONE (1) 1992 FORD, VIN #1FMDU32X7NUD16041; 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 WAS 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".

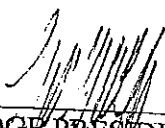
All relief not expressly granted was thereby denied.

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

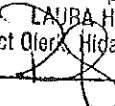
IT IS NOW ORDERED that this NUNC PRO TUNC FINAL JUDGMENT state the following:

"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."

Signed and Entered on this the 18th day of October, 2006.



JUDGE PRESIDING

DATE 12/14/2010
A true copy I certify
LAURA HINOJOSA
District Clerk, Hidalgo County, Texas
by  Deputy

132687

County
Inv.

MAJOR LOPEZ

**INTERLOCAL GOVERNMENTAL AGREEMENT
HIDALGO COUNTY HIDTA TASK FORCE
AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the HIDALGO COUNTY HIDTA TASK FORCE and TEXAS DEPARTMENT OF PUBLIC SAFETY are located in close proximity and have law enforcement, crime prevention and close government ties; and

WHEREAS, the HIDALGO COUNTY HIDTA TASK FORCE and TEXAS DEPARTMENT OF PUBLIC SAFETY have heretofore entered into an agreement providing for the exchange of governmental services relating to the HIDALGO COUNTY HIDTA TASK FORCE; and

WHEREAS, the HIDALGO COUNTY HIDTA TASK FORCE has certain surplus equipment and THE TEXAS DEPARTMENT OF PUBLIC SAFETY has a need for such surplus equipment which can be utilized in providing the service of crime prevention and law enforcement in and for THE TEXAS DEPARTMENT OF PUBLIC SAFETY and in relationship to THE TEXAS DEPARTMENT OF PUBLIC SAFETY'S contribution to the HIDALGO COUNTY HIDTA TASK FORCE.

NOW, THEREFORE, in consideration of the foregoing and the following, the HIDALGO COUNTY HIDTA TASK FORCE and THE TEXAS DEPARTMENT OF PUBLIC SAFETY hereby agree as follows:

1. The HIDALGO COUNTY HIDTA TASK FORCE will deliver to THE TEXAS DEPARTMENT OF PUBLIC SAFETY a certain surplus equipment owned by the HIDALGO COUNTY HIDTA TASK FORCE which is designated as (ONE) MITSUBISHI TELEVISION, SERIAL #20SX163799; ONE MAGNOVOX VCR, SERIAL #32595539; AND ONE (1) HOME MADE 5' X 10' TWO WHEEL TRAILER. Such surplus equipment is being delivered in "as-is" condition and the HIDALGO COUNTY HIDTA TASK FORCE makes no warranty in any manner as to the fitness of the equipment for any purpose.

2. Such equipment to be delivered to THE TEXAS DEPARTMENT OF PUBLIC SAFETY shall be solely for the purposes of use by THE TEXAS DEPARTMENT OF PUBLIC SAFETY for law enforcement activities of THE TEXAS DEPARTMENT OF PUBLIC SAFETY.

3. THE TEXAS DEPARTMENT OF PUBLIC SAFETY shall solely be responsible for maintenance of such equipment while the same is in the possession of THE TEXAS DEPARTMENT OF PUBLIC SAFETY until returned to the HIDALGO COUNTY HIDTA TASK FORCE. THE TEXAS DEPARTMENT OF PUBLIC SAFETY shall not be responsible to the HIDALGO COUNTY HIDTA TASK FORCE for any wear and tear caused to the equipment or any property damage caused to the equipment in the ordinary operations thereof.

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4. Such equipment is to be delivered by THE TEXAS DEPARTMENT OF PUBLIC SAFETY to the HIDALGO COUNTY HIDTA TASK FORCE when the equipment is no longer to be used or is no longer suitable for use by THE TEXAS DEPARTMENT OF PUBLIC SAFETY for law enforcement activities.

5. THE TEXAS DEPARTMENT OF PUBLIC SAFETY, at its sole discretion, agrees to procure any insurance on the equipment, provided that THE TEXAS DEPARTMENT OF PUBLIC SAFETY shall agree to indemnify the HIDALGO COUNTY HIDTA TASK FORCE for any claim made by any third party in any manner relating to the use of any equipment delivered hereunder while it is in the possession of the Hidalgo County District Attorney' Office.

COUNTY OF HIDALGO:

BY: Renato Cuellar
RENATO CUELLAR, COUNTY JUDGE

HIDALGO COUNTY HIDTA TASK FORCE

BY: Lupe Trevino
LUPE TREVINO, PROJECT DIRECTOR/COMMANDER

TEXAS DEPARTMENT OF PUBLIC SAFETY

BY: Laurencio Saenz
LT. LAURENCIO SAENZ

TEXAS DEPARTMENT OF PUBLIC SAFETY

1414 N. BICENTENNIAL •
MCALLEN, TEXAS 78501-4440
956/984-5800



THOMAS A. DAVIS, JR.
DIRECTOR

DAVID McEATHRON
ASST. DIRECTOR

FRANK WALLER
ASST. DIRECTOR

May 11, 2000

COMMISSION
JAMES B. FRANCIS, JR.
CHAIRMAN

ROBERT B. HOLT
M. COLLEEN McHUGH
COMMISSIONERS

Charlie Montgomery
Hidalgo County Risk Manager
100 E. Cano
Edinburg, Texas 78539

Dear Mam,

The Texas Department of Public Safety may be responsible for personal injuries and death incurred through negligence of DPS employees in the maximum amounts of \$250,000 for individual, \$500,000 for any single accident, and up to \$100,000 for any single occurrence for injury to or destruction of property (Texas Tort Claims). The two wheel 5X10 trailer when used by our department will be covered by the above.
If you have any further questions please feel free to call me (956)984-5626.

Sincerely,

Laurencio Saenz, Jr.
Highway Patrol Lieutenant
Texas DPS
1414 N. Bicentennial
McAllen, Texas 78501

C. Hector Ramos, Captain, THP, McAllen

COURTESY • SERVICE • PROTECTION

Hidalgo County H.I.D.T.A Task Force

FACSIMILE TRANSMITTAL COVER SHEET

To: Lt. Mario Lopez From: Dora Munoz, Commander

D/P.S.

Date: H.I.D.T.A.

Fax # 984-5685

Total Number of Pages Including Cover: 4

Phone # 984-5626

Senders' # (956) 381-0444

RE: Interlocal Agreement

Sender's Fax # (956) 381-8722

X URGENT For Review Please Comment Please Reply Please Recycle

Mario,
Just we know if you are
using these items.
if not, so that we may
pick up for surplus.

Clara

P.O. Box 5719, McAllen, Texas 78502-5719 • (956) 381-0444 Fax: (956) 381-8722