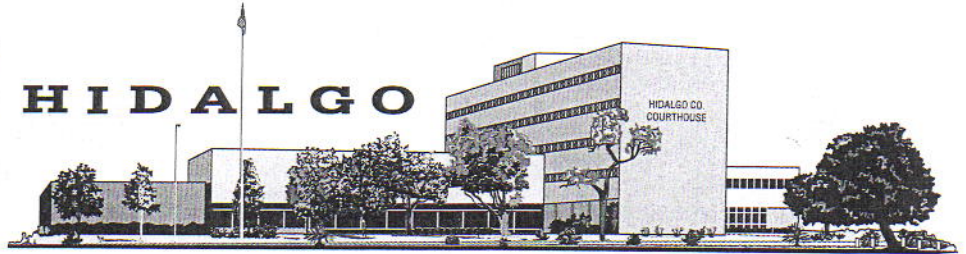


COUNTY of HIDALGO

HIDALGO COUNTY AUDITOR'S OFFICE
Hidalgo County Administration Building
2808 South Business Highway 281
Edinburg, Texas 78539-6243
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBSITE: www.co.hidalgo.tx.us/auditor



EDINBURG, TEXAS 78539

September 8, 2011

The Honorable Celestino Avila Jr.
Constable, Pct. 1
1902 Joe Stephens Ave, Suite 303
Weslaco, TX 78596

RE: Official Bond – 2nd Notice

Dear Constable Avila:


On February 7, 2011, correspondence was sent to the Constable, Pct. 1 Office regarding required revisions to the Constable, Pct. 1 official county bond. The official bond was made payable to Hidalgo County Constable Precinct #1, instead of the Governor and the Governor's successors in office.

Local Government Code §86.002 (a) states, "Before entering on the duties of office, a person who is elected to the office of constable must execute a bond with two or more good and sufficient sureties or with a solvent surety company authorized to do business in this state. The bond must be payable to the governor and the governor's successors in office and conditioned that the constable will faithfully perform the duties imposed by law. The bond must be approved by the commissioners court of the county. The commissioners court shall set the bond in an amount of not less than \$500 or more than \$1,500."

Please ensure that the bond is properly executed, filed with the County Clerk, and approved by Commissioners Court. Copies of the properly executed bond should be submitted to the County Auditor's Office.

If you should have any questions, please do not hesitate to call me at ext. 4604.

Sincerely,


Ray Eufrazio, CPA
County Auditor

CC: The Honorable Arturo Guajardo, Hidalgo County Clerk

Enclosure: Copy of bond

HIDALGO COUNTY DISTRICT JUDGES

RICARDO P. RODRIGUEZ, JR.
JUDGE, 92ND D.C.

RODOLFO DELGADO
JUDGE, 93RD D.C.

J. R. "BOBBY" FLORES
JUDGE, 138TH D.C.

ROSE GUERRA REYNA
JUDGE, 206TH D.C.

JUAN R. PARTIDA
JUDGE, 275TH D.C.

MARIO E. RAMIREZ, JR.
JUDGE, 332ND D.C.

NOE GONZALEZ
JUDGE, 370TH D.C.
OVERSEER

LETICIA LOPEZ
JUDGE, 389TH D.C.

AIDA SALINAS FLORES
JUDGE, 398TH D.C.

ISRAEL RAMON, JR.
JUDGE, 430TH D.C.

JESSE CONTRERAS
JUDGE, 449TH D.C.

Bond No. _____

COPY



RECEIVED BY

OFFICIAL BOND AND OATH
STATE FARM FIRE AND CASUALTY COMPANY
BLOOMINGTON, ILLINOIS

2008 DEC 24 9 59

FILED
AT 12:43 O'CLOCK P.M.
DEC 24 2008
ARTURO GUAJARDO, JR., COUNTY CLERK
HIDALGO COUNTY, TEXAS
BY [Signature] DEPUTY

KNOW ALL PERSONS BY THESE PRESENTS:

That we, Celestino Avila Jr. of _____
Principal

3921 Tierra Escondida Weslaco TX 78596
Street Address City State zip

as Principal, and STATE FARM FIRE AND CASUALTY COMPANY of Bloomington, Illinois, as surety, are held and firmly bound unto Hidalgo County Constable Precinct #1

in the penal sum of Five Thousand Dollars And No Hundreds Dollars

(\$ 5,000), for the payment of which, well and truly to be made, we do hereby severally bind ourselves, our heirs, executors, administrators, successors, and assigns, firmly by these presents.

Sealed with our Seals, and dated this 23rd day of December, 2008

THE CONDITION OF THIS OBLIGATION ARE SUCH, that, Whereas, the said Principal has been elected or appointed to the office of Hidalgo County Constable

_____ for a term of 4 years
_____ beginning on 01/01/09 and
ending on 01/01/13

NOW, THEREFORE, if the said Principal shall well, truly and faithfully perform all official duties required by law of such official during the term aforesaid, the principal and the Surety hereby agreeing that if said bond is required by any statute, all the provisions of such statute are hereby made a part of this bond, then this obligation shall be void, otherwise to remain in full force and effect.

[Signature]
Principal



STATE FARM FIRE AND CASUALTY COMPANY

By: [Signature]
Attorney-in-fact

The within bond and the Surety thereon are hereby approved this 23rd day of DECEMBER, 2008

OATH OF OFFICE

STATE OF Texas

SS

COUNTY OF Hidalgo

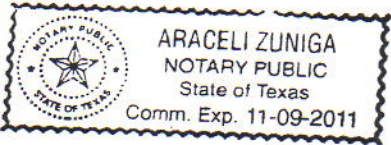
Celestino Avila Jr. being
Principal (print name)

duly sworn, says that he/she will support the constitution of the United States and of the State of

and that he/she will faithfully, honestly and impartially perform and discharge the
duties of the office/position to which he/she has been appointed while he/she shall hold said office.

Celestino Avila Jr.
Signature of Principal

Sworn to by said **Celestino Avila Jr.**
Principal (print name)



Notary Seal

before me, and subscribed in my presence this

23rd day of December A.D. 2008

Araceli Zuniga
Notary Public

11-09-2011
Commission Date

HIDALGO COUNTY CONSTABLE PRECINCT 1 (291)
INVOICE SUMMARY COVER SHEET
BUDGET ACCOUNT NO. 8-1100-143-20-000-000-0-000
DATE SUBMITTED TO COUNTY AUDITOR: January 9, 2009

ORIGINAL

CO. AUDITORS
A/P CLERK
SIGNATURE: _____
PAYMENT DATE: _____

VENDOR NAME	INVOICE DATE	INVOICE NO.	INVOICE AMOUNT	P.O. #	AUDITOR'S REMARKS
Mario B. Dominguez DBA State Farm Ins.	12-18-08	Celestino Avila Jr.'s bond	70.00	Direct as per Sandy Suarez	
1. Bond approved by CC on 12-30-08.					
2. As per our conversation this letter is what Mr. Dominguez provides us as an invoice and it has been used and paid for in the past for other deputies. Bond is for the 4 year term.					
3. Invoice has been corrected "payable to Governor State of Texas".					
4. Mr. Dominguez will have bond corrected to read <i>.....as surety, are held and firmly bound unto Governor State of Texas</i> Original for filing w/County Clerk will be forwarded to us as soon corrections are made. I will forward you a copy as soon as I receive it.					
TOTAL NUMBER OF INVOICES ATTACHED			TOTAL COVER SHEET AMOUNT	2009 JAN 13 PM 12:46	COUNTY AUDITOR
01			\$70.00		

RECEIVED BY

DOMINGUEZ, MARIO B.
Auto-Life-Health-Home and Business

131 N. TEXAS
MERCEDDES, TX 78570 PHONE (956) 565-3126

December 18, 2008

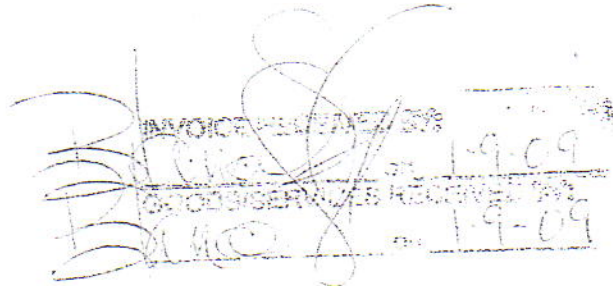
HIDALGO COUNTY
ACCTS. PAYABLE DEPT.
100 E. Cano, 3rd Floor
Edinburg, TX 78539

REF: Celestino Avila Jr.'s bond renewal

Please allow this letter to serve as the invoice the Surety Bond for Constable Celestino Avila Jr. which will commence on 01-01-2009 and end on 01-01-2013. The bond is being issued by State Farm Insurance Fire & Indemnity Company. The bond is in the amount of \$5000.00 for four years and is payable to the Governor State of Texas. The cost for renewing the bond for 4 years is \$70.00. Please call our office with any additional questions at (956) 565-3126.



Mario Dominguez Jr.
Account Manager



AI-13086

10.A.

**Approval of 2009 Elected Official Bonds
CC REGULAR**

Date: 12/30/2008
Submitted By: Delia Rodriguez, COUNTY CLERK
Submitted For: Annette Muniz
Department: COUNTY CLERK
Agenda Category: County Clerk

Information

CAPTION

- Approval of 2009 Elected Official Bonds:
1. Sylvia S. Handy- *Commissioner Pct. 1
 2. Jose M. Flores- *Commissioner Pct. 3
 3. Guadalupe "Lupe" Treviño- *County Sheriff
 4. Armando Barrera Jr.- *Tax Assessor/Collector
 5. Celestino Avila- Constable Pct. 1
 6. Gilbert Alaniz- Constable Pct. 2
 7. Larry Gallardo- *Constable Pct. 3
 8. J.E. "Eddie" Guerra- Constable Pct. 4
 9. Eduardo Bazan- *Constable Pct. 5
 10. Gilbert Saenz- J.P. Pct. 1 Pl. 1
 11. Robert Contreras- *J.P. Pct. 2 Pl. 1
 12. Luis J. Garza- *J.P. Pct. 3 Pl. 1
 13. Charlie Espinoza- J.P. Pct. 4 Pl.1

BACKGROUND

Fiscal Impact

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
 No fiscal impact.

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
 No fiscal impact.

Attachments

No file(s) attached.

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Veronica Lopez	12/24/2008 12:13 PM	APRV
2	Ivan Cantu	Ivan Cantu	12/24/2008 12:54 PM	APRV
3	Auditor's Office		12/24/2008 03:27 PM	NEW
Form Started By: Delia Rodriguez			Started On: 12/24/2008 11:32 AM	
Final Approval Date: 12/24/2008				

Sec. 86.002. ATH; BOND. (a) Before entering on the duties of office, a person who is elected to the office of constable must execute a bond with two or more good and sufficient sureties or with a solvent surety company authorized to do business in this state. The bond must be payable to the governor and the governor's successors in office and conditioned that the constable will faithfully perform the duties imposed by law. The bond must be approved by the commissioners court of the county. The commissioners court shall set the bond in an amount of not less than \$500 or more than \$1,500.

(b) A person who is elected constable must also take and sign the constitutional oath of office. The oath shall be endorsed on the bond, together with the certificate of the officer who administers the oath. The bond and oath must be deposited and recorded in the office of the clerk of the county court.

(c) The bond is not void on the first recovery but may be sued on from time to time in the name of an injured party until the whole amount of the bond is recovered.

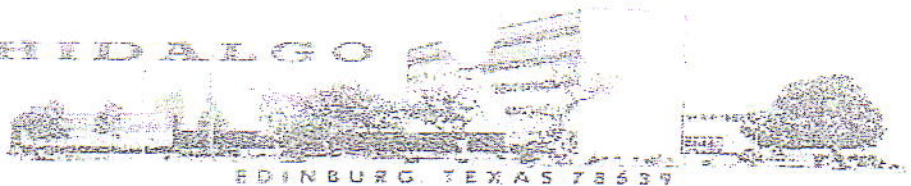
(d) A person who is elected or appointed to the office of constable and who has given the necessary bond and taken the oath of office may immediately perform the duties of the office. The acts of the constable are as valid in law as if the constable were commissioned.

(e) Repealed by Acts 1995, 74th Leg., ch. 683, Sec. 1, eff. Aug. 28, 1995.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 683, Sec. 1, eff. Aug. 28, 1995.

Amended by:

Acts 2005, 79th Leg., Ch. 1094, Sec. 18, eff. September 1, 2005.



HIDALGO COUNTY AUDITOR'S OFFICE
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Edinburg, Texas 78539-6243
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBSITE: www.co.hidalgo.tx.us/auditor

OFFICE OF THE COUNTY AUDITOR

NOTICE OF DISCREPANCY AND/OR ADVISORY

DATE: 12/30/08

TO: Blanca Sanchez, Weslaco, TX

DEPARTMENT: Const/Pct. 1

FROM: Dora Gonzalez, Asst. Accounts Payables Auditor

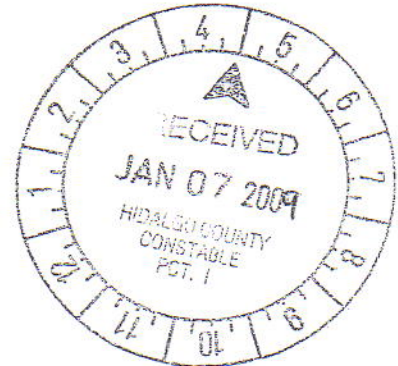
PHONE: (956) 318-3511 ext. 4626

REFERENCE: Request for payment of Surety Bond Renewal

THE FOLLOWING DOCUMENT (S), i.e. letter IS/ARE BEING RETURNED, BECAUSE OF THE REASON (S) INDICATED BELOW AND REQUIRES YOUR IMMEDIATE ATTENTION. CORRECTIVE ACTION IS NECESSARY IN ORDER FOR MY OFFICE TO PERFORM ITS DUTIES ACCORDING TO STATUTES, POLICIES, FEDERAL REGULATIONS, AND ACCOUNTING STANDARDS.

PAYMENT (S) OF CLAIMS RELATED TO THIS DOCUMENT (S) WILL BE MADE AS SOON AS POSSIBLE AFTER CORRECTIVE ACTIONS HAS BEEN TAKEN AND THE CORRECTED AND PROPER DOCUMENTATION HAS BEEN SUBMITTED/RESUBMITTED TO THE AUDITOR'S OFFICE WITH SUFFICIENT TIME FOR THE AUDITOR TO EXAMINE AND APPROVE BEFORE THE NEXT SCHEDULED MEETING OF THE HIDALGO COUNTY COMMISSIONERS COURT, AS PER LOCAL GOVERNMENT CODE 113.064.

- EXPENDITURE INCURRED BEFORE PURCHASE ORDER ISSUED - PLEASE FOLLOW PROPER CLAIMS PROCEDURES
- PURCHASE ORDER NUMBER IS INCONSISTENT WITH INVOICE
- AMOUNT BILLED DOES NOT MATCH THE PURCHASE ORDER AMOUNT
- VENDOR ON PURCHASE ORDER DOES NOT MATCH INVOICE
- INSUFFICIENT DOCUMENTATION TO PROCESS PAYMENT
- SIGNATURE OR DATE NOT PRESENT
- SYSTEM SHOWS INVOICE PAID
- INSUFFICIENT FUNDING IN ACCOUNT # _____ AVAILABLE \$.
- BOND NEEDS COMMISSIONERS COURT APPROVAL. **12-30-08**
- NEEDS COMPLIANCE WITH PURCHASING POLICY/STATUTES/CONTRACTS (SEE COMMENTS):
- NEEDS CORRECTION (S): request actual invoice and copy of bond information.
- NEEDS ADDITIONAL DOCUMENTATION i.e.,:
- OTHER: please review attached information: per copy of the Local government Code Chapter 86. Constables -Sec. 86.002. Oath Bond.....one of the requirements is that bond be set in an amount of not less than \$500 or more than \$1,500.00. Also, not sure why the bond would be payable to Governor Station of Texas Hidalgo County Constable Pct 1 as stated in letter and is the \$5,000 for the four year term? yes

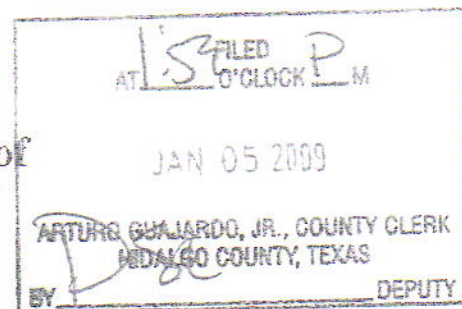


HIDALGO COUNTY DISTRICT JUDGES

- RICARDO P. RODRIGUEZ, JR.
JUDGE, 92ND D.C.
- RODOLFO DELGADO
JUDGE, 93RD D.C.
- J. R. "BOBBY" FLORES
JUDGE, 135TH D.C.
- ROSE GUERRA REYNA
JUDGE, 205TH D.C.
- JUAN R. PARTIDA
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- MARIO E. RAMIREZ, JR.
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- LETICIA LOPEZ
JUDGE, 389TH D.C.
- AIDA SALINAS FLORES
JUDGE, 398TH D.C.
- THOMAS P. WINGATE
JUDGE, 430TH D.C.
- DANIEL G. RIOS
JUDGE, 449TH D.C.

In the name and by the authority of

The State of Texas



OATH OF OFFICE

I, Celestino Avila Jr., do solemnly swear (of affirm), that I will faithfully execute the duties of the office of Constable Precinct One of Hidalgo County of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.



Affiant

SWORN TO and subscribed before me by Affiant on this 1st day of January 2009.



Signature of Person Administering Oath

Jesus E. Morales

Printed Name

Justice of the Peace, Precinct 1 Place 2

Title

STATEMENT OF ELECTED / ~~APPOINTED~~ OFFICER

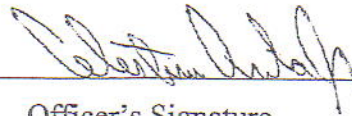
(Pursuant to Tex. Const. Art XVI, § 1(b), amended 2001)

I, Celestino Avila Jr. do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.

December 23, 2008

Date



Officer's Signature

Constable of Precinct 1

Position to which Elected / Appointed

Hidalgo County

City and / or County