

STATE COMMISSION ON JUDICIAL CONDUCT
P.O. BOX 12265, CAPITOL STATION, AUSTIN, TEXAS 78711
COMPLAINT FORM

Complainant: Hector M. Hernandez Judge: Joe A. Garza, Presiding Judge
4820 Delwood #3 Municipal Court
Corpus Christi, Tx 78413 Corpus Christi, Texas
1-512-994-1705

The State of Texas
County of Nueces

Before me the undersigned, a Notary Public in and for said County, State of Texas, on this day personally appeared Hector M. Hernandez to me well known, and who, after being by me duly sworn, deposes and says upon information and belief that:

1. The judge has continuous ex parte contact with persons having cases pending before his court. This contact is primarily with defendants, but sometimes involves attorneys. In one instance, a hearing was scheduled before him on a motion filed by an attorney. When I timely appeared to represent the State, I was informed that a ruling had already been made. When I asked him about it the next day, he stated that he had made up his mind before the hearing was scheduled and that the only reason he scheduled a hearing was because the defense attorney had requested it.
2. The judge frequently dismisses cases without any recommendation by the State.
3. The judge frequently enters judgements of not guilty when the State has not been heard. Some of these judgements are entered outside a formal courtroom setting.
4. The judge is often abusive and discourteous to prosecutors. He has confronted prosecutors in hallways making a variety of derogatory remarks about their competence and work effort. He has also made such remarks about prosecutors to other municipal court personnel.
5. The judge has been unprofessional on the bench. On one occasion he suggested to a defendant in open court that he "sue the shit out of the City."
6. The judge often purports to act for the State. In a case set before him on February 27, 1987, wherein the State refused to waive the presence of the Defendant, the judge stated "I'll waive her presence for you."

7. The judge is arbitrary and biased while on the bench. He has berated police officers and prosecutors in open court. He has stated on at least one occasion that he bends over backwards to find people not guilty.

Victor M. Hernandez

Subscribed and sworn to before me, this 18th day of March, 1987.

Sandra Kaye Pfluger

Notary Public in and for Nueces County, Texas
My Commission expires November 16, 1989.

SANDRA KAYE PFLUGER
Notary Public, State of Texas
My commission expires _____