



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 04-0285-JP

PUBLIC ADMONITION

**HONORABLE ALONZO VILLARREAL
JUSTICE OF THE PEACE, PRECINCT 1, PLACE 1
ALICE, JIM WELLS COUNTY, TEXAS**

During its meeting on June 9-11, 2004, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Alonzo Villarreal, Justice of the Peace for Precinct 1, Place 1, Alice, Jim Wells County, Texas. Judge Villarreal was advised by letter of the Commission's concerns and provided a written response. Judge Villarreal appeared before the Commission with counsel on June 10, 2004, and gave testimony. After considering the evidence, the Commission entered the following Findings and Conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Alonzo Villarreal was the Justice of the Peace for Precinct 1, Place 1, Alice, Jim Wells County, Texas.
2. On or about November 5, 2003, Juan Miguel Marquez approached Judge Villarreal in chambers and asked him to contact Judge Jerry Barker, a municipal court judge in Falfurrias, to discuss Mr. Marquez's traffic citation that was pending in Judge Barker's court.
3. Judge Villarreal telephoned Judge Barker to discuss Mr. Marquez's ticket. At Mr. Marquez's request, Judge Villarreal asked Judge Barker if he would allow Mr. Marquez to pay court costs only and place him on deferred adjudication.
4. Judge Barker told Judge Villarreal that his call and request were an inappropriate use of his judicial office.
5. In response to Judge Barker's comments, Judge Villarreal told Judge Barker that "we judges help each other," or words to that effect.

6. In his written responses to and appearance before the Commission, Judge Villarreal identified Mr. Marquez as a “constituent,” and stated that it is a common practice for judges in his area to call each other “for information, options and/or explanations, when requested by citizens.”
7. Judge Villarreal also testified that he would not have made the request for deferred adjudication had he known that Mr. Marquez had a commercial driver’s license.

RELEVANT STANDARD

Canon 2B of the Texas Code of Judicial Conduct states, in relevant part, that “A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge.”

CONCLUSION

The Commission concludes from the facts and evidence before it that by placing the telephone call to Judge Barker to discuss Mr. Marquez’s traffic ticket, Judge Villarreal was using his position as a judge to gain favorable treatment for Mr. Marquez, in violation of Canon 2B of the Texas Code of Judicial Conduct.

In condemnation of the conduct violative of Canon 2B of the Texas Code of Judicial Conduct recited above, it is the Commission’s decision to issue a **PUBLIC ADMONITION** to the Honorable Alonzo Villarreal, Justice of the Peace for Precinct 1, Place 1, Alice, Jim Wells County, Texas.

Pursuant to the authority contained in Article V, Section 1–a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC ADMONITION** by the Commission.

The Commission has taken this action in a continuing effort to protect public confidence in the judicial system and to assist the state’s judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this the 25 day of June, 2004.

ORIGINAL SIGNED BY

Honorable Joseph B. Morris, Chair
State Commission on Judicial Conduct