



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

**IN RE: HONORABLE ANGELICA HERNANDEZ
FORMER JUDGE OF THE 105TH JUDICIAL DISTRICT COURT
KINGSVILLE, KLEBERG COUNTY, TEXAS
CJC Nos. 13-0407-DI, 13-0634-DI, 13-0830-DI, 13-1142-DI, 14-0134-DI, 14-0955-DI,
14-1157-DI, 15-0093-DI, and 15-0094-DI.**

**VOLUNTARY AGREEMENT TO RESIGN FROM
JUDICIAL OFFICE IN LIEU OF DISCIPLINARY ACTION**

This Agreement is being entered into by the undersigned parties pursuant to Section 33.032(h) of the Texas Government Code.

WHEREAS at all times relevant hereto, the Honorable Angelica Hernandez was the Judge of the 105th Judicial District Court, Kingsville, Kleberg County, Texas, and

WHEREAS the above-referenced complaints were filed with the State Commission on Judicial Conduct alleging that Judge Hernandez had engaged in numerous acts of judicial misconduct, including but not limited to: engaging in impermissible *ex parte* communications with attorneys, litigants, and/or criminal defendants; failing to recuse herself in matters she was disqualified to hear; exhibiting a bias and/or prejudice towards certain litigants and/or their attorneys; conducting independent investigations into pending criminal matters before her court; failing to comply with the Kenedy and Kleberg District Court and County Court Plan related to removing an attorney from the county's indigent defense appointment list; failing to treat attorneys and litigants in a patient, dignified and courteous manner, and abusing her authority, and

WHEREAS no Findings of Fact or Conclusions of Law have been made in connection with the above-referenced matters, and

WHEREAS the parties agree that the allegations of judicial misconduct, if found to be true, could result in further disciplinary action against Judge Hernandez, and

WHEREAS the parties to this Agreement are desirous of resolving these matters without the time and expense of further disciplinary proceedings, and

IT IS THEREFORE AGREED that Judge Hernandez, by executing this Agreement, affirms that she has resigned her judicial office in lieu of disciplinary action by the Commission, pursuant to Section 33.032(h) of the Texas Government Code. The Commission agrees that it shall pursue no further disciplinary proceedings against Judge Hernandez in connection with the above-referenced matters.

IT IS FURTHER AGREED that, upon the Commission's approval of this Agreement, Judge Hernandez shall be forever disqualified from judicial service in the State of Texas, including (a) sitting or serving as a judge, (b) standing for election or appointment to a judicial office, and/or (c) performing or exercising any judicial duties or functions of a judicial officer, including the performance of wedding ceremonies.

IT IS FURTHER AGREED that any violation of this Agreement by Judge Hernandez would constitute willful or persistent conduct that is clearly inconsistent with the proper performance of her duties or casts public discredit upon the judiciary or administration of justice in violation of Art. 5, §1-a(6)A of the Texas Constitution, and Section 33.001(b) of the Texas Government Code.


IT IS FURTHER AGREED that the Commission may enforce this Agreement through any legal process necessary, including injunctive relief; that Travis County, Texas, shall be the proper venue for any dispute between the parties or proceeding relating to this Agreement; and that Judge Hernandez, individually, shall bear the expense, cost, and any reasonable and necessary attorneys' fees in the event any dispute arising under this Agreement is decided against her by any court or tribunal.

IT IS FURTHER AGREED that Judge Hernandez, by her execution of this voluntary agreement, does not admit guilt, fault or liability regarding the matters contained in the complaint referenced above.

AGREED TO AND ACCEPTED upon its execution by the parties.



HON. ANGELICA HERNANDEZ



HON. STEVEN L. SEIDER, CHAIR
STATE COMMISSION ON JUDICIAL
CONDUCT

Date: 10/15/15

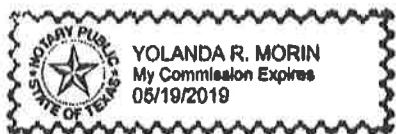
Date: October 15, 2015

VERIFICATION

State of Texas §
County of WuCCES §

BEFORE ME, the undersigned authority, on this day personally appeared ANGELICA HERNANDEZ, who by me being first duly sworn, on his/her oath deposed and said that the above "Voluntary Agreement to Resign from Judicial Office in Lieu of Disciplinary Action" is a true and correct recitation of the facts and accurately reflects his/her understanding of the terms and conditions of, and voluntary consent to enter into, such Agreement.

SWORN TO BEFORE ME, on this the 15th day of October, 2015.



Yolanda R. Morin
NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS