



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 20-0623

PUBLIC REPRIMAND

**HONORABLE GRACE UZOMBA
COUNTY COURT AT LAW NO. 2
SAN ANTONIO, BEXAR COUNTY, TEXAS**

During its meeting on August 9-11, 2022, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Grace Uzomba, County Court at Law No. 2, San Antonio, Bexar County, Texas. Judge Uzomba was advised by letter of the Commission's concerns and provided a written response.

After considering the evidence before it, the Commission enters the following findings and conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Grace Uzomba, was judge of the County Court at Law No. 2, San Antonio, Bexar County, Texas.
2. On February 9, 2018, Dario Davis ("Davis"), defendant in *State of Texas v. Dario E Davis* (the "Davis Case"), Cause No. 503703, pled no contest to the offense of Driving While Intoxicated and was placed on probation for two years.
3. While presiding over the Davis Case, on August 5, 2019 during a complinace hearing, Judge Uzomba amended Davis' conditions of his community supervision by ordering Davis to attend a Ministry of the Third Cross ("MOTC") retreat in San Antonio on September 25-29, 2019.
4. During a compliant hearing on October 9, 2019, Judge Uzomba admonished Davis for taking his own initiative and completing a retreat that the court did not order. She explained to Davis that he would complete the MOTC retreat in San Antonio on December 5-8, 2019. However, an order amending conditions of community supervision was not completed regarding the MOTC retreat for December because Gerald Wright ("Wright"), a Bexar County Community Liaison Officer, had left court before the hearing ended.

5. On October 21, 2019, Wright informed Andrew Froelich (“Froelich”), Davis’ attorney, that Judge Uzomba granted permission for Davis to attend the MOTC retreat in Corpus Christi on October 24-29, 2019.
6. On October 24, 2019, Davis began attending the MOTC retreat in Corpus Christi.
7. On October 25, 2019, Judge Uzomba ordered Davis to be transported from MOTC in Corpus Christi to appear in her court on the basis that he did not have permission to attend the retreat in Corpus Christi.
8. At the compliance hearing on October 25, 2019, Wright stated Judge Uzomba had given Davis permission to attend the MOTC retreat in Corpus Christi.
9. After Wright’s statement, Judge Uzomba proceeded to amend Davis’ conditions of community supervision by: (1) ordering an increase in the amount of urinalysis required a week, (2) requiring him to acquire a Portable Alcohol Monitoring device, (3) having him attend and complete a specific substance abuse outpatient treatment program, (4) reinstating a fine and (5) performing more community service. However, with regard to this order, Judge Uzomba did *not* order Davis to attend the MOTC retreat in San Antonio on December 5-8, 2019.
10. Judge Uzomba stated she did not recall granting permission for Davis to attend the MOTC retreat in Corpus Christi and when she learned he was attending the retreat in Corpus Christi, she understood that Davis was yet again violating his probation agreement.
11. Judge Uzomba stated she recognized there was a breakdown in communication between her, Wright and the Probation Officer assigned to Davis’ case, which created confusion regarding where Davis was permitted to attend the MOTC retreat in Corpus Christi.
12. Judge Uzomba stated she has never set conditions of community supervision as a “punishment” and the conditions she set for Davis were not “outside of the ordinary and common conditions of any other individual with similar circumstances.”
13. At a compliance hearing on December 9, 2019, Judge Uzomba asked Davis if he attended the MOTC retreat on December 5-8, 2019. Davis responded he had not, and Judge Uzomba ordered Davis taken into custody. After Froelich objected and requested a hearing and bond be set, Judge Uzomba set a hearing for December 11, 2019, but refused to set a bond.
14. For a few hours, Davis remained handcuffed and detained in the jury box and subsequently in a holding cell.
15. After a discussion in chambers with Froelich and Philip Kazen, First Assistant District Attorney of the Bexar County District Attorney’s Office (“ADA Kazen”), Judge Uzomba ordered Davis released after ADA Kazen stated he would not support a motion to revoke probation.
16. On December 11, 2019, Froelich filed a Motion to Recuse Judge Uzomba. Judge Uzomba voluntarily recused herself.
17. Judge Uzomba stated no prosecutors were present at these compliance hearings because it is not typical for prosecutors to be at these hearings. However, a representative of the Probation Department was always present during compliance hearings.
18. Judge Uzomba stated, “I willingly acknowledge that I have made mistakes as a new judge pursuing my belief of restorative and rehabilitative justice. However, I reaffirm that any mistakes I made were isolated and made in good faith, without any improper purpose.”

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct provides, in relevant part: “A judge shall comply with the law...”
2. Canon 3B(2) of the Texas Code of Judicial Conduct provides, in relevant part: “A judge should be faithful to the law and shall maintain professional competence in it...”
3. Canon 3B(4) of the Texas Code of Judicial Conduct provides, in relevant part: “A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity...”
4. Article V, Section 1-a(6)A of the Texas Constitution provides, in relevant part, that a judge shall not engage in “willful or persistent conduct” that “is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary...”
5. Art. 42A.108(a) of the Texas Code of Criminal Procedure provides, in relevant part: “On violation of a condition of deferred adjudication community supervision ..., the defendant may be arrested and detained as provided in Art. 42A.751.”
6. Art. 42A.751(b) of the Texas Code of Criminal Procedure provides, in relevant part: “At any time during the period of community supervision, the judge may issue a warrant for a violation of any condition of community supervision and cause the defendant to be arrested.”

CONCLUSION

Based on the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Grace Uzomba, judge of the County Court at Law No. 2, San Antonio, Bexar County, Texas, should be publicly reprimanded for: (1) her failure to comply with the law and maintain professional competence in the law regarding the handling of Davis’ conditions of community supervision regarding the MOTC retreat, and detaining Davis for allegedly violating a condition of his community supervision regarding attending a certain MOTC retreat which was not ordered in the Davis Case; and (2) failure to be patient, dignified and courteous to Davis regarding the conditions of his community supervision regarding the MOTC retreat and ordering him handcuffed for a few hours while waiting to have a warrant issued or motion to revoke his probation filed against him for allegedly violating the conditions of his community supervision regarding attending a certain MOTC retreat in the Davis Case which constituted willful and persistent conduct that is clearly inconsistent with the proper performance of her duties and that cast public discredit upon the judiciary or the administration of justice, in violation of Canons 2A, 3B(2), and 3B(4) of the Texas Code of Judicial Conduct, and Article V, Section 1-a(6)A of the Texas Constitution.

The Commission has taken this action pursuant to the authority conferred it in Article V, §1-a(8) of the Texas Constitution in a continuing effort to protect the public and promote public confidence in the judicial system.

Issued this the 24 day of October, 2022



David Schenck
Chairman, State Commission on Judicial Conduct