



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 21-0921, 21-1264, 21-1266, 21-1267, 21-1271, 21-1311 & 22-0072

PUBLIC REPRIMAND

**HONORABLE MIKE BENNETT
COUNTY JUDGE
GOLIAD, GOLIAD COUNTY, TEXAS**

During its meeting on June 7-8, 2023, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Mike Bennett, County Judge, Goliad, Goliad County. Judge Bennett appeared before the Commission on June 7, 2023, and gave testimony. After considering the evidence before it, the Commission entered the following Findings and Conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Mike Bennett was the County Judge for Goliad, Goliad County, Texas.
2. On May 25, 2021, Goliad County Justice of the Peace Susan Moore issued a warrant for the seizure of cattle that had been mistreated and believed to have been starving.
3. On May 26, 2021, the Goliad County Constables, Brazoria County Livestock Deputy, Houston Humane Society Chief Animal Cruelty Officer and his team began the process of serving the Warrant for Seizure of Animals in the 4300 Blk of Franke Road in Goliad County.
4. Judge Bennett arrived at the property where the warrant was being served and the cattle were being seized and attempted to interfere with the seizure and stop the workers from loading the trailer.
5. During his appearance before the Commission, Judge Bennett acknowledged arriving at the 4300 Blk of Franke where the cattle were being seized after being contacted by a rancher who informed him that the cattle were being hauled to another county.
6. Judge Bennett denied ordering anyone to stop the seizure, but rather he acknowledged that he asked the workers to stop loading the cattle until he could find out what was going on.

7. Thereafter, Judge Bennett arrived at the second property located at FM 622 in an attempt to stop the seizure of the cattle at that property as well.
8. Judge Bennett stated that he contacted Judge Moore by phone twice to ask her to recall the warrant.
9. Judge Bennett testified that the cattle were owned by Darryl Franke, who had died several months prior, and a probate hearing regarding Mr. Franke's estate was scheduled in his court for the following week.
10. Judge Bennett explained that he attempted to stop the seizure because he was concerned about the probate case and believed he needed to protect the property of the deceased.
11. Subsequently, the Goliad County Attorney filed a motion to recuse Judge Bennett from presiding over the civil hearing on the seizure of the cattle based on his involvement and attempt to stop service of the warrant for seizure. Judge Bennett voluntarily recused himself from the case.

RELEVANT STANDARDS

1. Canon 2B of the Texas Code of Judicial Conduct provides that a judge shall not lend the prestige of judicial office to advance the private interests of the judge or others.
2. Canon 4A(1) of the Texas Code of Judicial Conduct provides that a judge shall conduct all of the judge's extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to impartially.
3. Article V, Section 1-a(6)A of the Texas Constitution provides 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 or administration of justice.

CONCLUSION

Based on the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined the Honorable Mike Bennett, County Judge, Goliad, Goliad County, Texas should be publicly reprimanded for interfering with the legal service of process of a Warrant for Seizure of Cattle, in violation of Canons 2B and Canon 4A(1) of the Texas Code of Judicial Conduct. The Commission further concludes that the judge's actions in these respects constituted willful and persistent conduct that is clearly inconsistent with the proper performance of his duties and cast public discredit upon the judiciary or the administration of justice, in violation of 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, Section 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 16 day of August, 2023.



Gary Steel
Chairman, State Commission on Judicial Conduct