



**BEFORE THE  
STATE COMMISSION ON JUDICIAL CONDUCT**

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**CJC No. 03-0149-JP**

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**PUBLIC ADMONITION**

**HONORABLE BENNIE OCHOA, III  
JUSTICE OF THE PEACE, PRECINCT 1, PLACE 1  
PORT ISABEL, CAMERON COUNTY, TEXAS**

During its meeting in Austin, Texas, on December 5-6, 2002, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Bennie Ochoa, III, Justice of the Peace for Precinct 1, Place 1, Port Isabel, Cameron County, Texas. Judge Ochoa was advised by letter of the Commission's concerns and provided a written response. Judge Ochoa appeared before the Commission on December 6, 2002, 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, Judge Bennie Ochoa, III, was the Justice of the Peace for Precinct 1, Place 1, in Port Isabel, Cameron County, Texas.
2. On his office door, in plain view of the public, Judge Ochoa has displayed a poster which states in bold letters, "Re-Elect '98," and contains the caricatures and names of a number of individuals currently holding elective office in Cameron County, at least one of whom was involved in a contested election during the 2002 election cycle.

## 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.”

## CONCLUSION

Based on the facts and evidence before it, the Commission concludes that by displaying on his office door a poster which states in bold letters, “Re-Elect ’98,” and contains the caricatures and names of a number of individuals who are either holding and/or running for elective office in Cameron County, Judge Ochoa did lend the prestige of his judicial office to advance the private interests of others, in violation of Canon 2B of the Texas Code of Judicial Conduct.

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In condemnation of the above-described conduct that violated Canon 2B of the Texas Code of Judicial Conduct, it is the Commission’s decision to issue a **PUBLIC ADMONITION** to Judge Bennie Ochoa, III, Justice of the Peace for Precinct 1, Place 1, Port Isabel, Cameron County, Texas.

Pursuant to the authority contained in Article V, Section 1-a(8) of the Texas Constitution, it is ordered that the conduct 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 \_\_17th\_\_ day of December, 2002

### ORIGINAL SIGNED BY

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Honorable Kathleen Olivares, Chair  
State Commission on Judicial Conduct