



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

**IN RE: THE HONORABLE FELIX BARRERA
JUSTICE OF THE PEACE, PRECINCT 1
DEL RIO, VAL VERDE COUNTY, TEXAS
(CJC No. 03-0244-JP)**

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

This Agreement is being entered into by the undersigned parties pursuant to §§33.001(b) and 33.032(h) of the Texas Government Code.

WHEREAS on November 22, 2002, a complaint was filed with the State Commission on Judicial Conduct (hereinafter the "Commission") containing the allegation that Judge Felix Barrera, Justice of the Peace for Precinct 1, Del Rio, Val Verde County, Texas, failed to obtain the mandatory judicial education required of justices of the peace for fiscal year 2002, and

WHEREAS on or about January 13, 2003, in connection with the above-referenced matter, the Commission received an affidavit (hereinafter the "January 13, 2003 Sworn Complaint") from Roger Rountree, the Executive Director of the Texas Justice Court Training Center, confirming the allegation of misconduct raised in the original complaint, and

WHEREAS on or about February 27, 2003, the Commission notified Judge Barrera that a suspension hearing would be held on April 10, 2003 at the Commission offices in Austin, Texas, and

WHEREAS on or about April 10, 2003, Judge Barrera appeared with counsel before the Commission to give testimony at the suspension hearing, and

WHEREAS on April 10, 2003, the Commission voted to recommended to the Supreme Court of Texas that Judge Barrera be suspended, without pay, until further action by the Commission, pursuant to Article 5, §1-a(6)A of the Texas Constitution and Rule 15(b) of the Procedural Rules for the Removal or Retirement of Judges, and

WHEREAS no Notice of Formal Proceedings has been filed against Judge Barrera in connection with the above-referenced matter, and

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

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

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

IT IS THEREFORE AGREED that Judge Barrera, upon the signing of this Agreement, agrees to retire from his judicial office effective May 29, 2003, pursuant to §§33.001(b) and 33.032(h) of the Texas Government Code. The Commission agrees that it shall pursue no further disciplinary proceedings against Judge Barrera in connection with the above-referenced matter.

IT IS FURTHER AGREED that, upon the Commission's approval of this Agreement, Judge Barrera shall not be disqualified in the future from: sitting or serving as a judge in the State of Texas; standing for election or appointment to judicial office in the State of Texas; or, performing or exercising any judicial duties or functions of a judicial officer in the State of Texas, including but not limited to the performance of weddings pursuant to the authority of section 2.202(a)(4) of the Texas Family Code, in the State of Texas.

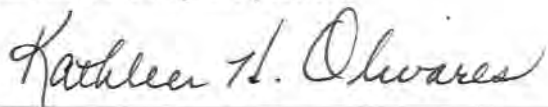
IT IS FURTHER AGREED that any violation of this Agreement by Judge Barrera would constitute willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice in violation of Article 5, §1-a(6)A of the Texas Constitution and §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 Barrera, 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 him by any court or tribunal.

AGREED TO AND ACCEPTED upon its execution by the parties.



HON. FELIX BARRERA

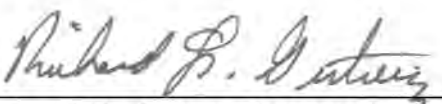


HON. KATHLEEN OLIVARES, Chair
State Commission on Judicial Conduct

Date: May 12, 2003

Date: 5-22-03

AGREED AS TO FORM:



Richard Gutierrez, Attorney for
Judge Felix Barrera

VERIFICATION

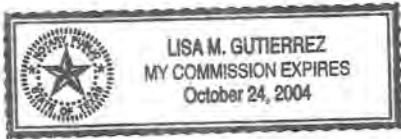
State of Texas

County of Val Verde

§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared FELIX BARRERA, who by me being first duly sworn, on his 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 understanding of the terms and conditions of, and voluntary consent to enter into, such Agreement.

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 12th day of May, 2003.



Lisa M. Gutierrez
NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS