



**BEFORE THE STATE COMMISSION  
ON JUDICIAL CONDUCT**

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**CJC No. 24-0492**

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**PUBLIC ADMONITION**

**HONORABLE SHIRLEY MAYS  
FORMER MUNICIPAL COURT JUDGE  
TEAGUE, FREESTONE COUNTY, TEXAS**

During its meeting on August 7, 2024, the State Commission on Judicial Conduct concluded a review of the allegations in this matter against the Honorable Shirley Mays, former Municipal Court Judge for the City of Teague, Freestone County, Texas. Judge Mays was advised by letter of the Commission's concerns and provided written responses.

After considering the evidence before it, the Commission entered the following Findings and Conclusion:

**FINDINGS OF FACT**

1. At all times relevant hereto, the Honorable Shirley Mays was the Municipal Court Judge for the City of Teague, Freestone County, Texas.
2. In July of 2023, Fred Latham ("Mr. Latham"), a person with whom Judge Mays was acquainted, received a traffic citation for Turning While Unsafe while driving a commercial dump truck and hauling a trailer (the "Citation").
3. Mr. Latham is the father of Judge Lisa Hendrix, Freestone County Justice of the Peace, Precinct 4 ("Judge Hendrix"), who served as Judge Mays' clerk for eight (8) years before assuming the bench.
4. After Mr. Latham received the Citation, Judge Mays was contacted by and spoke with Mr. Latham's employer and owner of the dump truck, Ken Sessions ("Mr. Sessions"), about the matter.
5. During this conversation, Mr. Sessions described the alleged circumstances surrounding the issuance of the Citation and expressed to Judge Mays his opinion that the Citation was improperly issued.

6. Judge Mays subsequently communicated with Marc Calderaro (“Mr. Calderaro”), an Assistant City Attorney and the Municipal Prosecutor for the City of Teague, about the Citation.
7. In a sworn statement to the Commission, Mr. Calderaro indicated that during their communications, Judge Mays informed him that Mr. Latham was Judge Hendrix’s father, that the Citation was “incorrectly” issued, and asked him if he could “help out” Mr. Latham.
8. On August 9, 2023, Judge Mays sent a text message to John Bell (“Mr. Bell”), the court clerk, stating, “John can you pull Fred Latham ticket for me, that’s Judge Hendrix dad. Just put it in my box, please. I need to talk to our Attorney about this.”
9. On that same day, Judge Mays texted Mr. Bell, “I just didn’t want you to put him into Omni before I had a chance to pull it.”
10. On September 28, 2023, Judge Mays texted Mr. Bell, “Please don’t put Fred Latham [sic] in Omni. Trying to get it dismissed.”
11. Subsequently, Judge Mays sent a text to Mr. Bell stating, “Go ahead and dismiss Fred Latham ticket.”
12. On December 18, 2023, the Board of Aldermen for the City of Teague (the “Board”) adopted a resolution (the “Resolution”) whereby it issued Judge Mays a public reprimand for her conduct in this regard and directed the City Attorney to file a complaint with the Commission regarding same.
13. The Resolution’s findings indicated the Board “received evidence” showing Judge Mays “failed to hear and decide matters assigned to her court based on personal relationships, and likely held ex parte communications regarding matters pending before her court” and that such alleged conduct potentially violated several Canons of the Texas Code of Judicial Conduct.
14. The Resolution indicated Judge Mays “resigned before a hearing could be held regarding the alleged conduct” and that “in the absence of such public hearing” the Board wished to “memorialize the events and uphold the City’s high standards of ethics and responsibility.”
15. The Board ordered that the public reprimand against Judge Mays be filed at City Hall and maintained with “the official records” of the City of Teague.
16. In her written responses to the Commission, Judge Mays stated, “I’m sorry for what I did, but I didn’t think the citation was right. In the end Mr. Latham paid the citation. It was all about the money for the City.”

### **RELEVANT STANDARDS**

1. Canon 2B of the Texas Code of Judicial Conduct provides, in relevant part, “A judge shall not allow any relationship to influence judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; ...”
2. Canon 3B(5) of the Texas Code of Judicial Conduct provides, “A judge shall perform judicial duties without bias or prejudice.”
3. Canon 3B(6) of the Texas Code of Judicial Conduct provides, in relevant part, “A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, ...”

4. Canon 6C(2) of the Texas Code of Judicial Conduct provides, in relevant part, “a municipal court judge, except as authorized by law, shall not directly or indirectly initiate, permit, nor consider *ex parte* or other communications concerning the merits of a pending judicial proceeding.”
5. 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 on the judiciary or on the 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 that the Honorable Shirley Mays, former Municipal Court Judge for the City of Teague, Freestone County, Texas, should be publicly admonished for her conduct regarding the Citation, namely for: (i) engaging in *ex parte* communications with Mr. Sessions about the Citation; (ii) allowing her relationship with Mr. Latham and/or Judge Hendrix to influence judicial conduct or judgment; (iii) lending the prestige of judicial office to advance the private interests of Mr. Latham and/or Judge Hendrix; (iv) performing judicial duties with bias or prejudice; and (v) manifesting bias or prejudice by words or conduct in the performance of her judicial duties. Judge Mays’ failures in the foregoing respects constituted willful and/or persistent conduct that is clearly inconsistent with the proper performance of her duties and that cast public discredit upon the judiciary, or administration of justice, in violation of Canons 2B, 3B(5), 3B(6) and 6C(2) 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, 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 30 day of August, 2024.

  
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Gary Steel  
Chairman, State Commission on Judicial Conduct