



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 25-0303

PUBLIC REPRIMAND

**HONORABLE MARISSA GARZA
JUSTICE OF THE PEACE, PRECINCT 3, PLACE 1
HEBBRONVILLE, JIM HOGG COUNTY, TEXAS**

During its meeting on April 2-3, 2025, the State Commission on Judicial Conduct concluded a review of the allegations in the above-referenced complaint against the Honorable Marissa Garza, Justice of the Peace, Precinct 3, Place 1, in Hebbronville, Jim Hogg County, Texas. Judge Garza was advised by letter of the Commission's concerns and provided a written response to same.

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 Marissa Garza was Justice of the Peace, Precinct 3, Place 1, in Hebbronville, Jim Hogg County, Texas.
2. On or around October 23, 2024, Judge Garza wanted to talk to Raul Gonzalez, Sr. ("Gonzalez") about a dispute he was having with Nelda Salazar ("Salazar") over joint-owned property.
3. Despite the fact there was no case about the dispute filed or pending in her court, Judge Garza issued a summons ordering Raul Gonzalez to appear before her in court on October 23, 2024 to address the matter (the "Summons").
4. The Summons stated:

To any Peace Office of the State of Texas – Greetings: You are Hereby Commanded to Summon Raul Gonzalez Sr... to appear in person, before me a Justice of the Peace in and for Precinct No. 3 of Jim Hogg County, Texas...Then and there to answer the State of Texas for an offense against the laws of said

State, to-wit: Paper Work on her house @ 208 E. David which offense he/she is accused by the written complaint, under oath of Nelda Salazar filed before me.

5. The Summons also contained the standard warning that failure to appear as ordered would “cause the Court to immediately issue a WARRANT for the ARREST of the said accused”.
6. The Summons did not include a Cause Number.
7. In her written responses to the Commission about this matter, Judge Garza explained “[t]his was a personal matter between the parties which [she] had been asked by Miss Salazar to mediate” and that issuing the Summons was her “way of getting Mr. Gonzalez to come and sit down to discuss” the situation.
8. Judge Garza acknowledged that the Summons was not issued in accordance with Article 15.03 of the Texas Code of Criminal Procedure.
9. Judge Garza stated, “Now that I look back, I agree that a summons was not appropriate nor the best way to do this. It does have a certain amount of compulsion to appear in that the summons threatens arrest.”
10. Judge Garza indicated this was not the first time she issued a summons in her efforts to help members of her community resolve personal disputes. She said:

This is a small town and over the years I have come to find that many of the issues can be resolved by bringing the parties together and talking. I now realize that a summons is not appropriate nor the correct way to ask people to come for these discussions.

RELEVANT STANDARDS AND AUTHORITIES

1. Canon 2A of the Texas Code of Judicial Conduct provides, in relevant part, “A judge shall comply with the law ...”
2. Canon 2B of the Texas Code of Judicial Conduct provides, in relevant part, “A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others.”
3. Canon 3B(2) of the Texas Code of Judicial Conduct provides, in relevant part, “A judge ... shall maintain professional competence in [the law].”
4. Canon 3B(4) provides, in relevant part, “A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers and other with whom the judge deals in an official capacity.”
5. Article 15.03 of the Texas Code of Criminal Procedure provides that a magistrate may issue a warrant of arrest or a summons only in the following cases: 1) those in which he is by law authorized to order verbally the arrest of an offender; 2) when any person makes an oath before the magistrate that another has committed some offense against the laws of the State; and 3) in any case named in Code of Criminal Procedure where the magistrate is specially authorized to issue warrants of arrest.
6. Article V, Section 1-a(6)A of the Texas Constitution prohibits a judge from engaging in “willful and persistent conduct that is clearly inconsistent with the proper performance of the [judge’s] duties or casts public discredit on the judiciary or on the administration of justice.”

CONCLUSION

Based upon the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Marissa Garza, Justice of the Peace, Precinct 3, Place 1, in Hebbronville, Jim Hogg County, Texas, should be publicly reprimanded for: (i) failing to comply with and maintain professional competence in the law, namely Article 15.03 of the Texas Code of Criminal Procedure, when she issued the Summons for Raul Gonzales, Sr. without a pending case in her court; (ii) lending the prestige of her judicial office to advance the private interests of Nelda Salazar; and (iii) failing to treat Raul Gonzalez, Sr. with patience, dignity, and courtesy. Judge Garza's failures in the foregoing respects constituted willful and persistent conduct that is clearly inconsistent with the proper performance of her duties and that cast public discredit on the judiciary or the administration of justice, in violation of Canons 2A, 2B, 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, Section 1-a(8) of the Texas Constitution in a continuing effort to promote confidence in and high standards for the judiciary.

Issued this the 5 day of May, 2025.



Ken Wise

Vice-Chair, State Commission on Judicial Conduct