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(1) EXAMINERS' EXHIBITS, ADMITTED

Index of Exhibits, Admitted, in the Matter of the Inquiry Concerning a Judge, Number Five, Before the State Judicial Qualifications Commission

Explanation:

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(2) EXAMINERS' EXHIBITS, NOT ADMITTED

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(3) RESPONDENT'S EXHIBITS

RESPONDENTS EXHIBITS

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- R-2 Same as E-3.
- R-3 In the Matter of the Impeachment of O. P. Carrillo, (•3-17)
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- R-4 In the United States District Court Southern District of (•18-97)
Texas, Corpus Christi Division; United States of America
vs. Ramiro D. Carrillo, O. P. Carrillo, Arturo R. Zertuche;
Criminal Number 75-C-45: Supplementary Motion of the
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- R-5 In the United States District Court Southern District of (•98-101)
Texas, Corpus Christi Division; United States of America
vs. Ramiro D. Carrillo, O. P. Carrillo, Arturo R. Zertuche;
Criminal Number 75-C-45: Supplementary Motion of The
Defendants, Ramiro D. Carrillo, O. P. Carrillo and Arturo
R. Zertuche for Continuance.
- R-6 United States District Court for the Western District of (•102-103)
Texas, Austin Division; O. P. Carrillo, individually and
as District Judge of the 229th Judicial District of Texas,
Plaintiff vs. Bill Clayton, individually, and as Speaker
of the House of Representatives of the State of Texas;
Civil Action No. A-75-C-A-12: Complaint.

- R-7 In the Matter of the Impeachment of O. P. Carrillo, District Judge, Before the Senate of the State of Texas, Original Answer of O. P. Carrillo: This is printed in the Senate Journal at pages 44 through 137.
- R-8 In the Matter of the Impeachment of O. P. Carrillo, District Judge, Before the Senate of the State of Texas: Motion to Postpone. This is found in the Senate Journal at page 164.
- R-9 In the Matter of the Impeachment of O. P. Carrillo, District Judge, Before the Senate of the State of Texas: Motion to Disqualify Attorney General. This is found in the Senate Journal at page 155.
- R-10 For the State Judicial Qualifications Commission, Inquiry Concerning Judge Number Five: Answer to Notice of Formal Proceedings Filed by Judge O. P. Carrillo. (Same as E-4.)
- R-11 In the United States District Court Southern District of Texas, Corpus Christi Division; United States of America vs. Ramiro D. Carrillo, O. P. Carrillo, Arturo R. Zertuche; Criminal Number 75-C-45: Supplementary Motion of the Defendants Ramiro D. Carrillo, O. P. Carrillo, and Arturo R. Zertuche to Dismiss and Motion in the Alternative for Indefinite Continuance (Post Pre-Trial Submission). (•302-310)
- R-12 In the Matter of the Impeachment of O. P. Carrillo, District Judge: Memorandum to House Select Committee on Impeachment. (•311-312)
- R-13 In the Matter of the Impeachment of O. P. Carrillo, District Judge, Before the House Select Committee, Statement of Relevance of Subpoenas Requested to be Issued. (•313-322)
- R-14 In the United States District Court Southern District of Corpus Christi Division; United States of America vs. Ramiro D. Carrillo, O. P. Carrillo, Arturo R. Zertuche, Criminal Number 75-C-45: Motion for New Trial. (•323-333)

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- R-15 In the United States District Court Southern District of (•334-498)
Texas, Corpus Christi Division; United States of America
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Criminal Number 75-C-45: First Motion for Defendants
Ramiro D. Carrillo, O. P. Carrillo, and Arturo R. Zertuche
to Take Deposition.
- R-16 Newspaper Article 11/12/75 "SENATE VOTE PUSHES COMMISSION
TO ACT". (•499)
- R-17 Copy of telegram from O. P. Carrillo to Chairman DeWitt
Hale, dated 5/19/75. (•500)
- R-18 First Amended Notice of Formal Proceedings Filed by the
State Judicial Qualifications Commission. (•501-510)
- R-19 Envelope addressed to Judge O. P. Carrillo from the Judicial
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- R-19-A Transmittal letter of First Amended Notice of Formal Proceedings
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Arthur Mitchell. (•512-514)
- R-19-B Same as R-18.
- R-20 Notice of Formal Proceedings. (•515-520)
- R-20-A Answer to Notice of Formal Proceedings. (Same as R-10 and
same as E-4).
- R-21 Extraction of Information from Select Committee on Impeachment
Meetings. (•521-580)
- R-22 Paper prepared by Mr. Smith Analysis and Completion of (•581)
Accounting Included in the 'Accounting and Report of Condition
of Receivership' filed in Cause No. 39-53-A in the 229th
District Court, Starr County, Texas.

- R-23 In the United States District Court for the Southern District of Texas, Brownsville Division; In the Matter of M. Guerra & Son, a Limited Partnership, Debtor, in Proceedings for a Real Property Arrangement, No. 69-B-9, Bankruptcy: Motion to Dismiss and Order of Dismissal, Unsigned, along with transmittal letter of same of both to Mr. Kampmann, Kampmann, Church and Burns, from Mr. Garland Smith by letter dated December 11, 1970. (•582-584)
- R-24 Copy of proposed Order of Dismissal in the Bankruptcy Proceedings in the U.S. District Court in above referenced proceeding. (•585-587)
- R-25 Copy of entered Order of Dismissal in above referenced Bankruptcy Proceeding. (•588-590)
- R-26 thru R-42 (•591-599)
Photographs pertaining to allegation concerning Oscar Sanchez constructing reservoir on ranch.
- R-43 Certified copy of death certificate of Mr. Calvin North indicating death February 22, 1968. (•600)
- R-44 Marked by Court Reporter but not offered into evidence. (Letter from Elizabeth Levatino to Mr. Tomas Elizondo.)
- R-45 Miscellaneous photograph. (•601)
- R-46 Cause No. 92-74, the State of Texas ex rel. Walter W. Meek vs. Ramiro Carrillo in the 229th Judicial District of Duval County, Texas: Petition for Removal. (•602-611)
- R-47-1 thru 16 being entered in the Senate Journal as pages 546 through 561.
- R-48 Sketch of location of Cash Store. (•612)
- R-49 Photograph. (•613)
- R-50 Original Conditional Sales Notice of Insurance, Security Agreement and Note of O. P. Carrillo. (•614-616)

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Checks from O. P. Carrillo to Plains Machinery.

- R-55 No. B-56-58 in the Supreme Court of Texas, Judge No. 5, (•618-619)
Relator vs. Judicial Qualifications Commission of the State
of Texas, Maurice Pipkin, John W. Odam, and the Honorable
James R. Meyers, Respondents: Motion for Leave to file
Petition for Writs of Mandamus and Prohibition.
- R-56 No. B-56-68 in the Supreme Court of Texas, Judge No. 5, (•620-645)
Relator vs. Judicial Qualifications Commission of the State
of Texas, Maurice Pipkin, John W. Odam, and the Honorable
James R. Meyers, Respondents: Petition for Writs of Mandamus
and Prohibition.
- R-57 Memorandum of Understanding between Rudolpho Couling and(•646-647)
State of Texas.
- R-58-1 thru R-58-11 (•648-653)
Copies of checks from Judge O. P. Carrillo to Benevides
Implement Hardware deposited in Rio Grande City Account.
- R-59-1 thru R-59-5 (•654-668)
Certified copies of indictments against Rudolpho Couling.
- R-60-1, 4 and 7 (•669-672)
Checks from O. P. Carrillo on the Bank of South Texas, Alice,
Texas, to Plains Machinery. Not admitted into evidence but
offered were R-60-2,-5,-6. These will be reproduced in the
volumes of testimony of admitted evidence in that they are on
the same sheets of paper as the admitted testimony.
- R-61 Copy of Balance "Recap" Sheet on Judge O. P. Carrillo's (•673)
assumption of D-8 Caterpillar note at Plains Machinery.
- R-62 County Claim jacket B-233 (•674)
- R-63 County Claim jacket B-2365. (•676)

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- R-64 County Claim jacket B-459. (•676)
- R-65 County Claim jacket B-460. (•677-78)
- R-66 County Claim jacket B-600. (•679-80)
- R-67-A County Check to Cash Store for payment of B-235. (•681-82)
- (Note that Jackets 62-66 have contents which are also reproduced as subparts A and B.)
- R-68-A County Check to Cash Store for payment of B-459. (•683-84)
- R-68-B County Check to Cash Store for payment of B-460. (•683-84)
- R-69 County Check to Cash Store of B-600. (•685-86)
- R-70 Signature card for Benavides Implement and Hardware Account at Rio Grande Bank. (•687)
- R-71 Benavides Implement and Hardware Loan Ledger Sheet at the First State Bank and Trust Company, Rio Grande City, Texas. (•688)
- R-72 Bank photostatic copy of Rio Grande City loan notes for Benavides Implement and Hardware. (•689)
- R-73 Financial Statement of Rudolpho Couling filed with First State Bank and Trust Company of Rio Grande City, (•690-91)
- R-74 Purchase Order from Massey-Ferguson Tractor by O. P. Carrillo. (•692-697)
- R-75-A Copy of invoice to Benavides Ind. School District from Zertuche Store. (•698)
- R-75-B Check to Zertuche Store from Benavides Ind. School District. (•699)
- R-75-C Bank of check in R-75-B. (•700)
- R-76 Withdrawn and not offered into evidence.
- R-77 Check from Benavides Ind. School District (BISD) to Zertuche General Store. (•701)
- R-78-A Front of BISD check to Benavides General Store in the amount of \$778.40. (•703)
- R-78-B Back of 78-A (•703)
- R-79-A Front of a BISD check #6731 in the amount of \$778.40 to Benavides General Store. (•704)

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- R-79-B Invoice on the Benavides General Store, invoice #97975 in the amount of 778.40. (• 705)
- R-80-A Front of a check from BISD in the amount of \$1,875.00 to the Benavides General Store. (• 706)
- R-80-B is the back of 80-A (• 707)
- R-81 BISD check #B-9774 in amount of \$1,875.00 and an invoice from Zertuche General Store to Benavides Ind. School District. (• 708)
- R-82-A Front of BISD check #B-9775 in the amount of \$1,638.00 to the Zertuche General Store. (• 709)
- R-82-B Back of R-82-A. (• 710)
- R-83 Front of BISD check #B-9775 to the Zertuche General Store in the amount of \$1,638.00 and invoice representing the same amount. (• 711)
- R-84-A Front of a BISD check #B-9794. (• 712)
- R-84-B Back of the same check. (• 713)
- R-85 Front of a BISD check #7798. (• 714)
- R-86-A Front of BISD check #7499 dated May 4, 1970. (• 715)
- R-86-B Back of the same check. (• 716)
- R-87-A Front of BISD check #7500. (• 717)
- R-87-B Back of R-87-A. (• 718)
- R-88-A BISD check #7798. (• 719)
- R-88-B Back of R-88-A (• 720)
- R-89-1 thru R-89-48 (• 721-770)
- Bank photostatic copies of the Benavides Implement Hardware Bank Statements on First State Bank of San Diego.
- R-90 Deed to O. P. Carrillo. (• 771-774)
- R-91 Summary prepared of Duval County checks to Benavides Implement Hardware. (• 775-783)
- R-92 Summary of BISD checks to Benavides Implement Hardware. (• 784-788)
- R-93 Summary of Duval County Conservation Reclamation District checks to Benavides Implement Hardware. (• 789-792)

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- R-94-1 thru R-94-8 (•793-800)
Xerox copies of Duval County cross-index cards showing
payment from Duval County to Benavides Implement Hardware.
- R-95 Chart prepared by testimony of Mr. Oscar Kirkland. (•801)
- R-96 1974 Personal Income Tax of O. P. Carrillo. (•802-814)
- R-97 1974 work papers on O. P. Carrillo's personal income tax (•815-817)
return.
- R-98 1973 work papers for O. P. Carrillo's tax return prepared by
Mr. Kirkland. (•818-825)
- R-99 Sample book of Duval County Welfare Department pages. (The (•826-830
book is available for examination. Only the first six pages
have been reproduced to show the example.)
- R-100 Summary of R-91, 92, and 93 prepared by Judge O. P. Carrillo.
(•831-832)
- R-101 Rudolpho Couling's individual tax return for 1972. (•833-839)
- R-102 Individual Income Tax Return for 1973 of Rudolpho Couling.(•840-848)
- R-103 Individual Income Tax Return of Rudolpho Couling for 1974.(•849-869)
- R-104 Sample book of Duval County Welfare Department statements. (•840)
(Only the first two pages have been reproduced in the Senate
Journal. The book is available for examination.)
- R-105 Copy of the sales tax application questionnaire for Benevides
Implement Hardware Store signed by Rudolpho Couling. (•841-872)

(4)

PLEADINGS and PAPERS

(a) EXAMINERS' PLEADINGS and PAPERS

Explanation

For identification the pleadings are marked either E/P for Examiner's pleadings or papers and R/P for Respondent's pleadings or papers.

1. Letter dated May 2, 1975, from the State Judicial Qualifications Commission to Judge O. P. Carrillo being the notice of preliminary investigation. Accompanying is the return receipt postage card. (This appears in exhibits as Examiner's Exhibit and Respondent's Exhibit-1 and this not reproduced again).

2. Resolution from the Judges of the Fifth Administrative District of Texas. THIS ITEM WAS NOT FILED BY EITHER PARTY. THIS ITEM WAS NOT SUBMITTED TO THE SENATE FOR REPRODUCTION BUT IS AVAILABLE ON REQUEST.

3. Notice of Formal Proceedings. This was not transmitted to the Senate for reproduction as a part of the pleadings of the Commission because it appears as R-20.

4. Copy of the request for appointment of Master by Mr. Maurice Pipkin, Executive Director of the Judicial Qualifications Commission, to Honorable Joe R. Greenhill, Chief Justice of the Supreme Court of Texas; letter being dated August 4, 1975, Transmitted to Senate for reproduction as part of the Commission's pleadings and marked E/P-1. (• 1)

5. Original letter signed by Judge Greenhill dated August 4, 1975, to Mr. Pipkin appointing Judge James R. Meyers; submitted to the Senate for reproduction as part of the Commission's pleadings as E/P-2. (• 2)

6. Transmitted to the Senate for reproduction as part of the Commission's pleadings is a copy of a letter dated August 16, 1975, addressed to Judge Carrillo notifying that formal hearing in the

matter is set for October 2, 1975. Also transmitted is the return receipt requested card. These are part of the Commission's pleadings and marked R/P-3A, B, C, and D. (● 3-4)

7. As a part of the Commission's pleadings and papers is a letter to counsel from Judge Meyers indicating that the matter has been recessed from October 2, 1975, to November 3, 1975, marked E/P-4. (● 5)

8. As a part of the Commission's pleadings are the following: Copy of transmittal letter dated October 10, 1975, to Judge Carrillo transmitting a copy of the First Amended Notice of Formal Proceedings; the return receipt cards, E/P-5,6; the return of service indicating receipt signed by Mr. Arthur Mitchell; a copy of the first amended notice of formal proceeding. (Note that the First Amended Notice of Formal Proceeding is Respondent's Exhibit 19B and R-18 and therefore not reproduced as part of the pleadings. Note that the above referenced letter from Mr. Pipkin to Judge Carrillo dated November 10, 1975, with return of service appears as Respondent's Exhibit 19A and was not reproduced again. Note that the First Amended Notice of Formal Proceeding appears as Respondent's Exhibit 18 and therefore was not reproduced other than as that Respondent's exhibit.) (● 6)

9. As part of the Commission's pleadings and papers is a copy of letter dated October 28, 1975, to Mr. Mitchell from Mr. Pipkin, acknowledging receipt of request for hearing on questions of law, respectfully denying such request, marked E/P-7. (● 7)

10. In the Commission's pleadings is a copy of the Commission's Trial Amendment to First Amended Notice of Formal Proceeding. This is paragraph 5-A marked as E/P-8. (● 8-9)

11. As a portion of the pleadings and papers in the Commission's pleadings are the depositions of:

- a. Clinton Manges; (E/P-9) (•10-89)
- b. Ramiro Carrillo (E/P-10) (•90-120)

The deposition of O. P. Carrillo is Examiner's Exhibit E-1.

12. As a part of the pleadings of the Commission is the Notice of Intention to Take Oral Depositions of O. P. Carrillo, Clinton Manges, and Ramiro Carrillo, (E/P-11, 12, 13). (•121-123)

13. As a part of the Commission's pleadings is a copy of the Order of Judge of the 167th Judicial District Court, Travis County, Texas, Judge Tom Blackwell (unconformed although signed) ordering the taking of depositions of Ramiro Carrillo, O. P. Carrillo and Clinton Manges (E/P-14). (•124-125)

14. The application for Order Compelling Appearance for Taking of Deposition of Ramiro Carrillo, O. P. Carrillo and Clinton Manges is Commission's E/P-15. (•126-128)

15. The Application for order Compelling Appearance for Taking Depositions filed in the District Court of Duval County, Texas, 229th Judicial District is E/P-16. A conformed copy of the order signed by Judge Darrell Hester on October 17, 1975, compelling appearance of the taking of depositions of O. P. Carrillo, Ramiro Carrillo and Clinton Manges is E/P-17. (•129-134)

(b) RESPONDENT'S PLEADINGS and PAPERS

1. Answer by Judge Carrillo to notice of preliminary investigation. This item was not separately given to the Senate as part of the pleadings in that it appears in exhibits as Examiner's Exhibit 3 and Respondent's Exhibit 2.

2. The Answer of Judge Carrillo to the Notice of Formal Proceedings was not separately given to Senate for reproduction in that it is same as Examiner's Exhibit 4, Respondent's Exhibits R-10 and 20A.

3. Letter dated August 1, 1975, from Mr. Mitchell, counsel for Judge Carrillo, to Judge Meyers, is part of the Judge Carrillo's pleadings and papers marked R/P-1. (●1)

4. Judge Carrillo's Answer to First Amended Notice of Formal Proceedings marked R/P-2. (●2-48)

5. Judge Carrillo's Brief in Support of the Application of the Article 5986, Vernon's Annotated Texas Statutes is R/P-3. (●49-58)

6. The following pleadings were filed by Judge Carrillo:

a. O. P. Carrillo's First Motion in Limine; (R/P-4) (●59-60)

b. O. P. Carrillo's Second Motion in Limine; (R/P-5) (●61-62)

c. O. P. Carrillo's First Motion for Indefinite Continuance; (R/P-6) (J 63-65)

d. O. P. Carrillo's First Motion to Quash Subpoenas; (R/P-7)(●66-68)

e. O. P. Carrillo's First Motion to Disqualify the Attorney General and Motion in the Alternative for Notice of Appointment of Attorney General; (R/P-8) (●69-72)

f. Request by Mr. Mitchell by letter dated October 20, 1975, to Mr. Maurice Pipkin requesting hearing before Commission and/or Supreme Court on questions of law. (R/P-9) (●73-74)

7. As part of Judge Carrillo's pleadings and papers is "Motion Suggesting Continued Due Process Violations". This item was filed with the Commission on November 19, 1975. (R/P-10) (•75-77)

8. "Supplementary Suggestion of Continued Violations of Constitutionally Protected Rights". (R/P-11) (•78-79)

9. Not transmitted to the Senate for reproduction as a part of Judge Carrillo's pleadings and papers is the "Motion for Leave to File Petition for Writs of Mandamus and Prohibition" in Cause No. B-5668 in the Supreme Court of Texas, Judge No. 5, Relator, v. Judicial Qualifications Commission of the State of Texas, Maurice Pipkin, John W. Odam and Honorable James B. Meyers, Respondents. Included therewith is the "Petition for Writs of Mandamus and Prohibition". These appear as R-55 and 56; however, the card from the Clerk's Office-Supreme Court indicating that the Petition for Writ of Mandamus was overruled on November 26, 1975 is included here as R/P-12. (•80)

10. "Petition under Section 8, Article 5966a, V.A.C.S., to Compel Witness to Testify in the Inquiry Concerning Judge No. 5." This relates to Ramiro D. Carrillo, Sr. Accompanying is the suggested order for signature by Judge Meyers. (R/P-13) (•81-98)

11. Above referenced petitions and unsigned orders for the following individuals also filed:

- (1) David H. Carrillo; (R/P-14) (•99-112)
- (2) Jose H. Saenz; (R/P-15) (•113-123)
- (3) D. C. Chapa; (R/P-16) (•124-140)
- (4) Rogelio Guajardo, Jr.; (R/P-17) (•141-157)
- (5) Tomas Elizondo; (R/P-18) (•158-171)
- (6) Oscar Carrillo, Sr.; (R/P-19) (•172-185)
- (7) Roberto Elizondo; (R/P-20) (•186-195)