

NO. _____

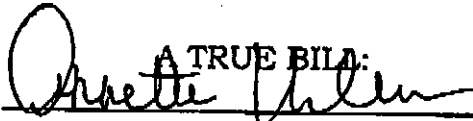
THE STATE OF TEXAS
VS.
MIGDALIA LOPEZ

INDICTMENT

OFFENSE:

OFFICIAL ABUSE OF OFFICIAL CAPACITY
AND
OFFICIAL OPPRESSION

JUAN ANGEL GUERRA
DISTRICT AND COUNTY ATTORNEY

A TRUE BILL:

Foreman of Grand Jury

Filed on _____ 2008

GILBERT LOZANO,
Clerk of the District Courts of
Willacy County, Texas

By: _____
Deputy

Amount of Bail _____
Bond set by Judge _____

39.02 OFFICIAL ABUSE OF OFFICIAL CAPACITY

39.03 OFFICIAL OPPRESSION

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

THE GRAND JURY, for the County of Willacy, State of Texas, duly selected, empaneled, sworn, charged, and organized as such at the July Term 2008, A.D. of the 197th Judicial District Court for said County, upon their oaths present in and to said court at said term that HON. JUDGE MIGDALIA LOPEZ hereinafter styled Defendant, on or about the 10TH day of February 2007, A.D., being the District Judge, in and for the County of Willacy, State of Texas, for the 197th Judicial District, did then and there intended to harm the duly elected District Attorney of Willacy County, Texas being the Hon. Juan Angel Guerra, Defendant intentionally or knowingly violated a law relating to the Defendant's office or employment position as a public servant namely, violated Rule 18a of the Texas Rules of Civil Procedure, and said law relating to Defendant's office, by the Defendant continued making orders and taking action in a case after the filing of the motion to recuse the Defendant had been filed and prior to hearing on the motion and after the motion to recuse Defendant had been filed and Defendant given notice of said motion Defendant contacted another judge, the Hon. Janet Leal, to issue a search warrant on the District Attorney's Office of Willacy County, Texas,

COUNT II

AND THE GRAND JURORS aforesaid, upon their oaths in said court present that HON. JUDGE MIGDALIA LOPEZ hereinafter styled Defendant, on or about the 10th day of February 2007 A. D., did then and there intentionally subject the Hon. Juan Angel Guerra to search and seizure of his office in Willacy County Courthouse, Raymondville, Willacy County, Texas by requesting another judge, Janet Leal, judge from Cameron County, Texas to sign a search warrant and that the Defendant knew or should have known was unlawful, and the Defendant was then and there acting under color of her office as a public servant, namely, the judge for the 197th Judicial District of Willacy County, Texas,

COUNT III

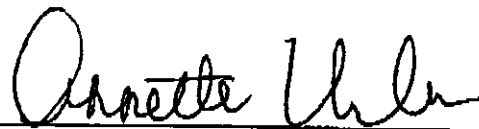
AND THE GRAND JURORS aforesaid, upon their oaths in said court present that HON. JUDGE MIGDALIA LOPEZ hereinafter styled Defendant, on or about the 6TH day of March 2007, A.D., being the District Judge, in and for

the County of Willacy, State of Texas, for the 197th Judicial District, did then and there intended to harm the duly elected District Attorney of Willacy County, Texas being the Hon. Juan Angel Guerra, Defendant intentionally or knowingly violated a law relating to the Defendant's office or employment position as a public servant namely, violated Rule 18a of the Texas Rules of Civil Procedure, and said law relating to Defendant's office, by the Defendant continued making orders and taking action in a case after the filing of the motion to recuse the Defendant had been filed and prior to hearing on the motion after the motion to recuse Defendant had been filed on or about 9th day of February, 2007 A.D. and Defendant given notice of said motion Defendant contacted the grand jury foreperson on or about 6th day of March 2007 A.D. and instructed the grand jury foreperson to continue hearing evidence in the investigation of the Hon. Juan Angel Guerra,

COUNT IV

AND THE GRAND JURORS aforesaid, upon their oaths in said court present that HON. JUDGE MIGDALIA LOPEZ hereinafter styled Defendant, on or about the 2nd day of March 2007 A. D., did then and there intentionally subject the Hon. Juan Angel Guerra to an arrest and detention, that the Defendant knew was unlawful, Defendant continued making orders and taking action in a case after the filing of the motion to recuse the Defendant had been filed and prior to hearing on the motion after the motion to recuse Defendant had been filed on or about 9th day of February, 2007 A.D. and Defendant given notice of said motion Defendant contacted the grand jury foreperson on or about 6th day of March 2007 A.D. and instructed the grand jury foreperson to continue hearing evidence in the investigation of the Hon. Juan Angel Guerra. and there acting under color of her office as a public servant, namely, the judge for the 197th Judicial District of Willacy County, Texas,

against the peace and dignity of the State.



Foeman of the Grand Jury