

EXPARTE
EXPUNCTION

CAUSE NO. 2008-1016

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FILED
GILBERT SANCHEZ
IN THE 346TH JUDICIAL DISTRICT
2008 OCT 14 PM 4 49
COURT
EL PASO COUNTY, TEXAS
BY EL PASO COUNTY, TEXAS
DEPUTY

FINAL JUDGMENT OF CONTEMPT

On this the 14th day of October, 2008, a hearing was held on movant's Motion to Show Cause Filed on the 8th day of October, 2008. Respondent was served on October 8, 2008; Respondent's counsel received notice of the hearing via fax personal service. Movant appeared by and through Stuart L. Leeds attorney. Respondent appeared in person and by his attorney, Ms. Annabell Perez. All parties announced ready and the court proceeded to hear evidence and argument.

After considering the pleadings, evidence, and argument of the parties, the court finds that it has jurisdiction over the subject matter and the parties in this cause. The court also finds that respondent Gilbert Sanchez has violated an Order Voiding Expungement signed by the Court on August 28, 2008, by refusing to obey the commands of the court as set forth in the Order. In particular, respondent has failed to release to the attorneys of record in this cause copies of all pleadings, exhibits, and orders of the Court as ordered.

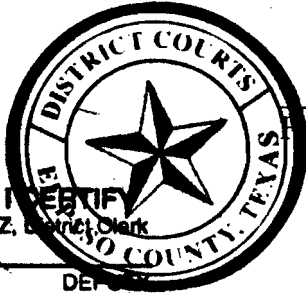
Therefore, this court finds you in contempt. The court further finds that on the day of this hearing, respondent had the ability to comply with the prior order of this court.

IT IS THEREFORE ORDERED AND DECREED that Gilbert Sanchez respondent is guilty of contempt of court, and his punishment is assessed as follows: Confinement in the El Paso County Jail for Ninety (90) days, and costs of court for which execution shall issue if not paid.

c.p. It is the Order of the Court that respondent's confinement in the El Paso County Jail shall begin at 6:00 p.m., on the 14th day of October, 2008. Respondent may purge himself by fully complying with the court order entered on August 28, 2008.

IT IS FURTHER ORDERED that attachment for the body of defendant issue to any sheriff or constable in Texas so ^{respondent} ~~defendant~~ may be committed as ordered and this order of contempt enforced, and that all writs and other process necessary for the enforcement of this order be issued.

Signed on this the 14th day of October, 2008.



on. Carl Pendergrass
A TRUE COPY, I CERTIFY
GILBERT SANCHEZ, District Clerk
By _____
DEPUTY CLERK

IN THE 346TH JUDICIAL DISTRICT COURT
EL PASO COUNTY, TEXAS

FILED

GILBERT SANCHEZ

2008 09 14 PM 4 49
CAUSE NO. 2008-1016

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EL PASO COUNTY DISTRICT CLERK GILBERT SANCHEZ
MOTION FOR RELEASE ON PERSONAL RECOGNIZANCE

COMES NOW the El Paso County District Clerk Gilbert Sanchez, by and through his attorney of record, the El Paso County Attorney, and files this Motion for Release on Personal Recognizance, requesting release pursuant to Texas Government Code §21.002.

I.

Gilbert Sanchez, an officer of the court, has been held in contempt by the Hon. Carl Pendergrass, and moves to be released on his own personal recognizance pending a determination of his guilt or innocence.

Gilbert Sanchez fully intends to purge himself of the conduct found contemptuous by this court.

Gilbert Sanchez further requests this matter be assigned to a court who is subject to assignment by the presiding judge other than the judge of the offended court to determine the guilt or innocence of he officer of the Court.

II
PRAYER

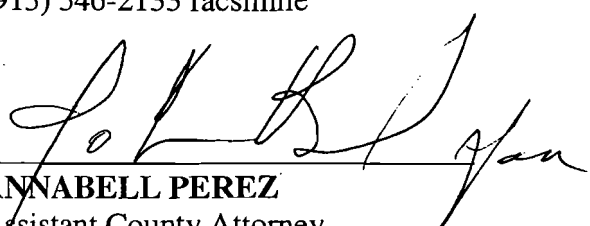
WHEREFORE, PREMISES CONSIDERED, Respondent prays that the Motion for Release on Personal Recognizance Criminal Contempt be granted; that this matter be assigned to a court who is subject to assignment by the presiding judge other than the judge of the offended court to

determine the guilt or innocence of he officer of the Court; and for all other relief to which Respondent may be entitled, in equity or at law.

Respectfully submitted,

JOSÉ R. RODRÍGUEZ
EL PASO COUNTY ATTORNEY
500 E. San Antonio, Rm. 503
El Paso, Texas 79901
(915) 546-2083
(915) 546-2133 facsimile

BY: _____


ANNABELL PEREZ
Assistant County Attorney
SBN: 00788181
Attorney for Respondent
Gilbert Sanchez, El Paso District Clerk

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was sent to **STUART L. LEEDS**, Movant, via First Class U.S. Mail to 303 Texas Avenue, Suite 1003, El Paso, Texas 79901 and via Facsimile at (915) 577-0840; and to **THERESA CABALLERO**, via First Class U.S. Mail to 300 East Main, Suite 1136, El Paso, Texas 79901 and via Facsimile at (915) 565-5250 on this the 14 day of October 2008.


ANNABELL PEREZ

A TRUE COPY, I CERTIFY
GILBERT SANCHEZ, District Clerk
By: 



IN THE 346TH JUDICIAL DISTRICT COURT
EL PASO COUNTY, TEXAS

EX PARTE
EXPUNCTION

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2008 OCT 14 PM 4 49
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CAUSE NO. 2008-1016

ORDER REGARDING DISTRICT CLERK GILBERT SANCHEZ
MOTION FOR RELEASE ON PERSONAL RECOGNIZANCE

On this day came to be heard District Clerk Gilbert Sanchez' Motion for Release on Personal Recognizance. This court finds that Respondent has committed contemptuous conduct against this court and that such conduct is out of court contempt.

Therefore, the court hereby **GRANTS** his motion for Release on Personal Recognizance pending assignment by the judge of the administrative judicial region.

ORDERED ON THIS THE 14th DAY OF OCTOBER, 2008



Carl Pendergrass

Judge Carl Pendergrass, Presiding

[Signature]

A TRUE COPY, CERTIFY
GILBERT SANCHEZ District Clerk
DEPUTY