

LOCAL ADMINISTRATIVE ORDER No. 2026-2

EDINBURG POLICE DEPARTMENT AGENCY CASE NO. 2024-840

FILED
AT 9:05 O'CLOCK 4M

IN THE MATTER

OF

THE INVESTIGATION INVOLVING
DEREK RODRIGUEZ

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BEFORE THE LOCAL

ADMINISTRATIVE JUDGE

HIDALGO COUNTY, TEXAS

LAURA HINOJOSA, CLERK
District Courts Hidalgo County
By A. Guajardo Deputy #24

ORDER DISQUALIFYING AND APPOINTING ATTORNEY PRO TEM

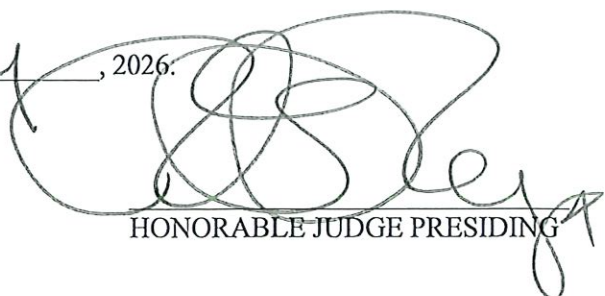
On this day came before this Honorable Court the Toribio "Terry" Palacios' Motion for Recusal and to Appoint an Attorney Pro Tem. The Court having considered same is of the OPINION GOOD CAUSE EXISTS FOR THE RECUSAL AND SAID MOTION IS PROPER AND SHOULD BE GRANTED.

IT IS, THEREFORE, ORDERED that Toribio "Terry" Palacios and all current and future Assistant District Attorneys in his employ are hereby disqualified from this investigative matter and subsequent proceeding, if any.

IT IS FURTHER ORDERED in the place of Toribio "Terry" Palacios and his staff, the Honorable Anette C. Hinojosa, Willacy County & District Attorney, is hereby appointed Attorney Pro Tem in this matter, to serve as the prosecutor until this immediate matter is disposed of by dismissal, grand jury determination, plea of guilty, or a finding of fact is made by a jury or judge.

IT IS FURTHER ORDERED Toribio "Terry" Palacios is hereby ordered to tender all papers, documents, and files relating to this immediate cause to the Pro Tem. Upon completion of his/her duty as the Pro Tem, said Pro Tem shall return to Toribio "Terry" Palacios all papers, documents, and files relating to this immediate cause for storage of disposed cases in accordance with established policy or law.

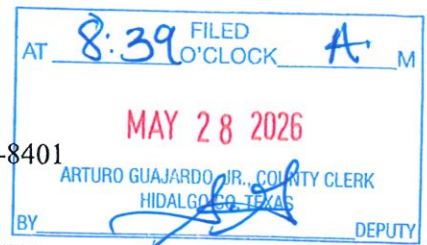
SIGNED this 28th day of May, 2026.


HONORABLE JUDGE PRESIDING

Copy:

annette.hinojosa@co.willacy.tx.us

victoramirezatty@me.com



IN THE MATTER

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BEFORE THE LOCAL

OF

ADMINISTRATIVE JUDGE

THE INVESTIGATION INVOLVING
DEREK RODRIGUEZ

HIDALGO COUNTY, TEXAS

FILED
AT 9:05 O'CLOCK AM

HIDALGO COUNTY DISTRICT ATTORNEY'S MOTION FOR
RECUSAL AND TO APPOINT ATTORNEY PRO TEM

MAY 28 2026

TO THE HONORABLE PRESIDING JUDGE:

LAURA HINOJOSA, CLERK
District Courts Hidalgo County
By Deputy #24

COMES NOW, the Honorable Toribio "Terry" Palacios, the duly elected County & District Attorney for Hidalgo County, Texas (hereinafter referred to as District Attorney) and makes this motion to recuse himself and any other Assistant District Attorney of Hidalgo County, Texas under his current and future employ in this immediate cause and in support thereof would show the court the following:

1. The suspect in the above referenced investigation is related to the District Attorney.
2. Due to this relationship, an appearance of impropriety would exist should the District Attorney, or any of his Assistant District Attorneys, become involved in the investigative or prosecution phase, if any, regarding the above-referenced individual.
3. Texas Code of Criminal Procedure Article 2A.104 states, in part, "[a]n attorney representing the state who is not disqualified to act may request the court to permit the attorney's recusal in a case for good cause, and on approval by the court, the attorney is disqualified."
4. Therefore, pursuant to article 2A.104(c) of the Texas Code of Criminal Procedure, good cause exists for, and justice would be better served if, Toribio "Terry" Palacios and all of his Assistant District Attorneys be recused from this immediate matter and a Prosecutor Attorney Pro Tem be appointed to handle the investigative or prosecution phase, if any, regarding the above-referenced matter.
5. Pursuant to the Code of Criminal of Procedure, the attorney appointed to serve as the attorney pro tem must either be a county attorney with criminal jurisdiction, a district attorney, a criminal district attorney, or an assistant attorney general. *See* Tex. Code Crim. Pro. Ann. art. 2.104(a) & (b)(1) & (2).

6. Although the Court is free to pick any state's elected prosecutor from any county or district in Texas or an Assistant Texas Attorney General, included herein is a list of the elected state prosecutors within 2 hours of our jurisdiction:

- a. Hon. Rene Montalvo
Starr County Attorney
401 Britton Ave., Room #405
Rio Grande City, Texas 78582
P: 956-716-4800
F: 956-487-8692
- b. Hon. G. Allen Ramirez
229th Judicial District Attorney (Starr County)
401 N. Britton Ave.,
Rio Grande City, Texas 78582
P: 956-716-4800 ext. 8553
- c. Hon. Luis Saenz
Cameron County Criminal District Attorney
964 E. Harrison
Brownsville, Texas 78520
P: 956-544-0849
- d. Hon. Anette C. Hinojosa
Willacy County & District Attorney
576 Main Ave., Room 133
Raymondville, Texas 78580
P: 956-689-2164
F: 956-689-5280
- e. Hon. Allison Strauss
Kenedy County Attorney
151 Mallory
Sarita, Texas 78385
P: 361-294-5292
F: 361-294-5303
- f. Hon. Kira Talip Sanchez
Kleberg County Attorney
P.O. Box 1411
Kingsville, Texas 78364
P: 361-595-8583
F: 361-595-4726

- h. Hon. Carlos Omar Garcia
79th District Attorney
(Brooks County)
P.O. Box 293
Falfurrias, Texas 78355
P: 361-325-5604 x. 165
F: 512-895-9685
- i. Hon. David T. Garcia
Brooks County Attorney
P.O. Box 557
Falfurrias, Texas 78355
P: 361-325-5604 x. 159/160
F: 512-895-9680

The Attorney General of Texas may be contacted via his online assistance portal at crimprosintakeftag.texas.gov.

WHEREFORE, PREMISES CONSIDERED, for the above good cause shown, Toribio "Terry" Palacios, prays this Court recuse him and any other Assistant District Attorney for Hidalgo County, Texas in his current or future employ from this immediate cause, and further that this Honorable Court appoint a Prosecutor Attorney Pro Tem for all matters regarding the above referenced matter to serve in lieu of the District Attorney until this immediate matter is finally disposed of.

Respectfully submitted.

TORIBIO "TERRY" PALACIOS
DISTRICT ATTORNEY

Alexandro Benavides

Alexandro "Alex" Benavides
First Assistant District Attorney
State Bar No: 24054945
100 East Cano
Edinburg, Texas 78539
P: (956) 292-7600

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was electronically submitted to all interested parties on this 21st day of May, 2026.

Alexandro Benavides

Alexandro "Alex" Benavides
First Assistant District Attorney

Copy

annette.hinojosa@co.willacy.tx.us
victorramirezatty@me.com