AT 8:39 FILED O'CLOCK A. M
MAY 28 2026
ARTURO GUAJARDO, JR. COUNTY CLERK
HIDALGO CO. TEXAS
BY DEPUTY

LOCAL ADMINISTRATIVE ORDER No. 2026-3

HIDALGO COUNTY DISTRICT ATTORNEY CONTROL NUMBER DA-23-02811

FILED
AT 9:05 O'CLOCK 4 M
MAY 28 2026
LAURA HINOJOSA, CLERK
District Courts Hidalgo County
By Deputy #24

STATE OF TEXAS	§	PENDING AT THE
	§	
VS.	§	DISTRICT ATTORNEY'S OFFICE
	§	
JOE LARA (SID TX-07722073)	§	HIDALGO COUNTY, TEXAS

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 Luis Saenz, Cameron County Criminal District Attorney, is hereby appointed Attorney Pro Tem in this matter for the limited purpose of grand jury presentation. If a true bill is returned by a grand jury on this matter, this Court will enter additional orders as necessary.

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
Edward.Sandoval@co.cameron.tx.us

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AT 8:39 O'CLOCK A M
MAY 28 2026
ARTURO GUAJARDO JR. COUNTY CLERK
HIDALGO CO. TEXAS
BY DEPUTY

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

TO THE HONORABLE PRESIDING JUDGE:

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 matter is under investigation for a murder that is alleged to have occurred on or about August 3, 2022 in Monte Alto, Texas. Upon law enforcement's response to the homicide investigation, investigators discovered a white powdery substance in Mr. Lara's possession that was later determined to be less than one gram of methamphetamine. Mr. Lara was arrested and charged with Possession of a Controlled Substance ("POCS") PG 1 < 1 gram, a State Jail Felony. The murder investigation remained pending.
2. The POCS PG 1 < 1 gram charge was eventually indicted in cause number CR-3620-22-G and is pending in the 370th District Court of Hidalgo County, Texas. Prior to his election as the Hidalgo County District Attorney, Mr. Palacios was in private practice and briefly represented Mr. Lara in the POCS PG 1 < 1 gram charge that was eventually indicted in cause number CR-3620-22-G. Therefore, this office has already been recused from the prosecution of CR-3620-22-G and the Honorable Rene Montalvo, Starr County Attorney has been appointed Attorney Pro Tem to handle the prosecution of this matter.
3. Although Mr. Palacios never represented Mr. Lara in the murder investigation, this office believes a recusal is most appropriate, and good cause exists for recusal, given the close connection between the murder investigation and CR-3620-22-G as detailed above.

4. Mr. Palacios has not represented Mr. Lara in any other pending cases that may remain active in Hidalgo County. As such, we seek recusal only on the pending murder investigation and to remain conflicted out of CR-3620-22-G.
5. 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."
6. 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.
7. 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).
8. 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

g. Hon. John T. Hubert
Kleberg & Kenedy County District Attorney
P.O. Box 1471
Kingsville, Texas 78364
P: 361-595-8544
F: 361-595-8522

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 disqualify 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
Edward.Sandoval@co.cameron.tx.us