

Texas Judge Cops To Abuse Of Office Charges, Resigns

By Jeremy Heallen

Law360, Houston (September 19, 2013, 4:58 PM ET) -- A Texas judge indicted on abuse of office charges stemming from his alleged mistreatment of lawyers practicing in his court pled guilty and resigned from the bench Thursday, bringing to an end his prosecution and a civil suit aimed at removing him from office.

Appearing before the court in a green county jail jumpsuit, former Galveston County Court at Law Judge Christopher Dupuy pled guilty pursuant to a deal he struck with prosecutors to a pair of misdemeanor counts of abuse of official capacity and perjury. He also tendered his resignation to Galveston County Judge Mark Henry, which will become effective at 5 p.m. Friday.

Visiting Judge Ryan Patrick accepted Dupuy's plea and sentenced him to a two-year term of deferred adjudication and 30 days in jail, with credit for time Dupuy has already served. But Judge Patrick also excoriated Dupuy for bringing "incredible dishonor" to the judicial system.

"It makes our jobs harder because of what you did," he said. "I don't feel sorry for you, but I do feel sorry for your children because you put them through this public humiliation. You're just one more reason why we've all become the butt of jokes."

Dupuy, who has been in jail since last month after Judge Patrick held him in contempt for violating a media gag order entered in the case, at times appeared emotional as he acknowledged the terms of the plea agreement he reached with prosecutors and stared at the floor for most of the proceeding.

As a result of the plea, the remaining criminal charges against Dupuy will be dropped and a separate civil suit being prosecuted by the state to remove Dupuy from office will also be dismissed, Criminal District Attorney Pro Tem David Glickler told the court.

It is unclear what precipitated Dupuy's decision to settle with prosecutors. Following his indictment on May 22, Dupuy adamantly insisted that he was the victim of a political lynching concocted by a contingent of Galveston County lawyers and officials who were unhappy with his rulings.

Judge Patrick had initially set Thursday's hearing to review the results of a competency

examination that he ordered Dupuy to undergo after holding him in **contempt** for violating the gag order.

Among other things, Dupuy posted rants on Facebook attacking the charges against him and accusing Glickler of an array of criminal and unethical activity, which included trying to strike up an extra-marital affair with Dupuy's ex-girlfriend. Judge Patrick slapped Dupuy with a 45-day jail sentence for the posts and other comments he made to a local newspaper after the gag order had been entered.

On Thursday, in addition to admitting that he had retaliated against attorneys with whom he had personal conflicts, Dupuy acknowledged that Glickler had not engaged in any wrongdoing. As a part of his sentencing deal, Dupuy agreed that he would not file any future complaints against Glickler or any of the attorneys he was accused of persecuting from the bench.

Dupuy was **indicted** May 22 on eight criminal counts tied to his assessment of tens of thousands of dollars in sanctions and disqualification orders entered against three attorneys who asked the judge to recuse himself from their cases. A civil removal suit was filed the same day.

One of the attorneys, Lori Laird, is representing Judge Dupuy's ex-wife in her custody battle against the judge. Laird has a professional relationship with lawyer Suzanne Radcliffe, whom Judge Dupuy had accused of violating state ethics rules by serving as a part-time associate judge. A third attorney, Greg Enos, had served as an arbitrator in the Dupuys' divorce proceedings.

All three were sanctioned by Judge Dupuy to the tune of \$34,000, and Laird was assessed jail time for allegedly making false statements in a recusal motion, according to court documents.

Dupuy was later hit with a ninth charge stemming from his alleged use of county resources to assist his girlfriend with her child custody case, and an additional two counts of aggravated perjury.

Dupuy is represented in the criminal case by Adam Banks Brown of DeToto Van Buren & Brown and by M. Fox Curl. Dupuy is represented in the civil removal suit by Wally Mahoney and Stephanie Proffitt.

The lead criminal case is Texas v. Dupuy, case number 13-cr-1365, in the 405th Judicial District Court of Galveston County, Texas.

The civil case is The State of Texas ex rel. Greg Hughes v. Dupuy, case number 13-cv-0701, in the 10th Judicial District Court of Galveston County, Texas.

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