

Misc. Docket No. 09-9005

In the Supreme Court of Texas

INQUIRY CONCERNING

JUDGE NO. 94

AGREED MOTION TO RELEASE SPECIAL MASTER

To the Honorable Chief Justice of the Supreme Court of Texas:

Comes now the Examiner by and through its counsel of record, and files this Agreed Motion to Release Special Master, and in support thereof states:

1. By Order dated February 3, 2009, this Court appointed the Honorable Bill Burke, Judge of the 189th District Court of Harris County, Texas, as a Special Master pursuant to the provisions of Texas Constitution, Article V, sec. 1-a(6), (8) and (10), and Rule 10(c)(2) of the Procedural Rules for the Removal or Retirement of Judges. The Special Master was charged with conducting a hearing concerning complaints against Judge 94 and to make his report to the Commission on Judicial Conduct.

2. Since the appointment of the Special Master, the Examiner and the counsel for Respondent have conferred and have agreed that this matter should no longer be heard by a Special Master and have filed a Notice pursuant to Texas Rule of Civil Procedure 162, withdrawing the Formal Proceedings and returning this matter to the Commission for further proceedings.

3. Based on the foregoing, the Examiner and the Respondent jointly request that the Special Master be released from his February 3, 2009 Order of Appointment and any further duties pursuant to Rule 10(c) of the Procedural Rules for the Removal or Retirement of Judges.

Dated: May 26, 2009.

Respectfully submitted,

EXAMINERS

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Executive Director
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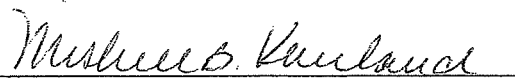
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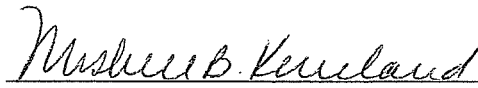

Mishell Kneeland

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Agreed Motion to Release Special Master was delivered by U.S. Mail and email to Respondent's counsel of record on May 26, 2009.

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