

County Settles Suit; Positions Restored

By EVELYN COOK
Star News Staff

BROWNSVILLE — Two county court-at-law judges who sued the Cameron County Commissioners Court over funding of staff positions in their courts came out winners Monday as the lawsuit was settled in their favor.

County Court-at-Law Judges Noe Robles and A.G. Betancourt had filed suit in September against County Judge Jack Goolsby and the county commissioners.

Robles and Betancourt claimed the commissioners court had taken away funding for two county court-at-law coordinator positions in the 1988 county budget without consulting them.

In the settlement approved Monday by visiting Judge Manuel Banales from the 105th state district court in Corpus Christi, the coordinator posi-

tions and salaries were restored to the county courts-at-law.

In addition, the court-at-law judges asked for and received an additional staff member, a security guard/interpreter who will be shared by both county courts-at-law and will receive a salary of \$13,000 per year.

"It's a fair settlement, we're happy with it," Robles said.

He added that while he and Betancourt will pay their own attorney's fees, taxpayers will have to pay the commissioners court's legal expenses.

The commissioners court hired an outside attorney when the county attorney declined to take the case because of a conflict of interest.

"In that sense it was a waste of taxpayers' money, having to go through this procedure. They cut our staff without consulting us and that's where the litigation began," Robles said.

Judge Finds Insufficient Evidence

8/4/88 By JO ANN ABLE
Star News Staff

BROWNSVILLE — Thomas Scott Brady San Benito was acquitted on charges of promoting obscene material by County Court-at-Law Judge Noe Robles, who ruled the prosecution presented insufficient evidence for the case to go before the jury.

Brady was arrested Oct. 20, 1987 at the Citrus Drive Inn on a warrant ordering the seizure of two motion pictures, *Desperate Women* and *Peeping Tom*.

Gualberto Gonzalez, a criminal investigator for the Cameron County District Attorney's Office, testified Tuesday that he had viewed the movies two days earlier after reading an advertisement in the *Valley Morning Star*. He said Brady was arrested on the premises during the raid.

The second witness for the prosecution was Mark Jones, an account executive at the *Star* who testified that Brady was the person who usually made arrangements for advertisements for the Citrus, either in person or by phone.

In his verdict, Judge Robles said he had reviewed the entire testimony of both witnesses presented by prosecutor John Olsen.

"Neither of the state's witnesses testified that Brady was the manager of the theater and that he gave no testimony as to his duties," Robles said. "Their testimony provided no evidence of what he did for the Citrus or that he owned any interest in the business."

Robles said the evidence showed only that Brady was at the Citrus when the movies were seized and that on some occasions he submitted movie advertisements to the newspaper.

Robles also said he found no evidence to link Brady to having knowledge of the content and character of the films.

Before Robles announced his verdict, Olsen contended that whether Brady was connected to the theater and whether he knew the content of the movies should be decided by the jury.

"If they find reasonable doubt of the facts, then they can acquit him," Olsen said.

Olsen presented four examples of case law that found possession is sufficient to infer that a person knows what he possesses.

Brady's attorney, Gilbert Rosas, had asked for an instructed verdict on the basis of insufficient evidence and because an amendment su-