

# Hearing On Contempt Of Court Charges Set

BROWNSVILLE — A visiting judge will hold a hearing Monday morning on contempt of court charges which resulted in the Monday arrests of Cameron County Commissioner D.J. Lerma and Chief Deputy Sheriff Carlos Tapia.

An out-of county judge was requested by County-Court-at-Law No. 1 Judge Noe Robles who lodged the contempt charges over the release of a prisoner who had been convicted of driving while intoxicated. Robles said it is likely he will be called as a witness in the case and cannot, therefore, preside over the hearing.

The two officials were arrested by Constable Arturo Gonzalez Monday and were arraigned before Justice of Peace Tony Torres.

Both officials posted bond and were released. They were not booked into jail.

Robles said Lerma, who is also an attorney, prepared an appeal bond for his client, Luis Leal Jr., 57, San Benito, and took it to the sheriff's office and had Leal released, but the appeal bond had not been presented in court for approval.

Had he been presented with the appeal bond, it probably would have been approved, Ro-

bles said. But, he said, only the judge that orders a person held in jail can approve an appeal bond.

Leal had been booked into jail at 11:56 a.m. Friday and released a few hours later 'on an appeal bond as per Chief Tapia,' court documents state.

Originally, Leal had been free on a \$1,000 bond following his conviction, Lerma said. After the Friday sentencing, Robles had made no change in Leal's bond, Lerma said.

"I wanted to talk to the judge, but he was apparently out Friday afternoon," Lerma said. Tapia was not at fault and the responsibility for what happened is his alone, Lerma said.

Sheriff Alex Perez said Tapia had all the proper paperwork in order for the release.

Leal was released unlawfully, Robles said. "It was tantamount to an escape." He ordered him rearrested. The San Benito used car dealer then appealed his DWI conviction and was released on \$10,000 bond.

Lerma's status as a county commissioner had no bearing on his arrest, Robles said. "I didn't think about it when I issued the arrest warrants. I don't care if he is a public official. It just makes it more serious."