

The jurist tasked with overseeing the criminal proceedings into three Harris County employees -- all of whom handled a controversial procurement contract for Judge Lina Hidalgo's office -- has voluntarily recused herself to "avoid any appearance of impropriety," according to court records.

Following a grand jury indictment, the cases involving three former and current Hidalgo aides -- Alex Triantaphyllis, Wallis Nader and Aaron Dunn -- was randomly assigned to Judge Natalia Cornelio's 351st District Court. The three were indicted April 11 on felony charges of misuse of official information and tampering with a governmental document following allegations that the aides steered a vaccine outreach contract to a vendor with Democratic ties with no public health expertise.

The judge on Tuesday signed an order of voluntary recusal. Despite the decision, Cornelio stated in the order that she could "render a fair and impartial judgment" had she not done so.

The decision, she continued, was for the public to "maintain trust in the judiciary."

The recusal follows some concerns, mostly by public officials who spoke on the matter privately, that Cornelio had too many ties to the case. She worked with Nader at the Texas Civil Rights Project, with some court records listing them as co-counsel. Documents show Cornelio in 2017 was the nonprofit's director of criminal justice reform, while Nader was a staff attorney.

Campaign contributions also were discussed. Cornelio accepted a \$100 campaign donation during her 2020 race from Felicity Pererya -- the owner of Elevate Strategies, the vendor at the heart of the contract investigation, financial records show.

Criminal judges during their election bids often accept donation dollars from lawyers, who may eventually go on to represent defendants in that judge's court. That was the case with Cornelio, who accepted \$500 from Ashlee McFarlane, one of Hidalgo's lawyers representing her in connection to the contract probe. Kathryn Kase, Hidalgo's legal counsel in her capacity as county judge, also donated \$500 to Cornelio's campaign. One of the search warrants used by the Texas Rangers to seek evidence identified Hidalgo and Kase as possible witnesses, rather than targets of the criminal investigation.

Cornelio declined to comment on her recusal.

Kenneth Williams, law professor with Houston's South Texas College of Law, said jurist recusals are rare because judges often do not believe they are partial to any litigant. In Cornelio's case, he could understand why she stepped aside -- her work history with Nader could easily be called into question.

"This is going to be a high-profile trial, if it goes to trial," Williams said. "She doesn't want the public perception in the case that she was biased. It was probably better for her to step aside."

The financial contributions matter less, he continued, adding that it is common for attorneys and potential parties to make campaign donations to judges before whom they often appear. If a judge had to step aside because of every donation -- they would "have few cases to litigate."

A replacement judge -- picked again at random -- will be assigned through the Administrative Judge of the Felony Division, records show.

The Harris County District Attorney's Office on Wednesday addressed the recusal.

"Given the judge's close relationship to at least one of the defendants, a recusal is appropriate," said Dane Schiller, a spokesman for the district attorney's office. "Our work continues."

Cornelio assumed office in 2021, with prior stints that also included working for Harris County Commissioner Rodney Ellis as his director of legal affairs. She had a role in negotiating and finalizing the landmark settlement that led to misdemeanor bail reform.

Had the judge not recused herself, a party in the case -- such as lawyers for the defendants or prosecutors -- could have sought a motion to recuse or disqualify Cornelio by alleging that her impartiality could be questioned, or that she had a personal bias or prejudice concerning the subject matter or a party. Prosecutors on a criminal case involving a man convicted of continued sex abuse of a child, a case which is under appeal, sought to recuse Judge Jason Luong from overseeing the matter in the 185th District Court for remarks made in his chambers. The 11th Administration Judicial Region of Texas granted their request.

Prior to Cornelio's recusal, she had not attended a court appearance involving the three defendants. The trio appeared last week in court and were handed a combined bail of \$3,500 by a visiting judge. The charges stem from the claim that they gave the vendor early access only for her to then win the contract.

A judge filling in for Cornelio ordered that the three not discuss the case with each other or communicate with Elevate Strategies as part of their bail conditions.

The three are slated on June 8 to return to court.

In September, Hidalgo canceled the contract after Republican commissioners accused her of steering the work toward a Democratic firm with no public health expertise. The Texas Rangers then investigated the allegations at the request of the Harris County District Attorney's Office.

Hidalgo, who has not been accused of any legal wrongdoing, defended her ethics and that of the employees. She vowed that none of the accused would lose their jobs.

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#### CITATION (CMS STYLE)

Hensley, Nicole. "Judge recuses herself from Hidalgo aide case." *Houston Chronicle (TX)*, April 21, 2022: A001. *NewsBank: Access World News*. <https://infoweb-newsbank-com.atxlibrary.idm.oclc.org/apps/news/document->

[view?p=AWNB&docref=news/189892A4D825B3A0.](#)

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