

Cause No. _____

DAVID B. WILSON, THOMAS	§	IN THE DISTRICT COURT
THRASH, THOMAS ANDREW BAZAN,	§	
MILINDA M. MORRIS, M.D., AND	§	
TOMMY B. SLOCUM JR.	§	
	§	
	§	164 th JUDICIAL DISTRICT
Plaintiffs	§	
	§	
v.	§	
	§	
LINA MARIA HIDALGO, HARRIS	§	
COUNTY JUDGE	§	
	§	HARRIS COUNTY, TEXAS
Defendant		

ORIGINAL PETITION

TO THE HONORABLE JUUDG OF SAID COURT:

COMES NOW, Plaintiffs David B. Wilson, Thomas Thrash, Thomas Andrew Bazan, Milinda M. Morris, M.D., and Tommy B. Slocum, Jr. and file this their Original Petition and respectfully shows:

I. Parties and Service

1. Plaintiff David B. Wilson is a natural person that resides at 11415 Inwood Dr., Houston, Texas 77077 and can be served process by and through the undersigned attorney. Plaintiff request that citation be issued and that served be affected via a private process server.

2. Plaintiff Thomas Thrash is a natural person that resides at 21603 Violet Ridge Rd, Katey, Texas 77449 and can be served process by and through the undersigned attorney. Plaintiff request that citation be issued and that served be affected via a private process server.

3. Plaintiff Thomas Andrew Bazan is a natural person that resides at 14722 Wind Cave Ln, Houston, Texas 77040 and can be served process by and through the undersigned attorney. Plaintiff request that citation be issued and that served be affected via a private process server.

4. Plaintiff, Milinda M. Morris is a natural person that resides at 8010 Braesview Ln. Houston, Texas 77071 and can be served process through the undersigned attorney. Plaintiff request that citation be issued and that served be affected via a private process server.

5. Plaintiff Tommy B. Slocum, Jr. is a natural person that resides at 4302 Donna Bell Lane, Houston, Texas 77018 and can be served process by and through the undersigned attorney. Plaintiff request that citation be issued and that served be affected via a private process server.

II. Jurisdiction

6. The Harris County District Court has exclusive jurisdiction over the claims and controversies presented in Plaintiffs' Original Petition.

III. Claim for Relief

7. Plaintiff seek only injunctive relief.

IV. Facts

8. Plaintiffs are residents of Harris County, Texas for at least the preceding six months. Defendant, Lina Maria Hidalgo was elected in 2018 to public office, re-elected in 2022, and is the sitting Harris County Judge. The office of the Harris County Judge is

the head of Harris County's governing body. The duties of the Harris County Judge include oversight of a budget of over three billion dollars, justice administration, flood control, public health issues and housing.

9. On reasonable belief, Defendant Harris County Judge, Hildalgo last attended a meeting with the Commissioners Court on July 27, 2023. After July 27, 2023 Judge Hildalgo has abandoned the office of the Harris County Judge and failed to perform any of the duties and responsibilities of the Harris County Judge. In performing her duties the Harris County Judge is required to vote on agenda items. Judge Hildalgo missed the following scheduled meetings: August 8, 2023, August 17, 2023, August 22, 2023, August 29, 2023, September 12, 2023, and September 19, 2023. At least three of the above meetings were regularly scheduled meetings.

10. Judge Hildalgo's absence from public office has prevented her and continues to prevent her from the lawful discharge of her duties as Harris County Judge. Plaintiffs seek removal from office.

VI. Grounds for Removal

11. Plaintiffs seek removal from office pursuant Texas Government Code § 87.011 on grounds that Defendant Hildalgo exercised gross carelessness in the discharge of her duties, or she is unfit or unable to promptly and properly discharge her official duties because of serious physical or mental defect that did not exist at the time of the election.

12. Alternatively, Judge Hildalgo's absence for three consecutive meetings and has thereby abandoned the office. Pursuant to Texas Government Code 22.041 the office is considered vacant, unless Judge Hildalgo is considered sick, or she obtained leave of absence at a regular meeting.

VII. Jury Demand

13. Plaintiffs' pray that this matter be set for a trial be jury.

Prayer

Plaintiffs' pray that upon a final hearing on the matter, that Judge Hidalgo be removed from office, or alternatively, the office be declared vacant, or any other relief whether general or special in the interest of justice.

The Law Office of Keith A. Gross
250 Park Avenue
League City, Texas 77573
Tel: 832-932-5970
Fax: 832-932-5688

/s/ Keith Gross

By: _____
KEITH A. GROSS
State Bar No. 24027357
Email: attnykgross@aol.com