

CAUSE NO. C-4564-25-M

**RAUL ROCHA, AS NEXT
FRIEND OF N.R.,
*Plaintiff,***

v.

**ERNIE ALONZO, MICHELE
PENA, AND OSCAR SALINAS,
*Defendants.***

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IN THE DISTRICT COURT

476TH JUDICIAL DISTRICT

HIDALGO COUNTY, TEXAS

FIRST AMENDED PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Raul Rocha, as next friend of N.R., a minor, and files this First Amended Original Petition to expose and hold accountable those entrusted with power who have instead inflicted trauma, abuse, and injustice upon a vulnerable student. This Petition seeks justice for N.R. and demands that this Court recognize and rectify the Defendants' deliberate and unconscionable violations of law, trust, and basic human dignity.

I. DISCOVERY CONTROL PLAN

1.1 This case shall be governed by Discovery Control Plan Level 2 under Texas Rule of Civil Procedure 190.3.

1.2 Plaintiff seeks monetary relief over \$250,000 but not more than \$1,000,000, including punitive damages, actual damages, mental anguish, attorney's fees, costs of court, and pre- and post-judgment interest as allowed by law.

II. PARTIES

2.1. Plaintiff Raul Rocha is the lawful next friend of N.R., a minor, and resides in Hidalgo County, Texas.

2.2. Defendant Ernie Alonzo is a resident of Hidalgo County, Texas, Texas, has been properly served in accordance with the Texas Rules of Civil Procedure, and has appeared and answered in this matter.

2.3. Defendant, Michele Pena, is a resident of Hidalgo County, Texas, has been properly served in accordance with the Texas Rules of Civil Procedure, and has appeared and answered in this matter.

2.4. Defendant Oscar Salinas is a resident of Hidalgo County, Texas, has been properly served in accordance with the Texas Rules of Civil Procedure, and has appeared and answered in this matter.

III. JURISDICTION AND VENUE

3.1 This Court has jurisdiction because Plaintiff seeks damages within the jurisdictional limits of this Court. Venue is proper under Texas Civil Practice & Remedies Code § 15.002(a) as all acts and omissions occurred in Hidalgo County.

3.2 Plaintiff contends and we believe that the Edinburg CISD would agree that assault and covering up such assaults is not within the course and scope of any district employee and as such these actions are not covered by any immunity since they are considered ultra vires acts under Texas law.

IV. FACTUAL BACKGROUND

4.1 Prior to the 2024/2025 school year ECISD Edinburg Consolidated Independent School District (“Edinburg CISD”) recently conducted a search for a new head football coach for Edinburg Vela High School. During this process, multiple candidates applied—many of whom possessed outstanding coaching credentials, strong records of success on the field, and unblemished professional reputations.

4.2 Among the pool of applicants, however, was one individual whose coaching history did not compare favorably. Unlike the other candidates, his record reflected no extraordinary success, and his previous tenure at McAllen ISD was marred by troubling allegations of inappropriate behavior. Rather than being distinguished for his coaching ability or his results, he carried with him a cloud of concern from his prior employment.

4.3 Despite these shortcomings, this applicant was ultimately selected as the head coach of the Edinburg Vela High School football program. His selection was not the product of merit or demonstrated coaching excellence. Instead, it was driven by entrenched political influence. The applicant maintained deep ties to the powerful political machine in Edinburg and enjoyed the patronage of a high-level athletics administrator, Oscar Salinas. Their backing—not his qualifications—paved the way for his appointment.

4.4 This hire reflected a decision based less on “what he knew” and more on “who he knew.” The District’s choice disregarded better-qualified candidates and instead rewarded political favoritism. His political allies expended significant political capital to secure him the position, and it is reasonable to expect that they will continue to shield him from accountability to protect their investment.

4.5 By elevating political connections above professional merit, Edinburg CISD undermined the integrity of its hiring process and sacrificed the best interests of its students and community in favor of political expediency. This effort to elevate a political hire above more qualified candidates is rampant in local school districts and is one of the main factors in employees operating outside the course and scope of their official duties to illegally cover up crimes of the politically protected, even if those politically protected are potential pedophile political hires. The political corruption at the top compels acquiesce through the rank employees due to fear of being victims of the same corrupt machine. But when there

is a duty to report, a duty to investigate, and they allow children to become victims, these employees, such as the defendants in this case become villains themselves.

4.6 On or about March 22, 2024, at Robert Vela High School, Defendant Coach Ernie Alonzo ordered N.R., a minor student, to perform strenuous physical exercise completely nude. When N.R. attempted to preserve any shred of dignity by covering himself with underwear, Defendant Alonzo threatened and ordered him to remain nude. The exercise served no purpose beyond humiliation and domination. Following the act, the Coach secluded himself for unknown and suspicious reasons.

4.7 This is not an isolated incident. Defendant Oscar Salinas, the Athletic Director, was aware of prior complaints against Coach Alonzo. Rather than protect children, Salinas pushed for Alonzo's hiring—despite credible reports of sexual misconduct at his previous employment—due to political affiliations and personal agendas.

4.8 Principal Michele Pena knew or had reason to know of Alonzo's dangerous proclivities. Instead of intervening, she permitted him to remain in a position of authority. She either encouraged, failed to act, or directly supported the abuse of power.

4.9 N.R. was victimized again and again by being forced to attend practices under the command of the very individual who violated him. The school district allowed this predator to operate unchecked. A police investigation was initiated but abruptly halted by unnamed ECISD administrators, who opted instead for a toothless internal review.

4.10 The ECISD Police Department investigator admitted the case against Alonzo was credible. He acknowledged multiple other victims. Yet Alonzo was never suspended. There was no criminal referral. No public accountability. Only silence and political coverup. The cover up was rushed before the new school board was sworn into to protect the political hires and to tie the hands of the incoming board members.

4.11 On or about December 12, 2025, Alonzo and several Administrators, along with their school attorney, met with the minor and the parents of the minor to admit that what happened to victimize the minor plaintiff was wrong and apologize but failed to take any action to correct or even protect the Plaintiffs from further harm. The attorney and agent for the school district admitted that the assault occurred.

“The discipline that was administered was not appropriate. That we agree. I agree. Everybody agrees. Coach agrees and on behalf of your son who comes to our school, I’m sorry.” - *Ben Castillo, attorney for the Edinburg CISD.*

The administration at the meeting which included the athletic director, superintendent, and school board members stated.

“We just want to apologize to him. *It actually happened.*” *ECISD Administration.*

4.12 Despite the admissions that the assault happened and the admission that what the individual defendants in this case did was wrong and harmful to the student, the school elected to do nothing to correct the situation and allowed the defendants to continue to commit the ongoing torts against the minor plaintiff. This cover-up constitutes not only moral cowardice, but a deliberate violation of law. Under Texas law, educators are mandatory reporters of sexual abuse. That legal mandate was ignored.

V. CAUSES OF ACTION

The facts above support various causes of action under the laws of this state amongst which include:

5.1 Civil Assault – Defendant Ernie Alonzo

Alonzo’s actions meet every element of civil assault. His conduct was intentional, offensive, without consent, and outside any acceptable bounds.

5.2 Intentional Infliction of Emotional Distress – Defendants Alonzo, Pena, and Salinas.

The conduct of Defendants was extreme, outrageous, and inflicted intentionally. No civilized society can tolerate such abuse. The emotional torment suffered by N.R. is profound and ongoing.

5.3 False imprisonment.

Defendant Alonzo intentionally and without consent detained the minor plaintiff by compelling him to stay in the open in an unclothed state, after the minor plaintiff attempted to cloth himself and leave.

5.4 Intrusion upon seclusion.

Defendant Alonzo intentionally sought out the minor plaintiff while he was in the shower and unreasonably and without justification forced him out of the shower to perform exercises for Defendant Alonzo's own gratification.

5.5 Aiding and Abetting – Defendants Pena and Salinas

Both Pena and Salinas substantially contributed to the abuse, assault and intentional infliction of emotional distress. They empowered, protected, or actively facilitated the conduct of a known danger to children. Their actions meet the standard set forth in Texas Law.

VI. IMMUNITY DOES NOT APPLY

6.1 No Official Immunity

These acts were not discretionary. They were not in the course of an official duty. They were not performed in good faith. They were criminal, abusive, and calculated.

6.2 Individual Capacity

Each Defendant is sued in their personal capacity. The Texas Tort Claims Act does not protect intentional tortfeasors. See Tex. Civ. Prac. & Rem. Code § 101.057(2).

VII. DAMAGES

Plaintiff seeks:

1. Past and future medical and mental health expenses;
2. Physical pain and suffering;
3. Emotional trauma and mental anguish;
4. Punitive damages to punish and deter.

VIII. PRAYER

WHEREFORE, Plaintiff prays that Defendants be cited to appear and answer herein, and that upon final hearing, Plaintiff be awarded:

1. Actual damages
2. Exemplary damages
3. Costs of court
4. Pre- and post-judgment interest
5. All further relief to which Plaintiff is justly entitled at law or in equity.

Respectfully submitted,

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By: /s/ Javier Peña

JAVIER PEÑA

State Bar No. 24005092

ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served by electronic service on the **10th** day of **November 2025**, upon the following:

E- Service:

Eric D. Flores

O'Hanlon, Demerath & Castillo

Javier Pena

Javier Pena

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Javier Pena on behalf of Javier Pena
Bar No. 24005092
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Envelope ID: 107854357
Filing Code Description: Amended Filing
Filing Description: First Amended Plaintiff's Original Petition
Status as of 11/10/2025 3:21 PM CST

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