



**THE STATE OF TEXAS**  
**SEVENTH ADMINISTRATIVE JUDICIAL REGION OF TEXAS**

**ORDER OF ASSIGNMENT BY THE PRESIDING JUDGE**

Pursuant to Section 74.056, Texas Government Code, I assign the Honorable Emil Karl Prohl, Active Judge of the 198<sup>th</sup> District Court, to the 39<sup>th</sup> District Court of Stonewall County, Texas.

This assignment is for the purpose of presiding in Cause No. 4222-A/4222-B, styled *In the Estate of Ida Baldwin Denison, Deceased* and such matters that may come for hearing. This assignment is for a period beginning as determined by the assigned judge, and shall continue thereafter so long as may be necessary for the assigned judge to complete trial of any cause begun during such period, and to pass on motions for new trial and all other matters growing out of any cause tried by the assigned judge during such period.

IT IS ORDERED that the Clerk of the Court to which this assignment is made, if it is reasonable and practicable, and if time permits, give notice of this assignment to each attorney representing a party to a case that is to be heard in whole or in part by the assigned judge.

IT IS FURTHER ORDERED that the Clerk, upon receipt hereof, shall post a copy of this order in a public area of the Clerk's office or courthouse so that attorneys and parties may be advised of this assignment.

**SIGNED October 31, 2008.**

**DEAN RUCKER**  
Presiding Judge  
Seventh Administrative Judicial Region

ATTEST:

  
**ANA O'BRYANT**  
Administrative Assistant

cc: Judge Emil Karl Prohl  
Judge Shane Hadaway  
District Clerk, Stonewall County  
File



DISTRICT CLERKS:

KERR COUNTY - LINDA UECKER  
880/792-2281  
KIMBLE COUNTY - HAYDEE TORRES  
325/448-3353  
MASON COUNTY - BEATRICE LANGEHENNIG  
325/347-5243  
McCULLOCH COUNTY - MACKYE JOHNSON  
825/597-0733  
MENARD COUNTY - ELSIE MASERANG  
325/396-4882

**EMIL KARL PROHL**

**DISTRICT JUDGE**

198TH JUDICIAL DISTRICT COURT  
KERR COUNTY COURTHOUSE  
700 MAIN STREET  
KERRVILLE, TEXAS 78028

COURT COORDINATOR: BECKY I. HENDERSON

KERR COUNTY COURTHOUSE  
700 MAIN STREET  
KERRVILLE, TEXAS 78028  
830/792-2200

COURT REPORTER: LISA C. GREENWALT

P.O. BOX 234101  
KERRVILLE, TEXAS 78028  
830/537-4223

**November 4, 2008**

**Mr. Scott Wheatley**  
Attorney at Law  
301 Commerce Street, Suite 2400  
Fort Worth, Texas 76102

Mr. Lamar Treadwell  
Attorney at Law  
551 West Cordova Rd., Suite 720  
Santa Fe, New Mexico 87505

**Mr. Robert H. Holmes**  
Attorney at Law  
2616 Thomas Ave.  
Dallas, Texas 75204

Mr. Isaac Castro  
Attorney at Law  
P. O. Box 608  
Hamlin, Texas 79520

Mr. Travis S. Ware  
Attorney at Law  
1915 Broadway  
Lubbock, Texas 79401

Mr. R. Bruce Medley  
Attorney at Law  
P. O. Box 13430  
Arlington, Texas 76094

Re: Cause No. 4222-AV4222-B  
The Estate of IDA BALDWIN DENISON

Dear Counsel:

Enclosed please find a copy of an Assignment from Judge Rucker appointing me to the above case. I am scheduling a pre-trial conference for December 5, 2008 at 1:00 p.m. in the Stonewall County District Courtroom.

All attorneys and their clients are required to attend in person and come prepared to set a trial date and enter a scheduling order.

I look forward to seeing you on December 5.

Very truly yours,

Emil Karl Prohl  
198<sup>th</sup> District Judge

cc: Judge Hadaway

**CAUSE NO. 4222-A/4222-B**

IN THE ESTATE OF  
IDA BALDWIN DENISON,  
DECEASED

)  
)  
)  
)  
)

IN THE DISTRICT COURT  
39<sup>TH</sup> JUDICIAL DISTRICT  
STONEWALL COUNTY, TEXAS

**ORDER SETTING**

The above styled and numbered cause is hereby set for **PRE-TRIAL**  
**CONFERENCE** on **December 5, 2008 at 1:00 p.m.** in Stonewall County, Aspermont,  
Texas.

**All Counsel and their clients are required to attend in person and come  
prepared to set a trial date and enter a scheduling order.**

SIGNED AND ENTERED this 4<sup>th</sup> day of November, 2008.



**EMIL KARL PROHL**  
198<sup>th</sup> Judicial District Judge

cc: **Judge Hadaway** 940.864.6164  
**Scott Wheatley** 817.870.5124  
**Robert Holmes** 214.748.0396  
Travis Ware 806.763.7536  
Lamar Treadwell 505.757.8519  
Isaac Castro 325.576.2799  
Bruce Medley 817.880.6509

CAUSE NO. 4222-A/1086-TS

IN THE ESTATE OF	(	IN THE DISTRICT COURT
IDA BALDWIN DENISON,	(	39 <sup>TH</sup> JUDICIAL DISTRICT
DECEASED	(	STONEWALL COUNTY, TEXAS

ORDER

The Court having considered Plaintiff Bob Denison's Motion for Appoint of a Special Master hereby DENIES said motion.

SIGNED AND ENTERED this the 15<sup>th</sup> day of December 2008.



EMIL KARL PROHL  
JUDGE PRESIDING

Cc: Attys of record

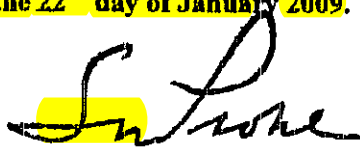
**CAUSE NO. 4222-A/4222-B**

<b>IN THE ESTATE OF</b>	<b>) (</b>	<b>IN THE DISTRICT COURT</b>
<b>IDA BALDWIN DENISON,</b>	<b>) (</b>	<b>39<sup>TH</sup> JUDICIAL DISTRICT</b>
<b>DECEASED</b>	<b>) (</b>	<b>STONEWALL COUNTY, TEXAS</b>

**ORDER**

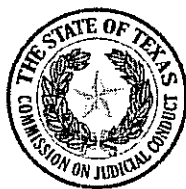
**The Court is continuing the January 23, 2009 hearing, due to the Judge being ill. This case is continued until further order of the Court.**

**SIGNED AND ENTERED this the 22<sup>nd</sup> day of January 2009.**



**EMIL KARL PROHL  
JUDGE PRESIDING**

**Cc: Attorneys of record**



BEFORE THE  
**STATE COMMISSION ON JUDICIAL CONDUCT**

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**IN RE: Honorable Emil Karl Prohl**  
**198<sup>th</sup> Judicial District Court**  
**Kerr, Kimble, Mason, McCulloch, and Menard Counties, Texas**  
**(CJC Nos. 08-0899-DI, 08-0913-DI and 08-0938-DI)**

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**VOLUNTARY AGREEMENT TO RESIGN FROM**  
**JUDICIAL OFFICE IN LIEU OF DISCIPLINARY ACTION**

This Agreement is being entered into by the undersigned parties pursuant to Section 33.032(h) of the Texas Government Code.

**WHEREAS** at all times relevant hereto, the Honorable Emil Karl Prohl was the Judge of the 198<sup>th</sup> Judicial District Court of Kerr, Kimble, Mason, McCulloch, and Menard Counties, Texas, and

**WHEREAS** on July 14, 2008, July 15, 2008, and July 22, 2008, complaints were filed with the Commission, each generally alleging that the judge was biased in favor of the District Attorney of the 198<sup>th</sup> Judicial District as a result of the District Attorney's largess towards the judge, which involved funds that had been seized from criminal defendants pursuant to Art. 59.06 of the Texas Code of Criminal Procedure ("Disposition of Forfeited Property"); and

**WHEREAS** no Findings of Fact or Conclusions of Law have been made in connection with the above-referenced matters, and

**WHEREAS** the parties agree that the allegations of judicial misconduct, if found to be true, could result in further disciplinary action against Judge Prohl, and

**WHEREAS** the parties to this Agreement are desirous of resolving this matter without the time and expense of further disciplinary proceedings.

**IT IS THEREFORE AGREED** that Judge Prohl, upon the effective date of this Agreement, shall resign his judicial office in lieu of disciplinary action by the Commission, pursuant to Section 33.032(h) of the Texas Government Code. The Commission agrees that it shall pursue no further disciplinary proceedings against Judge Prohl in connection with the above-referenced matter.

**IT IS FURTHER AGREED** that, upon the Commission's approval of this Agreement, Judge Prohl shall be disqualified from future judicial service; sitting or serving as a judge in the State of Texas in the future; or standing for election or appointment to judicial office in the State of Texas, or performing or exercising any

judicial duties or functions of a judicial officer in the State of Texas, including the performance of wedding ceremonies.

**IT IS FURTHER AGREED** that any violation of this Agreement by Judge Prohl would constitute willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice in violation of Art. 5, §1-a(6)A of the Texas Constitution, and Section 33.001(b) of the Texas Government Code.

**IT IS FURTHER AGREED** that the Commission may enforce this Agreement through any legal process necessary, including injunctive relief; that Travis County, Texas, shall be the proper venue for any dispute between the parties or proceeding relating to this Agreement; and that Judge Prohl, individually, shall bear the expense, cost, and any reasonable and necessary attorneys' fees in the event any dispute arising under this Agreement is decided against him by any court or tribunal.

**IT IS FURTHER AGREED** that Judge Prohl, by his execution of this voluntary agreement, does not admit guilt, fault or liability regarding the matters contained in the complaint referenced above.

**AGREED TO AND ACCEPTED** upon its execution by the parties.

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
EMIL KARL PROHL

Date: 9/23/09

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
HONORABLE SID HARLE, CHAIR  
STATE COMMISSION ON JUDICIAL  
CONDUCT

Date: 10/14/09

#### **VERIFICATION**

State of Texas                   §  
County of Kerr                 §

**BEFORE ME**, the undersigned authority, on this day personally appeared EMIL KARL PROHL, who by me being first duly sworn, on his oath deposed and said that the above "Voluntary Agreement to Resign from Judicial Office in Lieu of Disciplinary Action" is a true and correct recitation of the facts and accurately reflects his understanding of the terms and conditions of, and voluntary consent to enter into, such Agreement.

**SWORN TO BEFORE ME**, on this the 23rd day of September, 2009.

**ORIGINAL SIGNED BY**

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NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS