



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 12-0546-CO

INQUIRY CONCERNING

**HONORABLE MIKE WIGGINS
FORMER GUADALUPE COUNTY JUDGE
SEGUIN, GUADALUPE COUNTY, TEXAS**

**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 Mike Wiggins was the Guadalupe County Judge, in Seguin, Guadalupe County, Texas; and

WHEREAS Judge Wiggins was arrested in his hotel room on or about February 5, 2012, while attending a judicial conference in College Station, for a misdemeanor offense of Possession of Marijuana (less than 2 ounces); and

WHEREAS as a result of the arrest, which was reported in the media, a complaint (CJC No. 12-0546-CO) was initiated by the Commission; and

WHEREAS as a result of the arrest, which was reported in the media, approximately twenty-two (22) additional complaints were filed against Judge Wiggins by concerned citizens and local public officials, all of whom raised concerns about Judge Wiggins' continued judicial service following his arrest; and

WHEREAS as the Guadalupe County Judge, Judge Wiggins did perform some judicial functions, including occasionally serving as a magistrate in criminal cases; and

WHEREAS Judge Wiggins resigned from office as the Guadalupe County Judge effective April 30, 2012; and

WHEREAS no Findings of Fact or Conclusions of Law have been made by the Commission 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 Wiggins, and

WHEREAS the parties to this Agreement are desirous of resolving these matters without the time and expense of further disciplinary proceedings; and

IT IS THEREFORE AGREED that Judge Wiggins, by executing this Agreement, affirms that he has resigned 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 Wiggins in connection with the above-referenced matters.

IT IS FURTHER AGREED that, upon the Commission's approval of this Agreement, Judge Wiggins shall be forever disqualified from judicial service in the State of Texas, including (a) sitting or serving as a judge, (b) standing for election or appointment to a judicial office, and/or (c) performing or exercising any judicial duties or functions of a judicial officer, including the performance of wedding ceremonies.

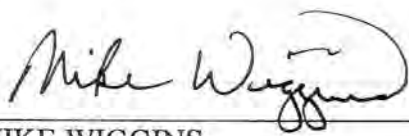
IT IS FURTHER AGREED that any violation of this Agreement by Judge Wiggins would constitute willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice in violation of Art. 5, §1-a(6)A of 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 Wiggins, 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 Wiggins, by his execution of this voluntary agreement, does not admit guilt, fault or liability regarding the matters contained in the complaint referenced above.

IT IS FURTHER AGREED that the effective date of this Agreement shall be upon its execution by the parties.

AGREED TO AND ACCEPTED upon its execution by the parties.



MIKE WIGGINS


TOM ALAN CUNNINGHAM, CHAIR
STATE COMMISSION ON JUDICIAL
CONDUCT

Date: 05-08-12

Date: June 14, 2012

VERIFICATION

State of Texas §
County of Guadalupe §

BEFORE ME, the undersigned authority, on this day personally appeared MIKE WIGGINS, 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 8th day of May, 2012.

Sandra Ceniseros

NOTARY PUBLIC, IN AND FOR
THE STATE OF TEXAS

