

Cause No. 0523

In the Matter of	§	Before the Judicial Branch
	§	
Abraham Rojas	§	Certification Commission

AGREED FINAL ORDER

The above-styled and numbered matter came to be considered on August 2, 2024, before the Judicial Branch Certification Commission (Commission).

This Agreed Final Order (Order) is executed pursuant to Texas Government Code section §153.054(a)(1), which allows a respondent to accept the determination of the committee and the imposition of a penalty or sanction as an agreed order. In a desire to conclude this matter without further delay and expense, the Commission and Abraham Rojas (Respondent) agree to resolve this matter in accordance with the following terms. The Respondent agrees to this Order for the purpose of resolving this proceeding.

Upon the determination of the Process Server Complaint Review Committee, the Commission makes the following findings of fact, conclusions of law, and final order for Cause No. 0523.

Findings of Fact:

1. The Commission first certified the Respondent as a process server on February 8, 2022, with certification number PSC-20788. All incidents material to this case occurred in Texas. The Respondent's certification expired on February 29, 2024.
2. The complainant filed a complaint against the Respondent alleging that the Respondent signed a false Affidavit of Due Diligence because he did not attempt service at the correct residence.
3. The Respondent admitted that he accidentally attempted service at a neighbor's house within a duplex. He did not file any documents with the court and was unable to correct the mistake because, by the time he was aware of the issue, the documents had been served by another process server.

Conclusions of Law:

1. The Commission regulates and may take disciplinary action against process servers certified by the Commission. Tex. Gov't Code §§ 153.004(a) and 156.001(2).
2. A certified process server is subject to disciplinary action, including a reprimand, administrative penalty, or denial, suspension, revocation, or refusal of renewal of the process server's certification, for violation of the laws, rules, or Certified Process Servers Code of Ethics (Code of Ethics). Tex. Gov't Code § 153.004 and Rule 5.4. The Commission may impose an administrative penalty on a person who violates its laws, rules, or orders. Tex. Gov't Code § 153.051 and Rule 5.7.

3. Code of Ethics 2, Accurate Returns, subsection (a) states a process server must provide an accurate return of service or report of service as to all documents served. By attempting service at the wrong home within a duplex, an unintentional mistake, the Respondent violated this provision.

Agreement Regarding Sanction:

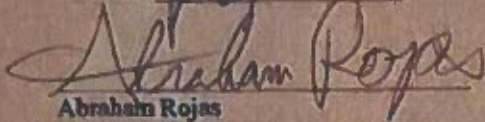
The parties agree that the Commission assess an administrative penalty of \$500 due within six months after the date of the Final Order for violation of Code of Ethics 2(a).

By signing this Order, the Respondent:

1. agrees to its terms; acknowledges his understanding of it; and agrees that he will satisfactorily comply with the mandates of the Order or be subject to possible disciplinary action by the Commission; and
2. waives his right to a hearing and all rights to appeal of this Order under Commission rule 5.13.

I, ABRAHAM ROJAS, HAVE READ AND UNDERSTAND THE FOREGOING ORDER. I UNDERSTAND THAT BY SIGNING THE ORDER I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A CONTESTED HEARING AND THE RIGHT TO APPEAL. I SIGN IT VOLUNTARILY, WILLINGLY, AND KNOWINGLY. I UNDERSTAND THIS ORDER IS CONTINGENT UPON THE APPROVAL OF THE COMMISSION AND IS NOT FINAL AND EFFECTIVE FOR PURPOSES OF RESOLVING THIS MATTER UNTIL APPROVED BY THE COMMISSION. I UNDERSTAND THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE ARE NO OTHER AGREEMENTS OF ANY KIND, VERBAL, WRITTEN, OR OTHERWISE REGARDING THIS MATTER.

DATED: July 17, 2024.



Abraham Rojas
PSC-20788

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Commission, meeting in Austin, Texas, on August 2, 2024, that:

The Commission assesses an administrative penalty of \$500 total due within six months after the date of the Final Order for violation of Code of Ethics 2(a).

This Order is effective on the date of the Commission Chair's signature

SIGNED the 5 day of August, 2024.

A handwritten signature in blue ink, appearing to read "Sid Harle", written over a horizontal line.

The Honorable Sid Harle, Chair
Judicial Branch Certification Commission

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