



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Fred Norris  
County Auditor  
Polk County  
Livingston, Texas

Dear Sir:

Opinion No. 0-4330

Re: It is not a violation of the anti-nepotism law where a first cousin of the County Judge is appointed assistant county attorney.

Your request for an opinion has been received and carefully considered by this department. We quote from your request as follows:

"Please give an opinion on the following;

"Our County attorney desires to appoint an assistant County Attorney, and he has made application to the Commissioner's Court, in due order, a man that is the first Cousin to the County Judge of this County. Can the Commissioner's Court approve of this appointment without violating Art. 432, V. C. and Art. 3902, R.O.S.?"

"You will please be refered to Opinion-  
# 0-875, 0-1954 and 0-480."

" . . . "

Since the Commissioners' Court merely authorizes the appointment of an assistant and does not name nor confirm the appointee it is our opinion, under the authorities cited in opinions Nos. 0-480, 0-875 and 0-1954, copies of which are enclosed herewith for your information, that such appointment would not be illegal.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Wm. F. Fanning*  
Wm. F. Fanning  
Assistant

APPROVED JAN 23, 1942

*Gerald C. Mann*

GERALD C. MANN  
ATTORNEY GENERAL



WFF:EP