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Texas Supreme Court justice's wife reindicted in house fire

Earlier chargers were dismissed by district attorney, angering some on Houston grand jury.

By Juan A. Lozano
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HOUSTON — The wife of Texas Supreme Court Justice David Medina has been indicted for a second time this year on charges connected to a fire that destroyed the couple's suburban Houston home last summer.

On Wednesday, a grand jury indicted Francisca Medina on three charges: felony arson, felony criminal mischief and state jail felony criminal mischief.

In January, a different grand jury indicted Francisca Medina and her husband on charges related to the fire.

She had been indicted on an arson charge, while David Medina faced charges of tampering with evidence.

But the indictments were thrown out a day later by then Harris County District Attorney Chuck Rosenthal, who cited a lack of evidence in the case.

Grand jurors criticized Rosenthal's actions, asking whether the move was politically motivated. Several members of the first grand jury later filed a lawsuit asking that they be allowed to speak about evidence in the case.

When asked whether David Medina could also be indicted a second time, prosecutor Vic Wisner said, "We're happy with the charging decisions at this point."

"Anything is possible," Wisner said. "If something came forward, we'd look at it."

Dick DeGuerin, Francisca Medina's attorney, said his client was "absolutely innocent" of all the charges.

"The indictment has no evidence to back it up. There was no evidence back in January. There is no evidence now," he said.

The June 28 fire damaged not only the Medinas' home in the Houston suburb of Spring, but two nearby houses as well. In all, the fire caused about $900,000 in damages.

The criminal mischief charges against Francisca Medina are related to the damage suffered by the two other homes.

The blaze was ruled as not being electrical or accidental, and an accelerant was found in the rubble.

Before the fire, the Medinas had had financial problems, including an attempt by a mortgage company to foreclose on the home, valued at $309,000, because of missed payments.

But Terry W. Yates, David Medina's attorney, has repeatedly pointed out that the Medinas had let their homeowners

insurance policy lapse, meaning losses from the fire weren't covered.

"It's a crime that Francisca Medina, who had no motive, nothing to gain, has been indicted for burning her dream home," DeGuerin said.

The state jail charge carries punishment of up to two years. The arson and felony criminal mischief charges each are punishable by up to life in prison, Wisner said.

DeGuerin said that after his client is taken into custody, she planned to post bail totaling $42,000.

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