

UNITED STATES OF AMERICA  
DEPARTMENT OF THE TREASURY  
OFFICE OF THE COMPTROLLER OF THE CURRENCY

In the Matter of:	)	
	)	
Saul Ortega	)	AA-EC-2017-44
Former Chief Financial Officer, Director,	)	
President, Chief Executive Officer, and	)	
Chairman of the Board	)	
	)	
David Rogers, Jr.	)	AA-EC-2017-45
Former Chairman of the Board	)	
	)	
First National Bank	)	
Edinburg, Texas	)	

**ORDER STAYING DECEMBER 1, 2023 ORDERS OF PROHIBITION AND ORDERS  
ASSESSING CIVIL MONEY PENALTIES PENDING JUDICIAL REVIEW**

On December 1, 2023, the Comptroller issued in the above-captioned matters the Final Decision of the Comptroller of the Currency (“Final Decision”) and accompanying Orders of Prohibition and Orders Assessing Civil Money Penalties against Saul Ortega and David Rogers, Jr. The same day, Ortega and Rogers petitioned the United States Court of Appeals for the Fifth Circuit for review of the Final Decision.

On December 4, Ortega and Rogers filed with the Comptroller an emergency motion to stay the Final Decision and its accompanying Orders of Prohibition and Orders Assessing Civil Money Penalties pending judicial review (“Emergency Motion to Stay”). Ortega and Rogers indicated that they had conferred with Enforcement Counsel and that Enforcement Counsel is opposed to the relief sought.

“The Comptroller may, in his or her discretion, and on such terms as he or she finds just, stay the effectiveness of all or any part of an order pending a final decision on a petition for review of that order.” 12 C.F.R. § 19.41. The Comptroller rejects each of the arguments presented in the Emergency Motion to Stay. Nevertheless, the Comptroller, in the exercise of his discretion and

pursuant to § 19.41, hereby stays the effectiveness of the Orders of Prohibition and Orders Assessing Civil Money Penalties against Saul Ortega and David Rogers, Jr. pending judicial review of the Final Decision in the United States Court of Appeals for the Fifth Circuit.

SO ORDERED:

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Michael J.  
Hsu

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Michael J. Hsu  
Date: 2023.12.07  
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MICHAEL J. HSU  
ACTING COMPTROLLER OF THE CURRENCY