

CAUSE NO. DC-22-00335

**IN RE: THE HONORABLE AMBER
GIVENS**

REQUESTING THE DEPOSITIONS OF:

**DEANDRA GRANT CLENDENIN,
AMANDA BRANAN, and DALLAS
CRIMINAL DEFENSE LAWYERS
ASSOCIATION**

§
§ **IN THE DISTRICT COURT OF**
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§ **DALLAS COUNTY, TEXAS**
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§ **193RD JUDICIAL DISTRICT**
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**PETITIONER’S RESPONSE IN OPPOSITION TO RESPONDENTS’
MOTION TO DISMISS UNDER THE TEXAS CITIZENS PARTICIPATION ACT**

The Honorable Amber Givens (“Petitioner”) submits this Response to Respondents’ Motion to Dismiss under the Texas Citizens Participation Act (the “Motion”) and renews her Rule 202 Petition (the “Petition”) filed January 11, 2022 seeking an order allowing Petitioner to take oral and videotaped depositions duces tecum of Respondents Deandra Grant Clendenin, Amanda Branana, and a corporate representative of the Dallas Criminal Defense Lawyers Association (“DCDLA”) (collectively, the “Respondents”), pursuant to Rule 202 of the Texas Rules of Civil Procedure (“Rule 202”).

I. PRELIMINARY STATEMENT

Petitioner filed her Petition to investigate a potential defamation claim and related causes of action based on false statements Respondents made in relation to an uncontested bond reduction that occurred on August 3, 2021. Petitioner knows that Respondents’ statements were false, and she did not file the Petition to investigate what happened on August 3. She filed the Petition to investigate whether Respondents’ made these false statements with actual malice—*i.e.*, with knowledge that they were false or reckless disregard for their falsity. *See* Pet. ¶ 3. Petitioner has

every reason to believe that they did. Respondents have publicly attacked Petitioner for months and make no attempt to hide their enmity. In her affidavit, Respondent Grant describes Judge Givens as “horrible” and “selfish and unprofessional,” and admits that “it is no secret that I believe Judge Givens is terrible at her job.” Mot. 61, 63 ¶¶ 9, 18. In a November 15, 2021 email produced by Respondents, Respondent Branan stated that “our main goal is to go after Givens and get her off the bench.” DCDLA November 14, 2021 Email Thread at 000159 (attached hereto and incorporated herein as Ex. 1). DCDLA’s Board openly discussed a “short term goal of getting [Petitioner] charged (or at least investigated) with a crime, with the long-term goal being damaging her election prospects.” DCDLA Nov. 23, 2021 Emails at 000031 (attached hereto and incorporated herein as Ex. 2). In this context, Respondents published, and caused to be published, statements about Petitioner that were demonstrably false. Petitioner has every right and reason to investigate a claim for defamation.

But Petitioner *has not* asserted a claim for defamation. She filed the Rule 202 Petition to invoke her right under Texas law to *investigate* such a claim. Pet. ¶ 2. Rule 202 imposes only one requirement to do so: The benefit of the requested discovery must outweigh the burden of the procedure. Petitioner has more than satisfied this burden. She submitted four affidavits from eye-witnesses establishing that Respondents’ statements regarding the events on August 3, 2021 were unequivocally false.¹ And there is no question that Respondents published those statements to impugn Petitioner’s character, and allegations that she committed a crime are defamatory *per se*. The only remaining element necessary to a claim for defamation is actual malice, which is a subjective standard that requires evidence regarding the speaker’s state of mind. Rule 202 provides the mechanism to investigate that element and for Petitioner to determine whether she can sustain

¹ See Brame Aff., Pet. at Ex. 1; Warfield Aff., Pet. at Ex. 2; Podraza Aff., Pet. at Ex. 3; Jackson Aff., Pet. at Ex. 5.

an action for defamation under Texas law. This is particularly important here because the only way Petitioner can overcome a TCPA motion to dismiss a defamation *lawsuit* is with “clear and specific evidence for each element of the claim”—including “actual malice.” Accordingly, the requested discovery would provide obvious and substantial benefits that outweigh the relatively limited burdens of the requests.

In their motion to dismiss, Respondents contend that there would be *no* “investigative benefit” to pre-suit discovery because “any defamation claim would be frivolous,” (Mot. at 25), and therefore that the inherent burdens of discovery necessarily outweigh the benefits. In this way, Respondents are attempting to prematurely adjudicate the merits of a claim that has not even been filed. Mot. at 14. This includes Respondents’ argument that their motion should be granted because their “statements were . . . not made with actual malice”—*the very element that Petitioner filed the Rule 202 Petition to investigate*. *Id.* at 19. It would be an absurd interpretation of the TCPA and Rule 202 if the use of Rule 202 was conditioned on providing the same evidence that the Rule 202 Petition sought to obtain through an investigation. As Texas courts of appeals have held, “to defeat a motion to dismiss directed to a Rule 202 petition, the nonmovant is only required to establish a prima facie case for the relief requested in the Rule 202 petition, not any claims it is seeking to investigate.” *See Breakaway Practice, LLC v. Lowther*, No. 05-18-00229-CV, 2018 WL 6695544, at *2 (Tex. App.—Dallas Dec. 20, 2018, no pet.) (string cite omitted). A case cited by Respondents recognizes that Texas courts likewise do not consider the merits of a potential underlying claim, or a respondent’s anticipated defenses. *See In re Hewlett Packard*, 212 S.W.3d 356, 362 (Tex. App.—Austin 2006, orig. proceeding).

For this reason, the majority of Respondents’ arguments are irrelevant. To the extent they are considered at all (and they should not be), they are also baseless.

Respondents cannot establish legal privilege. Respondents argue that their statements are subject to legal privilege. Mot. at 17. They conveniently ignore binding authority from the Texas Supreme Court holding that statements shared with the media are not subject to privilege. *See Landry's, Inc. v. Animal Legal Def. Fund*, 631 S.W.3d 40, 51 (Tex. 2021).

Respondents mischaracterize requested discovery. Respondents argue that Petitioner already has information regarding the events that occurred on August 3 and is “feigning ignorance as pretext” to seek discovery. Mot. at 20. But the Petition is not about the events that occurred on August 3. Petitioner submitted affidavits from four eye-witnesses establishing what actually occurred that day.² The Petition seeks to investigate Respondents’ statements about this event.

Available evidence points to “actual malice.” Respondents also argue that Petitioner cannot establish actual malice. Mot. at 20-21. Again, the explicit purpose of the Rule 202 Petition was to investigate “actual malice,” so it would make no sense if Petitioner was required to present evidence of such malice at this stage to defeat a motion to dismiss. However, the limited evidence available to Petitioner provides strong circumstantial evidence supporting the existence of “actual malice.” For example, Respondents have repeatedly insisted that they subjectively believed their statements were true based on the findings of DCDLA’s so-called “investigation.” The evidence, however, shows that there was no meaningful “investigation,” and Respondent Branan openly admitted that DCDLA *was not impartial*. DCDLA Dep. Tr. dated May 9, 2022 at 204:15-17 (attached hereto and incorporated herein as Ex. 3) (“DCDLA Tr.”) (“Q. Back to my question: Would you consider the investigation you conducted impartial? A. No.”). For years, Respondents’ goal was to see Judge Givens removed from the bench, and whatever alleged “inquiry” they conducted was tailored specifically to that end. In the process and the subsequent public statements

² See Brame Aff., Pet. at Ex. 1; Warfield Aff., Pet. at Ex. 2; Podraza Aff., Pet. at Ex. 3; Jackson Aff., Pet. at Ex. 5.

that were made, Respondents intentionally misrepresented or omitted material facts that they knew about and deliberately ignored evidence that would contradict their allegations.

Accordingly, the Court should reject each of Respondents' arguments and deny their Motion to Dismiss. Petitioner reserves her right to respond to Petitioners' erroneous statements on the merits at the proper time—through briefing in a defamation suit or related action, should one be filed following Rule 202 discovery—but will respond here to the extent relevant to the adjudication of her Petition.

II. RELEVANT FACTUAL BACKGROUND

The facts of this matter are set forth in the Petition and the attachments thereto. For convenience, those facts are summarized below. Further, since that Petition was filed, the parties have conducted limited discovery under Tex. Civ. Prac. & Rem. Code § 27.006, and this discovery provides additional support for Petitioner's position.³

A. August 3 Bond Reduction

As set forth in the Petition, Petitioner has presided over the 282nd Judicial District Court in Dallas County, Texas since 2015. Pet. ¶ 15. During the COVID-19 pandemic, Petitioner conducted all appropriate docket matters virtually via Zoom. *Id.* ¶¶ 22-23. On August 3, 2021, one of the matters on the docket was for the probation officers to serve a particular defendant with his probation paperwork. *Id.* ¶ 24. The attorneys advised the court coordinator that they had reached an agreed bond reduction. *Id.* ¶¶ 24-25. Petitioner was then placed on speakerphone so that she could tell the parties that she approved the agreed bond reduction and was exiting the call. *Id.* ¶¶ 23, 25. The court coordinator, Arceola Warfield, then performed the ministerial act of

³ For reasons stated in its pre-hearing briefing, Petitioner disagrees that the TCPA applies to Rule 202 petitions and reserves the right to appeal this issue.

reading aloud the bond conditions. *Id.* ¶¶ 23, 25-26. This was a routine matter and neither Petitioner nor her staff heard anything more about the matter until months later. *Id.* ¶ 27.

B. Respondents Seek to Have Judge Givens Removed from the Bench.

During the relevant periods, Respondents Branan and Grant were the President and President-Elect of DCDLA, respectively. Respondents have been attempting to remove Petitioner from the bench for years, including through a judicial complaint in July 2020 (which they later sent to the Dallas Morning News) that alleged “[h]er erratic behavior, her desire to please her audience, and her willingness to threaten attorneys yield just one conclusion: Judge Amber Givens does not possess the judicial temperament required to be on the bench.” Mot. at 46. Among other things, this “erratic behavior” included taking exception when a defense attorney told her that one of her orders was “ridiculous.” *Id.* at 44. Other allegations included that Judge Givens made “a conspicuous facial expression,” that she asked counsel to change their tone when addressing the court, and that she advised counsel to bring administrative issues to her directly rather than publicizing them on DCDLA’s list serve. *Id.* at 40-41, 43-44.

Respondents’ fixation on Judge Givens continued after they filed the 2020 complaint. During her deposition, Respondent Branan admitted that Judge Givens was discussed in every board meeting for over a year. Ex. 3, DCDLA Tr. at 34:13-61:15. Further, at the same time DCDLA’s Board began discussing the August 3 matter, they were also considering forming a “strike force” to address “the Givens issue regarding nonpayment” of defense attorneys appearing before her court. DCDLA Oct. 14, 2021 Board Minutes at 000017 (attached hereto and incorporated herein as Ex. 4).

C. Respondents’ Seek to Use August 3rd Matter for Political Leverage.

In late-August 2021, Respondent Grant announced that she would “beat the drum” to support Petitioner’s opponent in upcoming primary elections. Pet. ¶ 28. At this time, Respondent

Grant did not have knowledge regarding events that occurred on August 3, 2021. Ex. 3, DCDLA Tr. 67:14-68:16 (noting that the DCDLA did not discuss August 3 matter until October 2021).

Beginning on November 14, Respondent Grant published a series of allegations accusing a “Dallas judge” of ordering her court coordinator to impersonate her during a hearing. Pet at ¶ 30. Just over a week later, DCDLA filed a formal complaint against Petitioner with the State Commission on Judicial Conduct (the “Commission”). *Id.* ¶ 35. This was submitted as a supplement to the complaints that DCDLA submitted against Petitioner in July 2020. *Id.*

Throughout this period, Respondents’ documents show that they were discussing their “press-strategy”—*i.e.*, how they would release their allegations to the media. Respondents ultimately sent all of their complaints to the Dallas Morning News. *Id.* ¶ 37. On December 1, 2021, the Dallas Morning News published an article entitled: *Lawyers say Dallas judge had staff member pretend to be her during online court proceeding*, which included multiple direct quotes from Respondents. *Id.* ¶¶ 38-39. Soon after, several other media outlets posted articles based on the DCDLA’s grievance and/or the Dallas Morning News article. *Id.* ¶ 41. Respondent Grant then used this article to publicly attack Petitioner and promote alternative candidates in the upcoming judicial election on her Facebook page. *Id.* ¶¶ 40, 42-43.

D. Petitioner Files Rule 202 Petition to Investigate Potential Claims

In light of the media-storm following the publication of patently false and defamatory allegations, Petitioner filed the underlying Rule 202 petition on January 11, 2022 to investigate a claim for defamation against Respondents. *Id.* ¶ 2-3. Respondents moved to dismiss this petition for discovery under the Texas Citizens Participation Act (“TCPA”). Mot. at 1. The Court made a preliminary ruling that the TCPA applies to Rule 202 petitions and allowed Petitioner limited expedited discovery under the TCPA so that she could address arguments made in Respondents’ motion. Order (Mar. 21, 2022).

E. Limited Discovery Supports Petitioner’s Requests

Pursuant to the Court’s Order, Petitioner has received limited discovery, which provides further grounds for an investigation into whether Respondents published or caused to be published false statement with “actual malice”—*i.e.*, with knowledge that the statements were false or with reckless disregard for their falsity. The following provides an overview of these key facts:

1. DCDLA decided to file a complaint before speaking to a single witness during the course of its “investigation.”

Respondents have argued that they believed their allegations were true based on the results of an alleged “investigation” they conducted. Mot. 20-21. However, the first time DCDLA discussed the August 3rd matter was during a Board meeting on October 14, 2021. Ex. 3, DCDLA Tr. 75:13-76:12. The former president of DCDLA recommended filing a complaint at that meeting—*i.e.*, before *any* investigation could have occurred. Ex. 4 at 000017. As late as November 16, 2021 — four days before filing the complaint against Petitioner — one DCDLA member conveyed, “we need to get grievance investigation going.” DCDLA Nov. 16, 2021 Emails at 000097 (attached hereto and incorporated herein as Ex. 5). By this time, DCDLA’s draft of the complaint was complete enough to leak and share. *Id.*

2. The Purpose of the Complaint Was to Get Judge Givens Removed from the Bench.

Respondents wanted to file a complaint because they thought it would help them get Judge Givens removed from the bench. DCDLA’s Board Members consistently acknowledged this in Board communications:

- **Katie Bishkin (Board Member):** “What I took from our meeting was a short term goal of getting her charged (or at least investigated) with a crime, with the long-term goal being damaging her election prospects.” Ex. 2 at 000031.

- **Paul Saputo (Board Member):**

- “If DCDLA is serious about getting judges off the bench then we should act accordingly and quit stopping short of doing things that will actually make a difference.” *Id.* at 000034.
- “The third question I have is whether DCDLA is even the appropriate group to do this, given the complete and utter failure our efforts to keep [Judge] Etta [Mullin] off the bench was and how popular Givens is. . . . If we’re going after a political solution, we need a political plan. . . . I think we have potential, possibly, but we need to be a lot more savvy.” *Id.* at 000029.

- **Amanda Branan (DCDLA President):**

- “Our goal in this is to get Givens off the bench.” DCDLA Nov. 15, 2021 Emails at 000152 (attached hereto and incorporated herein as Exhibit 6).
- “I think our main goal is to go after Givens and get her off the bench.” Ex. 1 at 000159.

3. Respondents’ “Investigation” Was a Farce.

Respondents claim that their investigation revealed seven witnesses who confirmed their allegations. However, Respondents did not even speak to all of these witnesses, and admitted the conversations with others were perfunctory and/or non-substantive. Ex. 3, DCDLA Tr. 101:22-102:4, 116:22-118:5 (confirming that the DCDLA only had brief discussions with Tim Jeffrey and one of the prosecutors). Respondents also admit that they made no effort to reach out to Petitioner, the court coordinator, the court clerk, or either of the bailiffs in the courtroom. *Id.* 153:9-12 (stating that the DCDLA did not reach out to Petitioner or court staff); *id.* 202:23-24:710 (noting that the DCDLA did not speak to the Sheriffs’ officers that were in the courtroom on August 3, 2021).

Moreover, Respondents suggest that “[t]he absence of a record appeared suspect to the board of DCDLA given the presence of Ms. Jackson at the hearing and the fact that a record of nearly every court proceeding is kept in a criminal case whether the matter is contested or not, particularly within Petitioner’s court.” Mot. at 5. However, Respondents admit that they did not even request a record until after the so-called “investigation” was complete and the grievance had been submitted. In addition, Respondent Branan admits that she had another matter in the 282nd on August 3rd and that there was no record for that matter either. Ex. 3, DCDLA Tr. 123:9-124:19.

4. Respondents Misrepresented and Omitted Facts to Support a Misleading Narrative.

The only affidavit Respondents obtained during their “investigation” was from the defense attorney (who is also a member of DCDLA). *See Jeffrey Aff.*, Mot. at 53. But it falls short of supporting the expansive allegations made in the media. Mr. Jeffrey’s affidavit does not state that the court coordinator ever pretended to be Judge Givens, or that any of the lawyers or probation officers ever thought the court coordinator was pretending to be Judge Givens. *See id.* While it states that the defendant referred to the court coordinator as “Judge,” it is conspicuously silent about whether the defendant was ever corrected. *See Pet.* at Ex. 1 ¶ 7; Ex. 2 ¶ 4; Ex. 3. Mr. Jeffery further stated that he was satisfied with the relief he received, because it allowed his client to get out of jail, and that he did not know whether Judge Givens had done anything improper or was aware of what happened. Mot. at 53. Respondents never provided this affidavit to the Dallas Morning News. Ex. 3, DCDLA Tr. 199:13-19.

After they obtained this affidavit, Respondents deliberately painted a grossly misleading picture of what Mr. Jeffery said to make it *seem* as though criminal misconduct had occurred. For example:

- Respondents affirmatively represented that the court coordinator had acted as the judge by setting the terms and conditions of bond. But they failed to disclose that there was a written order signed by Judge Givens on August 3rd setting the terms and conditions of bond.⁴
- Respondents published statements suggesting that the defendant and defense counsel had been victimized in a hearing over the terms of bond, and that probation officers had tried to cover it up. But they never disclosed that the matter was an agreed bond reduction and that Mr. Jeffery was satisfied with the order.⁵
- Respondents affirmatively represented that the court coordinator had “pretended” to be the judge at the direction of Judge Givens. However, they failed to disclose that Mr. Jeffrey actually stated that he did not know whether Judge Givens was aware of anything improper and that he never stated that the coordinator was pretending to be the judge.⁶
- Respondents told the Dallas Morning News that the lawyers and probation officers referred to the court coordinator as “Judge.” Respondents did not disclose that Mr. Jeffrey never suggested that he referred to the coordinator as “Judge.” He stated the opposite—*i.e.*, that he recognized the court coordinator’s voice was not Judge Givens’ voice.⁷

III. ARGUMENT AND AUTHORITIES

A. Petitioner Has Produced “Clear and Specific” Evidence That Her Rule 202 Petition Should Be Granted.

To defeat a motion to dismiss under the TCPA, Petitioner must present clear and specific evidence that the likely benefit of allowing the discovery outweighs the burden or expense of the procedure. *See Breakaway*, 2018 WL 6695544, at *3 (“ . . . [T]he only ‘element a Rule 202

⁴ *See* Ex. 3, DCDLA Tr. 108:15-109:4, 153:9-12 (discussing the existence of a written order from the August 3, 2021 agreed bond reduction).

⁵ *See* Jeffrey Aff., Mot. at 53 (“I was asked if I was okay with it and my response was something to the effect that as long as my client had his bond set and was able to get out of jail, I was satisfied.”); Ex. 3, DCDLA Tr. 163:8-164:15 (“I’m not aware of anything that was hidden.”).

⁶ *See* Jeffrey Aff., Mot. at 53 (stating that the voice conducting the bond reduction was not Petitioner’s, not that this voice was impersonating Petitioner); Ex. 3, DCDLA Tr. 199:20-202:22 (identifying inconsistencies between the Jeffrey affidavit and what Respondents reportedly told the Dallas Morning News).

⁷ *See* Jeffrey Aff., Mot. at 53 (“The audio was a female who I knew was not Judge Givens.”); Ex. 3, DCDLA Tr. 200:10-202:13 (confirming that Jeffrey was not confused during the agreed bond reduction that he heard someone speaking that was not the judge).

petitioner must show is that the likely benefit of allowing the discovery outweighed the burden or expense of the procedure. . . . Thus, to defeat a motion to dismiss directed to a Rule 202 petition, the nonmovant need only produce clear and specific evidence as to that ‘element.’”). In practice, this standard does not present a particularly high evidentiary bar, and Petitioner has satisfied her burden here.

The Dallas Court of Appeals addressed a similar fact-pattern in *Breakaway*, where it held that statements made in a verified Rule 202 petition and attached Facebook posts were sufficient to establish a prima facie case for Rule 202 discovery. *See id.* at *3. In that case, the petitioner sought to investigate claims for defamation related to social media posts. *See id.* at *1. The petitioner filed a Rule 202 Petition “to elicit testimony from [respondent] about, among other things, whether [respondent] made the statements with knowledge of their falsity and whether he made similar statements in other forums.” *Id.* The Court of Appeals declined to dismiss the petition, finding that the petitioner “provided details establishing the factual basis for the claims [petitioner] was seeking to investigate and also the reasons it sought the requested deposition”; “stated that [respondent’s] statements were false”; and “identified the testimony it intended to elicit from [respondent], including whether [respondent] made the statements with knowledge of their falsity or with reckless disregard, the basis for [respondent’s] statements, and the identity and participation of any other persons involved with the statements.” *Id.* at *3.

Petitioner has done the same here. She identified the factual basis for her belief that she has a potential defamation claim against Respondents. *See Pet.* ¶¶ 3, 15-39. She also identified the burden she must carry in a potential defamation action and asserted what facts she seeks to establish through Rule 202 discovery to investigate her claim and determine whether she can meet that burden. Such facts included Respondents’ factual bases for their false statements (*i.e.*, their

knowledge) and whether Respondents' conduct was malicious. *See id.* ¶¶ 2, 52, 53-60. Additionally, Petitioner has identified the parties who may have participated in coordinating, making, and perpetuating these false statements (*i.e.*, Respondents).⁸ *See id.* ¶¶ 61-63. Like in *Breakaway*, Petitioner has filed a Petition and corresponding Exhibits (including Facebook posts) that provide clear and specific evidence entitling her to Rule 202 discovery. *See supra*; Pet. Exhibits 1-10. For this reason alone, Respondents' Motion should be denied.

B. The Court Should Reject Respondents' Arguments That The Burden of Petitioner's Requests Outweigh The Investigative Benefit.

Respondents argue that requiring each Respondent to sit for a single deposition and produce documents on twelve specific topics is unduly burdensome. *See Mot.* 26. However, Respondents have failed to show that the alleged burden of Petitioner's requests outweighs its investigative value.

Contrary to Respondents' suggestion, a request to depose three individuals is not categorically burdensome, and similar requests have been granted by Texas courts.⁹ *See e.g., In re Donna Indep. Sch. Dist.*, 299 S.W.3d 456, 458 (Tex. App.—Corpus Christi 2009, no pet.) (internal citation omitted) (writ of mandamus challenging an order granting Rule 202 depositions of four school district board members and a teacher employed by the school district to investigate a potential claim for slander and tortious interference with contract by terminated employee). Furthermore, as the court in *In re Donna Independent School District* noted, “[t]here is no requirement in Rule 202 that the person sought to be deposed be a potentially liable defendant in

⁸ As memorialized in the Court's April 4, 2022 order granting partial non-suit attached here as Exhibit 9, Petitioner has voluntarily dismissed Respondent Teresa Hawthorne with prejudice in light of her affidavit stating that she was not present at the August 3, 2021 agreed bond reduction described in Petitioner's Rule 202 Petition, has no personal knowledge of the agreed bond reduction, was not involved in any judicial complaint filed against Petitioner, and has no materials, letters, or emails between her and the Respondents regarding these subjects.

⁹ This is particularly true considering that Amanda Branan has already been deposed as DCDLA's organizational representative, which means that only one of the Respondents has not yet submitted to a deposition.

the claim under investigation.” *Id.* Nonetheless, Petitioner has requested the depositions of three individuals she believes to be involved in making and disseminating knowingly false statements. There is, accordingly, a direct connection between Petitioner’s investigatory interest and the individuals named to be deposed.

Moreover, Rule 202 allows discovery requests that would otherwise be permissible under the Texas Rules of Civil Procedure, and Petitioner’s requests are no more burdensome than requests for discovery typically made in the course of litigation. *See* Pet. ¶ 59. In *In re City of Tatum*, the Tyler Court of Appeals allowed a petitioner to take pre-suit discovery on this basis, finding that the investigative value of the requests outweighed the burden because it would allow the petitioner to assess liability by determining which claims to assert and against which parties. 578 S.W.3d 203, 211 (Tex. App.—Tyler 2019, no pet.) (allowing depositions and document production from the city police chief, custodian of records and police department relating to an alleged sexual assault). This is precisely what Petitioner seeks to do here.

Respondents cite to *In re Hewlett Packard* to support an overbroad statement that a deposition before suit “represents a ‘substantial burden’ that is ‘intrusive, expensive, and time-consuming.’” *See* Mot. 15 (citing 212 S.W.3d at 362). But the Austin Court of Appeals found that the burden in that case was principally tied to the potential disclosure of trade secrets to a competitor.¹⁰ Indeed, in that case, “[b]oth parties agree[d] that a significant burden of the requested depositions [was] the likelihood that the depositions [would] reveal Hewlett–Packard’s confidential information and trade secrets.” *In re Hewlett Packard*, 212 S.W.3d at 361. Here, the

¹⁰ In context, the court was concerned with the trade secret implications and risk of potential anti-competitive conduct presented by the depositions. *See id.* (the Court stating, in full: Requiring an individual to sit for a deposition and disclose information to a former employer, under oath, as to why he or she left their employer to work for a competitor as well as exactly what the individual is doing for the competitor, particularly when no lawsuit has been filed, is a substantial burden. It is intrusive, expensive, and time-consuming.”).

requested discovery does not present any burdens due to the possibility of trade secret disclosure to a competitor. It is part of a good faith inquiry into whether a lawsuit should be filed and on its face is more efficient and less burdensome than the process of proceeding with litigation, discovery on the merits, and ultimately summary judgment practice and trial. Respondents have likewise failed to provide a legitimate reason as to why they could not produce the corresponding documents, as they have already provided limited production of documents under § 27.006 of the TCPA.¹¹ Accordingly, Respondents have failed to articulate a legitimate burden they would face that would outweigh the investigative benefit, and therefore Petitioner's request for Rule 202 discovery should be granted.

Nor is Petitioner using Rule 202 to circumvent the traditional discovery process—rather, she is requesting discovery to discover the *basis*, if any, of Respondents' false statements and evidence of Respondents' state of mind at the time the false statements were made. If Respondents knew the statements were false (or acted recklessly), then Petitioner has a viable claim for defamation under Texas law. The submitted document requests and topics for deposition are intended to address this central issue: they concern the bases for various statements made about Petitioner and complaints filed against her; what inquiry was made to verify the accuracy of the statements at issue, communications concerning Petitioner or the election, given Respondents' history and inherent motivation to spread negative (and here, false) information about Petitioner; various campaigning and confidentiality policies and procedures; as well as record retention policies for communications related to this matter, and Respondents' efforts to maintain those

¹¹ Document production of this magnitude is common practice in Texas courts. As a preliminary matter, Respondents likely have at their disposal data management systems and search mechanisms and can utilize key terms and relevant dates to manage the collection and production of responsive documents pursuant to Petitioner's discovery requests. Moreover, Petitioner's document requests are tailored to cover topics directly related to a potential defamation or related action. Further, Petitioner's document requests include a request for the DCDLA's confidentiality policies. There is therefore no risk of disclosing its own confidential information to the public.

records. *See* Pet. ¶¶ 61-63. If the Court believes the document requests are too broad, the solution is to tailor the requests, not dismiss the Petition. *See* Tex. R. Civ. P. 202.4(b) (stating that the Court may implement appropriate limitations to protect any person that may be affected by the Rule 202 procedure); *In re Doe*, 444 S.W.3d 603, 610 (Tex. 2014) (“[A] court certainly has discretion to limit Rule 202 discovery...”); *Elgohary v. Lakes on Eldridge N. Cmty. Ass'n, Inc.*, No. 01-14-00216-CV, 2016 WL 4374918, at *10 (Tex. App.—Houston [1st Dist.] Aug. 16, 2016, no pet.) (citing Tex. R. Civ. P. 192.4) (“In discovery situations, the trial court is granted latitude in limiting or tailoring discovery.”).

Although the Court granted Petitioner limited discovery under the TCPA to address assertions in Respondents’ Motion, Petitioner requests limited additional discovery under Rule 202 to investigate the viability of a potential defamation claim. This is appropriate for at least two reasons. First, Petitioner only obtained discovery as to a limited subset of topics relevant to the Motion to Dismiss. The deposition did not address other areas relevant to the circumstantial inquiry of “actual malice.” *See Franco v. Cronfel*, 311 S.W.3d 600, 607 (Tex. App.—Austin 2010, no pet.) (“Circumstantial evidence showing reckless disregard may derive from the ‘defendant’s words or acts before, at, or after the time of the communication.’”). For example, Respondents refused to answer questions regarding previous efforts to unseat a different African-American Judge in a Dallas County criminal court that were referred to when discussing “what to do about” Petitioner. Ex. 2 at 00029 (“The third question I have is whether DCDLA is even the appropriate group to do this, given the complete and utter failure our efforts to keep [Judge] Etta [Mullin] off the bench...”); Ex. 3, DCDLA Tr. 58:17-59:19 (refusing to answer questions about DCDLA’s attempts to remove Judge Mullin from the bench).

Second, Petitioner has only deposed Respondent Branan as the organizational representative of DCDLA, not Respondent Grant. Ms. Branan did not provide testimony regarding Respondent Grant's motivations or knowledge. Ex. 3, DCDLA Tr. 63:3-8 ("Q. What was Ms. Grant's position as of August 24th? . . . A. . . . I can't really speak to exactly what she's thinking or her intent."). Respondent Grant was responsible for making many of the statements that form the basis of the Petition. Documents produced also suggest that Grant was the primary motivator for "blowing up" the "Zoom issue with Givens." DCDLA Nov. 16, 2021 Emails at 000070 (attached hereto and incorporate herein as Ex. 7).

Accordingly, Petitioner requests further discovery so that she may tie the Respondents' mental state to potentially-defamatory statements.

C. The Court Should Reject Respondents' Alternative Arguments That There is No Legitimate Investigative Benefit Supporting the Petition.

1. Petitioner Seeks Information Regarding Actual Malice, Not the Events of August 3, 2021.

Respondents argue that there is no legitimate investigative basis for Rule 202 discovery because Petitioner allegedly already "has knowledge of the information she seeks to discover." Mot. 19. This is flatly wrong. Petitioner knows (and has evidence) that Respondents' statements were false—and she attached that evidence to her Petition. But the purpose of the Petition is not to investigate the events of August 3, 2021. The purpose of the Rule 202 Petition is to investigate whether Respondents' false statements were made with actual malice, which is a subjective standard that turns on the speaker's state of mind. The investigative value of Petitioner's requests has been recognized by the Dallas Court of Appeals in a similar context. *See Breakaway*, 2018 WL 6695544, at *3 (noting "the testimony [petitioner] was seeking to elicit related to the very elements that [respondent's] motion to dismiss asserted [petitioner] needed but lacked, to survive a TCPA motion to dismiss."). Petitioner's requests for discovery are calibrated to gather

information directly related to Respondents' state of mind for a potential defamation suit or related cause of action, underscoring the significant investigative benefit of Petitioner's requests.

The importance of investigating Respondents' state of mind is particularly critical here given Respondents' extensive reliance on DCDLA's so-called "investigation" of the August 3, 2021 bond reduction.

2. The limited discovery obtained by Petitioner shows that an investigation will uncover further evidence of Respondents' actual malice.

In the context of analyzing "actual malice," the Texas Supreme Court has recognized that "the defendant's state of mind can—indeed, must usually—be proved by circumstantial evidence." *See Bentley v. Bunton*, 94 S.W.3d 561, 596. The limited discovery Petitioner has obtained is precisely the type of information relevant to such an inquiry, and it shows why additional discovery relevant to the "actual malice" inquiry is appropriate here. There appears to be at least three bases to show malice here.

First, there is still substantial evidence that Respondents single-minded goal throughout the relevant period was to cause Petitioner substantial reputational injury. For example, internal messages show that Respondents' "goal" was for Petitioner to be charged or investigated with a crime for the purpose of damaging her election prospects. *See* Ex. 2 at 000031 ("What I took from our meeting was a short term goal of getting her charged (or at least investigated) with a crime, with the long-term goal being damaging her election prospects); *id.* at 000032 ("Unfortunately, committing offenses and being a terrible judge doesn't seem to be enough to sway the electorate..."); *id.* at 000034 ("If DCDLA is serious about getting judges off the bench then we should act accordingly and quit stopping short of doing things that will actually make a difference."); DCDLA Nov. 15 Emails at 000152(attached and incorporated herein as Ex. 6) ("Our goal in this is to get Givens off the bench."); Ex. 1, at 000159 ("I think our main goal is to go after

Givens and get her off the bench.”). These sentiments show a mental state that supports a showing of actual malice. *See Bentley*, 94 S.W.3d at 602 (determining there was sufficient evidence of actual malice where it was clear that the defendant “carried on a personal vendetta against [the plaintiff judge]”); *Lucas v. Burlison Pub. Co., Inc.*, No. 10-01-00228-CV, 2004 WL 1177199, at *3-4 (Tex. App.—Waco May 26, 2004, no pet.) (concluding the court was wrong to dispose of a defamation claim for lack of actual malice, in part, because the court could consider the clear “evidence of ill will” between the parties).

Second, Respondents have insisted that they conducted a “thorough”¹² investigation, based their allegations against Judge Givens on the “the results of the inquiry and the reliability of the informants involved.” Mot. 6. But when Respondents initially discussed the issue during a Board meeting in mid-October, the former President of DCDLA (Sheridan Lewis) was already recommending that the organization file a complaint against Petitioner. Ex. 4 at 000017. Similarly, by October 21, 2021, DCDLA still had not discussed the events on August 3 with any witness and did not even know who was involved. *See* DCDLA Oct. 21 Messages at 000004 (attached and incorporated herein as Ex. 8) (“We really need to try to track down details”); *see id.* (“Without a first hand witness, there’s not much we can do.”). At the same time, it was generally understood even by non-Board members that DCDLA was going to submit a complaint. *See id.* (“This is not a secret. Tim Jeffrey was in the workroom today telling them DCDLA is filing a grievance over it.”).

Other questions abound. Respondents Branan and Grant claim that they trust the representations made by “DCDLA’s informants” but DCDLA did not even speak to all of these individuals. The only so-called “informant” that submitted an affidavit explicitly stated that he

¹² Mot. at 56 ¶ 9.

did not know whether Judge Givens had done anything improper. Jeffrey Aff., Mot. at 53. This hardly supports Respondents' conclusion that "Judge Givens not only violated her ethical duties but also facilitated a criminal offense."¹³ Respondents also made no attempt to collect information from at least four eye-witnesses that would have contradicted the narrative they were trying to establish, not to mention from Judge Givens herself.

Further, Respondents argue that "[t]he absence of a record appeared suspect to the board of DCDLA given the presence of Ms. Jackson at the hearing and the fact that a record of nearly every court proceeding is kept in a criminal case whether the matter is contested or not, particularly within Petitioner's court." Mot. at 5. Respondents did not even formally request a transcript until after they submitted the complaint. *See* Ex. 3, DCDLA Tr. 124:25-125:10. Moreover, Respondent Branan admitted during her deposition that she was involved in a matter in Petitioner's court on the same day and that such matter also didn't have a record. Ex. 3, DCDLA Tr. 123:9-124:19. Respondents should not be allowed to rely on the circumstances of DCDLA's facially dubious "investigation" to avoid meaningful inquiry into their state of mind. They certainly should not be given an effectively irrebuttable presumption that the very existence of this "investigation" is proof-positive that they did not make statements with "actual malice."

Third, Respondents' attacks on Petitioner related to the August 3rd matter also coincide with a completely separate dispute related to allegations that Judge Givens has taken too long to approve pay sheets for defense counsel (including members of DCDLA's Board). *Id.* at 71:8-18. At the same meeting during which Respondents resolved to file a grievance related to August 3rd, they also discussed establishing a "strike force" to go after Petitioner directly related to the "issue regarding nonpayment." Ex. 4 at 000017 ("Strike Force – we're going to use the Givens issue

¹³ Pet. at Ex. 8.

regarding nonpayment to see how the SF should work.”). This further suggests that Respondents had the motive and desire to injure Petitioner. *See Durant v. Anderson*, No. 02-14-00283-CV, 2020 WL 1295058, at *28 (Tex. App.—Fort Worth Mar. 19, 2020, pet. denied) (“A defendant’s ill will toward the plaintiff . . . can be a circumstantial fact supporting an actual-malice finding.”).

3. This Court Should Reject Respondents’ Argument That Petitioner Would Not Be Able To Secure This Discovery Through Traditional Litigation.

Respondents make two¹⁴ arguments that the alleged futility of Petitioner’s discovery requests require denying Petitioner discovery under Rule 202. This Court should reject both arguments.

First, Respondents cite inapposite authority to argue that Petitioner would not be entitled to discovery if she were to file a defamation claim or related cause of action under Rule 202.5. *Mot.* at 15. Respondents’ cases do not stand for the proposition that Rule 202.5 imposes constraints on the scope of pre-suit discovery allowed by the rule. Rather, Rule 202.5 has largely been used as a jurisdictional safeguard. *See e.g., In re UBS Fin. Servs. Inc.*, No. 14-20-00087-CV, 2020 WL 5902955, at *3 (Tex. App.—Houston [14th Dist.] Oct. 6, 2020, no pet.) (refusing pre-suit discovery on the basis of jurisdiction and standing); *Est. of Nicholas*, No. 14-19-00716-CV, 2020 WL 1469519, at *7 (Tex. App.—Houston [14th Dist.] Mar. 26, 2020, rev. den.) (citing Rule 202.5 in the context of subject matter jurisdiction); *Rodriguez v. Cantu*, 581 S.W.3d 859, 868 (Tex. App.—Corpus Christi 2019, no pet.) (cited as a background principle in the context of subject matter jurisdiction and the purpose of Rule 202 discovery). Respondents have made no jurisdictional or standing arguments here, nor could they. They cannot attempt to use Rule 202.5

¹⁴ Respondents make a third argument that they will file a TCPA motion to dismiss if Petitioner files a defamation claim. *See Mot.* 29 (“Ergo, if Petitioner filed her ‘anticipated’ defamation claims, it would result in Respondents filing a Motion to Dismiss under the TCPA which would result in discovery being stayed prior to ruling which Petitioner knows would be a dismissal.”). Respondents’ threat that it would delay discovery in a defamation action by filing another motion to dismiss is not a legitimate ground upon which to deny a Rule 202 request for pre-suit discovery.

to deprive Petitioner of the discovery she needs to investigate whether she may bring a claim under Rule 202.

Second, Respondents argue that the statements they made are subject to absolute or qualified privilege. Not so. Absolute privilege and qualified privilege are defenses to a defamation action, not a Rule 202 proceeding. *See In re Hewlett Packard*, 212 S.W.3d at 363 (“by its very nature, a [R]ule 202 proceeding to investigate claims does not involve the adjudication of any claim or defense. It involves only the investigation of potential claims.”). For this reason alone, the Court should reject Respondents’ argument. To the extent they are considered at all (they should not be), they are facially baseless. With respect to absolute privilege, Respondents argue that their statements were “communications published in serious contemplation of or during the course of a judicial or quasi-judicial proceeding.” Mot. 17. Respondents ignore, however, that the privilege does not apply when the statements are shared with the media. *See Landry’s*, 631 S.W.3d at 51. With respect to qualified privilege, Respondents suggest that their statements were “made in good faith, concern subject matter in reference to an interest or duty that an author owes and [were] communicated to other parties having a corresponding interest or duty.” Mot. 17. By relying on assertions of “good faith,” Respondents only further demonstrate Petitioner’s need for pre-suit discovery.

4. Respondents’ Merits-Based Arguments, Though Having No Bearing On Whether Pre-Suit Depositions Are Warranted, Do Not Favor Dismissal.

Finally, it is well established that a court evaluating the propriety of a Rule 202 deposition should not consider whether the underlying claims are meritorious. *See In re Emergency Consultants, Inc.*, 292 S.W.3d at 79 (holding Rule 202 does not require a litigant to expressly state a viable claim before being permitted to take a pre-suit deposition); *see also In re East*, 476 S.W.3d 61, 67 (Tex. App.—Corpus Christi 2014, no pet.) (stating that “relators’ merits-based defense to

the potential lawsuit is not a valid objection to a petition seeking presuit depositions”).¹⁵ Therefore, Respondents’ arguments that they did not act with actual malice and that their statements were “substantially true” are irrelevant and inconsistent with both the TCPA and Rule 202. *See Mot.* at 23.

Rule 202 allows a potential litigant to investigate a potential cause of action so that if a lawsuit is filed, it has merit. While the TCPA provides for expedited dismissal of non-meritorious suits and deters future litigants from bringing such suits, it simultaneously protects the right of a person to file meritorious lawsuits for demonstrable injury. TEX. CIV. PRAC. & REM. CODE § 27.002; *see id.* § 27.003, 27.009 (quotations omitted). For this precise reason, Petitioner seeks Rule 202 discovery in order to develop the factual basis for a potential claim and evaluate whether a lawsuit is meritorious. The Respondents’ merits-based arguments do not support dismissal of a Rule 202 petition seeking only to investigate a potential defamation claim.

Moreover, the limited discovery provided to Petitioner under the TCPA suggests that Respondents *did act* with actual malice or reckless disregard for the truth in publicizing false allegations about Petitioner. At the very least, Respondents’ communications show that their actions were motivated by an enduring and intense hostility toward Petitioner. *See Ex. 2* at 000031 (“What I took from our meeting was a short term goal of getting her charged (or at least investigated) with a crime, with the long-term goal being damaging her election prospects); *id.* at 000032 (“Unfortunately, committing offenses and being a terrible judge doesn’t seem to be enough to sway the electorate...”); *id.* at 000034 (“If DCDLA is serious about getting judges off the bench

¹⁵ Indeed, no cases that Respondents cite related to the merits involve a Rule 202 petition. *See Freedom Newspapers of Tex. v. Cantu*, 168 S.W.3d 847 (Tex. 2005); *Shell Oil Co. v. Writt*, 464 S.W.3d 650 (Tex. 2015); *Cain v. Hearst Corp.*, 878 S.W. 577 (Tex. 1994); *New York Times Co. v. Sullivan*, 376 US 254 (1964); *Masson v. New Yorker Magazine, Inc.*, 501 U.S. 496 (1991). These cases were in different procedural postures (where parties had the opportunity to conduct discovery) and have no bearing here.

then we should act accordingly and quit stopping short of doing things that will actually make a difference.”); Ex. 6 at 000152 (“Our goal in this is to get Givens off the bench.”); Ex. 1 at 000159 (“I think our main goal is to go after Givens and get her off the bench.”). This hostility also apparently stemmed from allegedly delayed approval of paysheets that was having a direct impact on members of DCDLA’s Board. *See* Ex. 3, DCDLA Tr. 80:12-81:4; *Bentley*, 94 S.W.3d at 602 (determining there was sufficient evidence of actual malice where it was clear that the defendant “carried on a personal vendetta against [the plaintiff judge]”). Under Texas law, this may suggest the presence of actual malice. *See Franco*, 311 S.W.3d at 607 (“[A] plaintiff may — and often must — use circumstantial evidence to show that the defendant acted with reckless disregard and ‘entertained serious doubts as to the truth of his publication.’”).

In sum, Respondents’ merits-based arguments—even if relevant (and they are not)—would not support dismissal of the proceedings before Petitioner has received full discovery under Rule 202. To the extent they are considered, the evidence shows there is evidence to support a claim against Respondents.

IV. CONCLUSION

Respondents have attempted to smear Petitioner’s reputation on the bench and in the community by perpetuating false statements about her, and she suspects that Respondents have done so with knowledge or reckless disregard for the truth of those statements. Limited discovery provided from the Respondent under the TCPA suggests that actual malice exists. Petitioner’s Rule 202 requests are focused on gathering information related to a potential defamation or related claim so that she can pursue her rights, if founded, through judicial process.

Nothing in Respondents’ brief controverts the grounds for pre-suit discovery set forth in the Petition. Rather, Respondents provided a laundry list of baseless objections and arguments on

the merits of a claim that has not been filed, in order to avoid discovery. Given the high investigative value of Petitioner's enterprise, and the lack of a legitimate burden in deposing Respondents and her request for corresponding documents, Petitioner respectfully requests that this Court deny the Motion, grant her Petition for Rule 202 discovery in its entirety, and afford her any other relief to which she is entitled.

Dated: May 13, 2022

Respectfully Submitted,

/s/ Angela C. Zambrano

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**ATTORNEYS FOR PETITIONER, THE
HONORABLE AMBER GIVENS**

CERTIFICATE OF SERVICE

I certify that, on this 13th day of May, 2022, a true and correct copy of this instrument is being served on all known counsel of record in accordance with the Texas Rules of Civil Procedure.

/s/ Mason Parham _____
Mason Parham

Exhibit 1



Amanda Branan <brananlaw@gmail.com>

Zoomgate

4 messages

Deandra Grant <deandra@defenseisready.com>

Sun, Nov 14, 2021 at 5:15 PM

To: Sheridan Lewis <sheridan@udashenanton.com>, Amanda Branan <brananlaw@gmail.com>

Here is a summary of recommendations I've received today beyond supplementing the current complaint against Amber:

1. Letter to DA telling him he has a conflict and requesting a special prosecutor be appointed to investigate.
2. Letter to head of probation formally alerting him about the incident and demanding an investigation
3. Letter to court reporter requesting a copy of the transcript
4. Submit packet of evidence to AG's Office and Texas Rangers and request an investigation.
5. Grievances against the DA's involved.

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Sheridan Lewis <sheridan@udashenanton.com>

Mon, Nov 15, 2021 at 12:04 PM

To: Deandra Grant <deandra@defenseisready.com>, Amanda Branan <brananlaw@gmail.com>

Not opposed to any or all of that. I would rather file a grievance against someone higher up in the DA's Office if it looks like the court prosecutors reported this. Per my last conversation with Amanda, her understanding was that the ADA went to supervisors and it was "up the chain" where they failed to act or care. Maybe we ask for an investigation and then determine if grievances are warranted and against whom once we know?

Amanda, where are we with the affidavit and supplemental judicial complaint?

Sheridan Lewis

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Amanda Branam <branamlaw@gmail.com>
To: Sheridan Lewis <sheridan@udashenanton.com>
Cc: Deandra Grant <deandra@defenseisready.com>

Mon, Nov 15, 2021 at 1:44 PM

I just sent out the draft for the supplement. I do believe the DA's office needs to hand this over to a state agency to investigate this and conflict out of it. As far as grievances on the DA's, the court prosecutors did report this to their supervisor, Stephanie Fargo. If anyone is to be grieved it is her for not going farther with it. However, I think our main goal is to go after Givens and get her off the bench. I am happy to write letters to the DA, probation and whoever else to request investigations of this.

Amanda Branam

Law Office of Amanda Branam, PLLC
11300 N. Central Expwy, Suite 602
Dallas, Texas 75243
972-661-8330
Fax: 214-891-9990

[Quoted text hidden]

Deandra Grant <deandra@defenseisready.com>
To: Amanda Branam <branamlaw@gmail.com>
Cc: Sheridan Lewis <sheridan@udashenanton.com>

Mon, Nov 15, 2021 at 1:52 PM

I think at the moment a licensed lawyer realized what was happening in that hearing - and did not stop it - that lawyer needs to answer to the SBOT.

Their supervisors also need to answer to the SBOT.

The question is not if - the question is how many.

Where is the affidavit from Tim? Which DA was actually in that hearing?

On Nov 15, 2021, at 1:44 PM, Amanda Branan <brananlaw@gmail.com> wrote:

I just sent out the draft for the supplement. I do believe the DA's office needs to hand this over to a state agency to investigate this and conflict out of it. As far as grievances on the DA's, the court prosecutors did report this to their supervisor, Stephanie Fargo. If anyone is to be grieved it is her for not going farther with it. However, I think our main goal is to go after Givens and get her off the bench. I am happy to write letters to the DA, probation and whoever else to request investigations of this.

Amanda Branan

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11300 N. Central Expwy, Suite 602
Dallas, Texas 75243
972-661-8330
Fax: 214-891-9990

On Mon, Nov 15, 2021 at 12:04 PM Sheridan Lewis <sheridan@udashenanton.com> wrote:

Not opposed to any or all of that. I would rather file a grievance against someone higher up in the DA's Office if it looks like the court prosecutors reported this. Per my last conversation with Amanda, her understanding was that the ADA went to supervisors and it was "up the chain" where they failed to act or care. Maybe we ask for an investigation and then determine if grievances are warranted and against whom once we know?

Amanda, where are we with the affidavit and supplemental judicial complaint?

Sheridan Lewis

<[image001.jpg](#)>

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From: Deandra Grant <deandra@defenseisready.com>

Sent: Sunday, November 14, 2021 5:16 PM

To: Sheridan Lewis <sheridan@udashenanton.com>; Amanda Branan <brananlaw@gmail.com>

Subject: Zoomgate

Here is a summary of recommendations I've received today beyond supplementing the current complaint against Amber:

1. Letter to DA telling him he has a conflict and requesting a special prosecutor be appointed to investigate.
2. Letter to head of probation formally alerting him about the incident and demanding an investigation
3. Letter to court reporter requesting a copy of the transcript
4. Submit packet of evidence to AG's Office and Texas Rangers and request an investigation.
5. Grievances against the DA's involved.

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Exhibit 2



Amanda Branan <brananlaw@gmail.com>

Creuzot

31 messages

Deandra Grant <deandra@defenseisready.com>

Tue, Nov 23, 2021 at 9:25 AM

To: Amanda Branan <brananlaw@gmail.com>

Cc: Paul Saputo <paul@saputo.law>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Katie Bishkin <kbishkin@gmail.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, "douglas.e.huff@gmail.com" <douglas.e.huff@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

Spoke to Milner. He said this plan to send someone to speak with Creuzot is a Fool's Errand. Creuzot only listens to Creuzot.

He asked why we have not turned all of this over to the press - which is the only thing that means anything - and why we have not requested a Court of Inquiry.

Paul Saputo <paul@saputo.law>

Tue, Nov 23, 2021 at 9:36 AM

To: Deandra Grant <deandra@defenseisready.com>

Cc: Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Katie Bishkin <kbishkin@gmail.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, douglas.e.huff@gmail.com, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

We probably need someone who has experience with the court of inquiry process to advise us. I certainly don't know anything about it. The first question I would have is whether we have any kind of standing to do that. The second question I would have is who is doing all of the work to put that together. It seems like a big undertaking at first glance. The third question I have is whether DCDLA is even the appropriate group to do this, given the complete and utter failure our efforts to keep Etta off the bench was and how popular Givens is and given that none of us have ever done a court of inquiry before. Maybe this needs to be outsourced? If so, to whom and what would our role be?

And given (1) Givens' relative popularity and (2) that our current political capital is next to nothing, the questions that I would want answered relative to going to the press is what the end game is there. Is it to pressure Creuzot? If so, and if Creuzot only listens to Creuzot, then what is the point. He won't do anything. Or is the endgame to pressure the electorate? If so, why would sharing the complaints of defense attorneys with the press and getting a couple pieces in the news have any more impact with the electorate than what happened with Etta? This seems like a waste of time. If we're going after a political solution, we need a political plan that's more than just going to the press. We need actual on the ground people, social media people, a budget, etc. I don't think that a group of defense attorneys has the power or cohesion to make any kind of difference, and I think election history has proven that to be the case. I think we have potential, possibly, but we need to be a lot more savvy.

I'm game for whatever we want to do here. I don't mind stirring the pot. But I don't want to lose.

Paul Saputo

Defense Counsel



SAPUTO
Defense

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 E-mail paul@saputo.law
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Paul Saputo <paul@saputo.law> Tue, Nov 23, 2021 at 9:43 AM
 To: Deandra Grant <deandra@defenseisready.com>
 Cc: Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Katie Bishkin <kbishkin@gmail.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, douglas.e.huff@gmail.com, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

PS I "publicly" invited Clint to reach out to one of us about the court of inquiry. I have not heard from him. He did send a copy of his petition. I don't know if that was an invitation to reach out to him or if that was his way of saying that that was all he would do to help. But to the extent that we do want someone to advise us, maybe we should reach out to him directly/privately.



SAPUTO
 Defense

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Douglas Huff <douglas.e.huff@gmail.com> Tue, Nov 23, 2021 at 10:02 AM
 To: Paul Saputo <paul@saputo.law>, Deandra Grant <deandra@defenseisready.com>
 Cc: Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Katie Bishkin <kbishkin@gmail.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

All,

This isn't a surprise. The only reason we gave him another chance before sending the letter and starting the public process was because many would like to respect him.

We have opportunities from legal counsel who have done courts of inquiry.

We lose when we give up.

Doug

From: Paul Saputo <paul@saputo.law>
Sent: Tuesday, November 23, 2021 9:43:36 AM
To: Deandra Grant <deandra@defenseisready.com>
Cc: Amanda Branan <brananlaw@gmail.com>; Nnamdi Ekeh <nnamdi@ekehlaw.com>; Sheridan Lewis <sheridan@udashenanton.com>; Katie Bishkin <kbishkin@gmail.com>; Gonzalo Serrano <gonzalo@serranolawtexas.com>; Douglas Huff <douglas@defenseisready.com>; Monique J. Bracey <mjbracey.law@gmail.com>; Stephanie Alvarado <stephalva211@yahoo.com>; douglas.e.huff@gmail.com <douglas.e.huff@gmail.com>; Alison Grinter <alisingrinter@gmail.com>; Sorsha Huff <sorsha.huff@gmail.com>; Morgan Martinwood <morgan@martinwood.studio>
Subject: Re: Creuzot

[Quoted text hidden]

Katie Bishkin <kbishkin@gmail.com> Tue, Nov 23, 2021 at 11:10 AM
 To: Douglas Huff <douglas.e.huff@gmail.com>
 Cc: Paul Saputo <paul@saputo.law>, Deandra Grant <deandra@defenseisready.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisingrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

What I took from our meeting was a short term goal of getting her charged (or at least investigated) with a crime, with the long-term goal being damaging her election prospects. To that end, folks seem to think the states will take this more seriously than Creuzot and the only way to get Creuzot to recuse is to exert public pressure including through the press. What is the press strategy?

As for the court of inquiry, Paul raises some good questions we need to think through. We'd also need to think through and be advised whether initiating a proceeding in a court of inquiry would affect traditional routes to bringing criminal charges.

Katie Bishkin
 (214) 414-0991 (work)
 (210) 464-4461 (cell)

Sent from my iPhone

On Nov 23, 2021, at 10:02 AM, Douglas Huff <douglas.e.huff@gmail.com> wrote:

[Quoted text hidden]

Paul Saputo <paul@saputo.law>

Tue, Nov 23, 2021 at 11:22 AM

To: Katie Bishkin <kbishkin@gmail.com>

Cc: Douglas Huff <douglas.e.huff@gmail.com>, Deandra Grant <deandra@defenseisready.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

The press strategy that I was referring to was going to the press with our investigation and letting them know what's going on. The reason I'm skeptical that that will do anything is that, as George said, Creuzot only listens to Creuzot. Givens has a tremendous amount of political support in Dallas that will assuredly rally around her, just like JWP. Unfortunately, committing offenses and being a terrible judge doesn't seem to be enough to sway the electorate and I'm sure Creuzot is aware of that and Creuzot is not going to want to alienate the people that support Givens. So I don't know how much going to the press will actually pressure Creuzot to do anything. I think it could be part of a bigger strategy but I don't have much faith that simply getting a couple stories out in the mainstream local media is going to do anything. She can easily go back to her base of support and round up even more support and money saying she's under attack.

If we want to put pressure on any of these people then I think we have to play inside baseball.

Obviously we don't have to worry about that with a court of inquiry as much. But also I think there's something to be said in investing more in terms of building our political capital so that we actually are able to exert pressure politically.

Sent from my phone. Please excuse any typos.

[Quoted text hidden]

douglas.e.huff@gmail.com <douglas.e.huff@gmail.com>

Tue, Nov 23, 2021 at 12:43 PM

To: Paul Saputo <paul@saputo.law>, Katie Bishkin <kbishkin@gmail.com>

Cc: Deandra Grant <deandra@defenseisready.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

All,

This is going to come off as really aggressive but where do we get political capital from? Do any of you think it's sitting quietly in the corner and waiting until they ADA and the Judges let us know when they are done abusing their power? It's definitely not by turning a blind eye to felony crimes that we are aware have occurred and done little to nothing about.

They are abusing the system and abusing their power. We have never done enough in the past. Keeping quiet and biding our time has done nothing but reduce this organization to a happy hour planning social club. If we want the respect of the district attorney's office and the judiciary, they need to know we are serious and will pursue all available avenues. If we lose, we go down fighting, like defense attorneys. That's how we represent the defense bar, not by giving up and doing nothing. If all we have is our voice, then we must use it.

If nothing comes of any of this. We can know we did the right thing.

Douglas E. Huff

Attorney and Counselor at Law

Deandra Grant Law

3300 Oak Lawn, Ste. 700

Dallas, Texas 75219

Douglas@DefenselsReady.com

972-943-8500

[Quoted text hidden]



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Paul Saputo <paul@saputo.law>

Tue, Nov 23, 2021 at 12:46 PM

To: Douglas Huff <douglas.e.huff@gmail.com>

Cc: Katie Bishkin <kbishkin@gmail.com>, Deandra Grant <deandra@defenseisready.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

If we really want to build political capital, we have to campaign the same way that the judges do. We need to start visiting the churches, sponsoring the fairs, going to the picnics, building an effective social media presence, and everything else and getting our members to do the same thing. If we do it right, then we'll have a more consistent presence than judges who only do it once every few years. How about a DCDLA sponsored expunction expo, feed the homeless campaign, voter registration fair...

Sent from my phone. Please excuse any typos.

[Quoted text hidden]

Deandra Grant <deandra@defenseisready.com>

Tue, Nov 23, 2021 at 12:51 PM

To: Paul Saputo <paul@saputo.law>

Cc: "douglas.e.huff@gmail.com" <douglas.e.huff@gmail.com>, Katie Bishkin <kbishkin@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

Paul - DCDLA is not an arm of the Dallas Democrat Party.

Sent from Deandra's DWI Mobile Command

On Nov 23, 2021, at 12:47 PM, Paul Saputo <paul@saputo.law> wrote:

[Quoted text hidden]

Deandra Grant <deandra@defenseisready.com>

Tue, Nov 23, 2021 at 12:58 PM

To: Paul Saputo <paul@saputo.law>

Cc: "douglas.e.huff@gmail.com" <douglas.e.huff@gmail.com>, Katie Bishkin <kbishkin@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

Are we sending Creuzot the letter or not?

Sent from Deandra's DWI Mobile Command

On Nov 23, 2021, at 12:47 PM, Paul Saputo <paul@saputo.law> wrote:

[Quoted text hidden]

Paul Saputo <paul@saputo.law>

Tue, Nov 23, 2021 at 1:00 PM

To: Deandra Grant <deandra@defenseisready.com>

Cc: Douglas Huff <douglas.e.huff@gmail.com>, Katie Bishkin <kbishkin@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Douglas Huff <douglas@defenseisready.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

I understand that, but if we want to put pressure on Democrats who only have to answer to their primary electorate, what choice do we have? A press release? It's just not going to do anything at all. I'm not opposed to doing that, but I'll donate \$1000 to a charity of the board's choosing if that story somehow results in Givens getting off the bench.

If DCDLA is serious about getting judges off the bench then we should act accordingly and quit stopping short of doing things that will actually make a difference. Which brings me to my one of my initial questions, which is whether we're the right organization to do this.

Sent from my phone. Please excuse any typos.

[Quoted text hidden]

Douglas Huff <douglas@defenseisready.com>

Tue, Nov 23, 2021 at 1:05 PM

To: Paul Saputo <paul@saputo.law>, Deandra Grant <deandra@defenseisready.com>

Cc: "douglas.e.huff@gmail.com" <douglas.e.huff@gmail.com>, Katie Bishkin <kbishkin@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Sheridan Lewis <sheridan@udashenanton.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>

Are we the right organization???

From our website. <https://dcdla.com/>

Our Purpose

We represent the criminal defense bar in matters relating to judges, the DA's office, the media,

Exhibit 3

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CAUSE NO. DC-22-0035

IN RE: THE HONORABLE AMBER) IN THE DISTRICT COURT
GIVENS,)
)
vs.) DALLAS COUNTY, TEXAS
)
DEANDRA GRANT CLENDENIN,)
AMANDA BRANAN, AND THE)
DALLAS CRIMINAL DEFENSE)
LAWYERS ASSOCIATION) 193RD JUDICIAL DISTRICT

ORAL AND VIDEOTAPED DEPOSITION OF
DALLAS CRIMINAL DEFENSE LAWYERS ASSOCIATION
BY AND THROUGH ITS DESIGNATED REPRESENTATIVE
AMANDA BRANAN

MAY 9, 2022

ORAL AND VIDEOTAPED DEPOSITION of AMANDA BRANAN,
produced as a witness at the instance of the
Petitioner, and duly sworn, was taken in the
above-styled and numbered cause on the 9th day of
May, 2022, from 9:43 a.m. to 4:44 p.m., before
Michelle L. Munroe, CSR in and for the State of
Texas, stenographically reported, at Scott H. Palmer
PC, 15455 Dallas Parkway, Suite 540, Addison, Texas,
pursuant to the Texas Rules of Civil Procedure and
the provisions stated on the record or attached
hereto.

1 make the complaint public?
2 A. I don't recall any conversations about
3 that.
4 Q. Was there just an assumption then that the
5 judicial grievance should be confidential?
6 A. I -- yeah, I believe so. I don't recall
7 those -- if we had conversations of that. I think
8 it was more of we -- the attorneys that were
9 mentioned in that complaint were -- they were
10 unaware, and it wasn't just defense attorneys. It
11 was -- I mean, one of them is about a prosecutor and
12 how she was treated.
13 Q. Did you receive any response from the
14 Judicial Commission after this grievance was sent?
15 A. That was -- well, Sheridan is the one that
16 sent that in. At one point when we were changing to
17 the new board for 2021, she sent the investigator an
18 email and included Deandra and I on that saying that
19 we were -- we were the next president and
20 president-elect and that, you know, we -- just that
21 if there was anything that he needed or for us to
22 know, that he can reach out to the two of us as
23 well.
24 Q. Did he ever reach out to you?
25 A. I don't believe he did at that point.

1 He -- he emailed back saying, you know, thank you,
2 I'll add that to -- I'll add that to the file. And
3 then I spoke to him when we did the supplement
4 complaint.
5 Q. Were there any board meetings or
6 discussions between July 2020 and August 2021 about
7 the status of the complaint?
8 A. It was on our agenda of -- because a lot
9 of things that are kind of ongoing, we'll just keep
10 them on the agenda of update on -- so it's like
11 update on judicial grievance. And most of the time
12 Sheridan would be, like, I haven't heard anything.
13 I don't recall if she actually reached out
14 to the investigator again or not. But it was a --
15 you know, we were continuously getting complaints,
16 so it was definitely on our radar.
17 Q. That's all you remember Sheridan Lewis
18 saying is just giving a status update that she
19 hasn't heard anything?
20 A. Correct. From I recall from that time.
21 Q. And that would have been a status update
22 for every board meeting between July and
23 August 2021 -- sorry, July 2020 and August 2021?
24 A. Yes. I believe at one point she did say
25 she was going to reach out, but I don't remember if

1 she did or what the -- like, what she exactly said.
2 But I know that we did not have any updates during
3 that time. It was just still pending.
4 Q. But it was top of mind for DCDLA?
5 A. It was on the agenda. It was, you know,
6 to keep track of it.
7 Q. Do you remember anyone else commenting
8 about the complaint or the status of the complaint
9 after it was filed?
10 A. Like a board member or...
11 Q. We'll start with a board member.
12 A. Not that I recall.
13 Q. Do you remember anybody else commenting on
14 the status of the complaint?
15 A. Not that I recall.
16 Q. Did anyone else ever find out about the
17 complaint until it was submitted with the Dallas
18 Morning News -- to the Dallas Morning News?
19 MR. GERLEMAN: Objection; form.
20 A. Most people found out then. I don't
21 think -- unless board members just told their
22 friends, but I'm unaware of that. But not many
23 people knew that we had done the original complaint.
24 Q. So you kept the confidentiality of the
25 complaint from when it was filed until when you sent

1 it to the Dallas Morning News?
2 A. Correct.
3 Q. Were there ever any discussions during
4 that time about whether to publicize the complaint?
5 A. Not that I recall.
6 Q. So I'm going to hand you --
7 MS. ZAMBRANO (VIA ZOOM): I'm sorry,
8 it's hard to hear the witness sometimes, and I'm not
9 sure she verbally answered the last two questions.
10 If you're in the room, if you can just confirm that.
11 MR. GERLEMAN: She answered them.
12 MR. PARHAM: Yeah, Angela, she
13 answered the last two questions. And --
14 THE WITNESS: I'll move my mic closer.
15 Is that better?
16 MR. PARHAM: Maybe we could go off the
17 record for a minute.
18 MS. ZAMBRANO (VIA ZOOM): Thank you.
19 Most of the time it's fine. But thank you. I
20 appreciate that.
21 THE WITNESS: Okay.
22 MR. PARHAM: I'm going to mark this as
23 Petitioner's Exhibit 3.
24 THE WITNESS: Thank you.
25 MR. PARHAM: This is not the right --

1 MR. GERLEMAN: Don't answer. Beyond
2 the scope.
3 MR. PARHAM: This is not beyond the
4 scoped. This is --
5 MR. GERLEMAN: Tell me which topic
6 this --
7 MR. PARHAM: Topic 1, the basis for
8 the filing --
9 MR. GERLEMAN: Basis for filing the
10 June 11, 2020, June 17, 2020, July 9, 2020,
11 complaints (attached as Exhibit A to the motion to
12 dismiss) and November 22, 2021, complaint (attached
13 as Exhibit B to the motion to dismiss) as well as any
14 2020 to 2021 DCDLA board meeting discussions
15 concerning complaints contemplated to be filed
16 against Judge Givens.
17 Now, tell me how a complaint against
18 Etta Mullins from years prior is responsive to that
19 topic.
20 MR. PARHAM: You produced an email
21 that directly links the complaint against Etta
22 Mullins to the basis for filing these complaints.
23 MR. GERLEMAN: That's --
24 MR. PARHAM: So how are you going to
25 tell me --

Page 58

1 MR. GERLEMAN: That is part of a
2 discussion --
3 MR. PARHAM: Excuse me. How are you
4 going to tell me that this isn't related? Your email
5 is linking them. Your email is saying, this is what
6 happened with Etta and here is how we need to address
7 this situation now.
8 MR. GERLEMAN: That is not a topic
9 here.
10 MR. PARHAM: So you tell me how it's
11 not related.
12 MR. GERLEMAN: And, sorry, you cannot
13 just take something in an email and say, oh, if it's
14 even remotely mentioned, then we get broad discovery
15 on everything. That is not what we're doing here.
16 She's not answering the questions.
17 MR. PARHAM: Okay. The record -- let
18 the record reflect that the -- Mr. Gerleman
19 instructed his witness not to answer the question.
20 Q. I just want to be clear, are you refusing
21 to answer any question about Etta Mullin?
22 MR. GERLEMAN: Beyond what's contained
23 in the email, yes.
24 MR. PARHAM: Beyond what's contained
25 in the email.

Page 59

1 MR. GERLEMAN: Right, beyond what is
2 clearly written in the email, yes.
3 If she had any contemporaneous
4 discussions about Etta Mullin within those board
5 meetings or any of the board members had
6 contemporaneous discussions, that's fair game. But
7 we're not going back into the past, and we're not
8 dealing with something that happened years ago.
9 Q. Okay. Can you please tell me about "our
10 efforts to keep Etta off the bench," and that's,
11 quote/unquote, our efforts to keep Etta off the
12 bench?
13 MR. GERLEMAN: You can only answer as
14 to contemporaneous discussions that you had at the
15 time, if any.
16 A. I mean, that was not me writing that
17 email. This was talking about if we should do a
18 court of inquiry and about how none of us had done
19 one and how we probably need to find out more about
20 how to go about that process.
21 And there's a lot of frustration with
22 defense attorneys of, for example, Etta was doing
23 very wrong things that she got a public reprimand
24 for. And it's frustrating that she won again at
25 that point and is now doing the same things again.

Page 60

1 Q. You knew what he was referring to even
2 though you weren't involved with the board when that
3 complaint was filed? At the time of this email, you
4 knew what he was referring to?
5 A. Correct, the frustrations that it seems
6 like -- it seems like people just get away with --
7 with doing things.
8 Q. And then he says, If so, why would sharing
9 a complaint of defense attorneys with the press and
10 getting a couple pieces in the news have any more
11 impact with the electorate than what happened with
12 Etta.
13 So what he's saying is why do the same
14 thing that we did with Etta; is that right?
15 MR. GERLEMAN: Objection; form.
16 A. I don't know what his intent was on that.
17 Q. How did you understand it?
18 A. I understood it as, again, the frustration
19 of elected officials getting away with -- with
20 having -- just acting how they want to and -- and
21 doing things that are not appropriate, not okay.
22 Q. Let's go to -- I'm going to hand you
23 another exhibit.
24 We'll mark this as Petitioner's Exhibit 4.
25 (Exhibit 4 marked.)

Page 61

1 A. Thank you.
2 Q. Ms. Branan, have you reviewed the 202
3 petition?
4 A. I have.
5 MR. GERLEMAN: Do you have a copy?
6 MR. PARHAM: Yes.
7 A. I have.
8 Q. This was attached as Exhibit 7 to the 202
9 petition.
10 A. Uh-huh.
11 Q. Have you reviewed this previously?
12 A. At some point. I think like right when we
13 got it.
14 Q. So if you go to page 4, have you seen this
15 post from Ms. Grant dated August 24, 2021?
16 A. Yes -- well, I saw it when we produced it.
17 Deandra and I were not friends on Facebook at that
18 time.
19 Q. So you didn't see this on August 24, 2021,
20 or around that time?
21 A. I don't recall the first time I saw it,
22 but I believe it was closer to -- I mean, I believe
23 it was when I got the petition.
24 Q. Don't recall seeing it before this action
25 was filed?

Page 62

1 A. Not that I recall. I mean, I may have,
2 but to be honest, I -- I don't know for sure.
3 Q. What was Ms. Grant's position as of
4 August 24th?
5 MR. GERLEMAN: Objection; form.
6 A. I mean, it was -- I'm trying to think of
7 August 24th. I mean, I can't really speak to
8 exactly what she's thinking or her intent.
9 Q. I'm sorry, what was her position in the
10 DCDLA?
11 A. Oh, her position. Okay. I was, like, I
12 don't know what she was thinking.
13 She was -- 2021, she was president-elect.
14 Q. When was she elected to become the next
15 president of DCDLA?
16 A. She was elected the prior year. So she
17 was treasurer -- because we had an -- we had an
18 opening. Like, we had somebody quit the board. We
19 had somebody quit the board and so she ran --
20 Q. In 2020 she was elected as president?
21 A. No. She was elected as treasurer that
22 year, yeah.
23 Q. So when did she -- when did she become
24 president-elect?
25 A. 2021.

Page 63

1 Q. What month?
2 A. January.
3 Q. January?
4 A. We switch the board every January.
5 Q. The horrible judge she is referring to is
6 Judge Givens, right?
7 A. Yes.
8 MR. GERLEMAN: Objection; form.
9 A. It does say the 282nd, so yes.
10 Q. And was this a sentiment that was shared
11 by other members of DCDLA's board on August 24th?
12 A. I mean, it is a general consensus that she
13 is not very well liked as a judge.
14 Q. When Ms. Grant was elected president for
15 2021 -- or I guess it was 2022, she's president
16 now --
17 A. Correct.
18 Q. -- is that publicized to the membership of
19 DCDLA?
20 A. Yes.
21 Q. So they know that she's going to be the
22 president of DCDLA?
23 A. Correct.
24 Q. And does she often post in her capacity as
25 a board member of DCDLA?

Page 64

1 MR. GERLEMAN: Objection; form.
2 A. I mean, I don't think she's posting this
3 in her capacity. That's her personal Facebook page,
4 and she can -- she's posting -- that's her, not as a
5 board member.
6 Q. And so in this post, she's saying she
7 wants to defeat Judge Givens in the democratic
8 primary and she's going to be beating the drum for
9 her until then, right?
10 A. That's what she said in this.
11 Q. And this is expressing the intent to
12 unseat Judge Givens by supporting Ms. Hawthorne?
13 A. I mean, that's what it says on here.
14 Q. Did other board members support
15 Ms. Hawthorne?
16 A. Not --
17 MR. GERLEMAN: Objection; form.
18 A. I -- I don't know who they supported.
19 That's everybody's individual political opinions.
20 I'm not -- I don't know because she also had another
21 opponent as well.
22 Q. Did you have any conversations with
23 Ms. Grant before August 24th about Ms. Hawthorne?
24 MR. GERLEMAN: Objection; form.
25 A. No, not about Ms. Hawthorne.

Page 65

1 Q. Did you have any conversations with
2 Ms. Grant before August 24th about opposing Judge
3 Givens?
4 A. I mean, our board meetings about the
5 complaints.
6 Q. Did Ms. Grant ever express this sentiment
7 to the board of DCDLA?
8 A. I mean, it's, again, the general consensus
9 of everybody that this judge is not -- not very
10 liked on the bench because of her behaviors.
11 Now, this wasn't done -- we did not file a
12 complaint because the election. It just happened to
13 be an election year. If this was next year or two
14 years ago, it would have been the same thing because
15 her actions and her behaviors rose to a level of
16 violating judicial canons and a criminal offense.
17 Q. I want to make sure that you respond to
18 the question I ask, which is: Did Ms. Grant ever
19 express the sentiment in this post to the board of
20 DCDLA before August 24th?
21 A. I mean, that she's a horrible judge, yes,
22 but not anything about we need to support Teresa
23 Hawthorne. That -- we never discussed supporting
24 Teresa Hawthorne.
25 Q. You never discussed unseating Judge

Page 66

1 Givens?
2 A. We discussed how we would hope somebody
3 else would win.
4 Q. Did you discuss how you would help
5 somebody else to win?
6 A. No, because we did not help somebody else.
7 Q. Discussions about hoping that somebody
8 else would win, would those be reflected in minutes
9 before August 24th?
10 A. I don't know if they're in the minutes or
11 if it was just part of our discussions while we were
12 deciding about, you know, the complaint or
13 something. But no, I mean, we...
14 Q. When did the DCDLA first learn about the
15 events on August 3, 2021?
16 A. I learned them in September. It was
17 brought to my attention by another attorney who
18 said, you know, that this had happened and I -- you
19 know, DCDLA should look into it.
20 So our September board meeting, I
21 discussed it with the board, and that's when
22 everybody became aware of it.
23 Q. You discussed it with the board during the
24 September board meeting.
25 Would that be in the minutes that it was

Page 67

1 discussed?
2 A. Yes, I believe so.
3 Q. I'm sorry, what was the date when you had
4 that initial discussion?
5 A. With the board?
6 Q. Let's start with the board.
7 A. With the board, the -- our board meetings
8 are the second Thursday of every month. So I would
9 have to look at a calendar for the exact date, but
10 it was the second Thursday of September.
11 Q. And you said you learned them in
12 September.
13 When in September did you learn them?
14 A. I believe it was the week before. It was
15 kind of in passing with somebody at court that
16 pulled me aside.
17 Q. Who told you?
18 A. I prefer not to answer because I don't
19 want him to get retaliation in her court.
20 Q. You have to answer the question.
21 MR. GERLEMAN: Yeah, you can answer
22 that one.
23 A. Okay.
24 MR. GERLEMAN: That one's responsive.
25 A. It was Tom Cox.

Page 68

1 Q. Who is Tom Cox?
2 A. He's a defense attorney.
3 Q. What did he -- is he a member of the
4 DCDLA?
5 A. He is.
6 Q. What did he tell you?
7 A. He told me that there was a hearing in
8 Givens' court where it was judge's picture, and it
9 was her coordinator that was doing the hearing.
10 Q. And do you know specifically when this
11 occurred?
12 A. When what occurred?
13 Q. This -- this run-in with Tom Cox?
14 A. This conversation?
15 Q. Yes.
16 A. It was, I believe, early September in the
17 hallway of Crowley.
18 Q. Early September?
19 A. Yeah. Sorry, I didn't write down the
20 exact date but it was around then.
21 Q. And you told the board the second Thursday
22 of September during a meeting; is that right?
23 A. Correct. Correct. That was the first
24 time everybody was together to discuss.
25 Q. Did you communicate it to anybody else

Page 69

1 I -- I don't recall if I did or not, to be honest.
2 I may have or may not have. I don't remember.
3 Q. Did you discuss it at the August meeting?
4 A. No, not at the August meeting. September
5 meeting was the first time that we have discussed
6 all of this.
7 Q. Was that the first time that Ms. Grant
8 learned about the August 3rd matter?
9 A. I believe so.
10 Q. I'm going to hand you the October board
11 minutes which we'll mark as Petitioner's Exhibit 5.
12 (Exhibit 5 marked.)
13 THE WITNESS: Thank you.
14 Q. I'll give you just a second to look over
15 that.
16 A. (Reviewed document.) Okay.
17 Q. Have you seen these before?
18 A. Yes.
19 Q. Who drafted the board minutes?
20 A. That month should have been Megan Roper
21 because she was secretary. There was a lot of times
22 that she asked somebody else to do it, but I believe
23 Megan did this one.
24 Q. Do you recall when these would have been
25 circulated approximately?

Page 74

1 A. Any time with -- before the next board
2 meeting.
3 Q. Before the next board meeting?
4 A. Uh-huh.
5 Q. So if you go to the second page, you see,
6 Givens Grievance, Amanda heard that she had her
7 picture up and that her coordinator is doing bond
8 hearings for her. Sheridan said the grievance can
9 be updated any time and suggested that we add this.
10 We need to find a witness. Katie suggested that we
11 reach out to the prosecutors since they're logged in
12 every day.
13 So this is the first time -- this is the
14 second time that you have discussed the August 3rd
15 events.
16 A. With the board?
17 Q. Yes. Right? You said in the September
18 meeting?
19 A. Maybe I was wrong. Maybe the first time
20 was October. Yeah, it must have been October.
21 Q. So this is the first time that you have
22 discussed August 3rd with the board?
23 A. Yes. Sorry, I got the months mixed up.
24 Yeah, it was September -- I'm sorry. The
25 October meeting, so within, like, a couple weeks

Page 75

1 before that is when I found out from Tom then.
2 Q. So you found out from --
3 A. Sorry.
4 Q. -- Tom -- you had a conversation with Tom
5 Cox in the hallways of Frank Crowley in October?
6 A. Probably. I don't know the exact timing.
7 I'm sorry.
8 Q. Early October?
9 A. Probably. Sorry, I must have...
10 Q. And this is the first time you have
11 discussed it with the board?
12 A. Then, yes, that's the first time.
13 Q. Did you give them a briefing of what Tom
14 Cox had told you?
15 A. Yes.
16 Q. What did you tell them?
17 A. Like I said before, that Tom had -- and I
18 don't know if I said it was Tom or not. But I said
19 that I heard that -- just that, that her picture was
20 up and it was Arce's voice that conducted a bond
21 hearing and -- and I didn't have much other
22 information at that point.
23 I said I, you know, had asked about who
24 the defense attorney was, and that's when I said I,
25 you know, hadn't figured that out -- hadn't found

Page 76

1 that out yet.
2 So we talked about how, like, Katie
3 suggested we need to talk to the prosecutors. And
4 at that point, I -- I knew Kristen well enough to
5 call her, and Doug said he knew Blake pretty well,
6 and Gonzalo said he and Eddie are friends. So we
7 all kind of decided to split that up and each
8 contact -- contact them so -- to find out who -- who
9 the defense attorney was, what they say about it,
10 what -- you know, what happened.
11 Q. I want to come back to the conversations
12 between Doug and Blake and Kristen.
13 But the second sentence here says,
14 Sheridan said the grievance can be updated any time
15 and suggested that we add this.
16 So she wanted to update the grievance
17 right then; is that right?
18 A. No. Because at that point, we were, like,
19 we need to find out what's going on. But she said
20 it, like, if -- if we find out the information and
21 it seems like we -- you know, if it's something that
22 we find credible, then, yes, we -- this -- this
23 seems like something that should be added to that.
24 Q. At this point, did you know which
25 attorneys were involved?

Page 77

20 (Pages 74 - 77)

1 A. At this point, no.
2 Q. Did you know that it was an agreed -- did
3 you know the matter?
4 A. I just knew it was bond hearing.
5 Q. Just knew it was a bond hearing?
6 A. Uh-huh.
7 Q. Did you know that it was an agreed bond
8 reduction?
9 A. At that point, no.
10 Q. Did anybody else on the board have any
11 substantive information that they provided or were
12 you the sole source of information they had?
13 A. I was the sole source at that point.
14 Q. Do you see just above that it says, Strike
15 Force, we're going to use the Givens' issue
16 regarding nonpayment to see how the SF should work.
17 Deandra brought up issues with the locked courtrooms
18 in Dallas. Macy briefed this issue after a run-in
19 with J. Bender.
20 What does this relate to? What is the --
21 let me rephrase my question here.
22 What is DCDLA's Strike Force?
23 A. So we -- there used to be a Strike Force a
24 long time ago that pretty much if there was -- like,
25 I'm not really super familiar with it, but my

Page 78

1 understanding of it was that if it was kind of a
2 really big issue, the Strike Force would go out and
3 investigate and then bring it back to the board of,
4 hey, we should probably do something about this or
5 we didn't find out anything, that kind of stuff.
6 We redid or bylaws. Like, every year we
7 kind of go through our bylaws and just make sure
8 that, you know, they're up to date of procedures and
9 stuff, you know, technology changes, things like
10 that.
11 And so when I took presidency, the
12 committee that was working on it, Paul Saputo wanted
13 to do the Strike Force again. But it was kind of a
14 not sure exactly how -- I think we were all kind of
15 confused of how he wanted to structure it, so we
16 were kind of, like, okay, let's kind of have -- have
17 some issues come up that, you know, we'll send to
18 the Strike Force and kind of see how it would work.
19 We ended up not -- not forming the Strike Force.
20 Q. This was kind of a pilot program?
21 A. Yeah. Yeah. And it just really didn't --
22 didn't really go forward. We -- we had a lot of
23 things we were busy with, so we just handled it with
24 the board.
25 Q. And the issue that you decided to use or

Page 79

1 that you were going to use to test this pilot
2 program was the Givens issue regarding nonpayment?
3 What's the Givens issue regarding
4 nonpayment?
5 A. She doesn't pay. She -- court-appointed
6 attorneys, she just sits on our pay sheets. Like,
7 another constant complaint we got from her court is
8 she just didn't pay.
9 Q. Do you receive complaints from attorneys
10 about that?
11 A. Oh, yes, a lot.
12 Q. Are there a lot of attorneys that are
13 upset with Judge Givens because they haven't gotten
14 paid?
15 A. Correct.
16 Q. Are you one of them?
17 A. I -- well, I mean, it did take her nine
18 months to pay me on -- on one pay sheet and, you
19 know, about that time for some others. In fact, I
20 still have one outstanding in her court right now.
21 It's frustrating, but also, I mean, we can appeal
22 them, but it's just a process and annoying.
23 Q. So this payment issue is one of the
24 reasons that -- has anybody else on the board of
25 DCDLA had this issue?

Page 80

1 A. I believe so.
2 Q. This is one of the reasons why people are
3 upset with Judge Givens?
4 A. One of them, yes.
5 Q. And the purpose of the Strike Force was
6 going to be to investigate the nonpayment -- the
7 issue regarding nonpayment.
8 Was there any other discussion about what
9 the Strike Force would do specifically?
10 A. Like as far as about that or -- no. I
11 think it was more of reaching out seeing, you
12 know -- I honestly don't know. I don't know what
13 was -- because it never happened, like, the Strike
14 Force never was created.
15 Q. So at this point, it's two parallel
16 tracks. One is Strike Force for the nonpayment and
17 the second is file a grievance. But then the Strike
18 Force is dropped and it's just go forward with the
19 grievance?
20 A. Yes. There was talk about adding the
21 nonpayment to the complaint as well. But a lot of
22 attorneys at that point didn't want to write
23 affidavits in regards to that because of fear of
24 retaliation by the judge.
25 Q. When you say "a lot of attorneys," was

Page 81

1 at some point, but I don't remember if it was that
2 conversation or -- or after.
3 Q. I'm going to come back to these
4 conversations. Real quick, though, on this
5 document, Monique Bracey Huff, This message was
6 deleted. This is on page 06.
7 Do you see that?
8 A. Yes.
9 Q. When was that message deleted?
10 A. I believe it was deleted right after it
11 was sent. I don't recall what it said or anything
12 or at least it was deleted before I read it.
13 I did contact her to ask her about it in
14 preparation of this deposition. And she said that
15 it was probably in regards to the prosecutors or it
16 had a lot of typos. She said it was one of those,
17 probably that.
18 But she -- she and a couple other people
19 on the board were very much of we need to go after
20 the prosecutors too for not reporting or do anything
21 about it during the hearing. So, yeah, she said it
22 was probably had to do something with that. She was
23 more heat -- she was really heated about the
24 prosecutors during that time.
25 Q. This was not deleted before -- after --

Page 98

1 let me rephrase that.
2 This message -- it's your testimony that
3 this message was not deleted after Petitioner's 202
4 petition was filed?
5 A. No, it was deleted before that. It was
6 deleted that same day that we were talking -- we
7 were all messaging.
8 Q. And she was the one who deleted it?
9 A. Yes.
10 Q. Ms. Huff?
11 A. Yes.
12 Q. On the last page, this is 07, do you see
13 Ms. Grant says, By the way, I told Creuzot, and he's
14 about to start asking questions?
15 A. Uh-huh.
16 Q. Did you ever talk to Ms. Grant about that
17 conversation?
18 A. Did I ever talk to who?
19 Q. Ms. Grant, about that conversation.
20 A. No, but I talked to Creuzot after this
21 message.
22 Q. Do you know anything about the content of
23 the conversation between Ms. Grant and Creuzot
24 around October 21?
25 A. When I spoke with Creuzot, he said he had

Page 99

1 just gotten a text message from her. I don't know
2 exactly what it said, but I think it was kind of
3 vague because he was, like, well, I'm going to --
4 I'm going to go talk to Judge Givens on Monday.
5 And I said, Well, do you know, like, the
6 full story? And so I told him what we had found
7 out.
8 And he was, like, Oh, yeah, I'm not going
9 to talk to her. I need to talk to my DAs and
10 investigate this.
11 Q. That's the extent of your knowledge about
12 that conversation between Deandra and Creuzot?
13 A. I'm sorry?
14 Q. The conversation between Deandra -- or
15 Ms. Grant and Mr. Creuzot --
16 A. Uh-huh.
17 Q. -- is that the extent of your knowledge?
18 A. Yes, it is.
19 Q. So I want to turn back to the
20 investigation.
21 You were the one who conducted the
22 investigation, correct?
23 A. Correct.
24 Q. You were overseeing it? Was -- were you
25 over -- you were -- you were responsible for it,

Page 100

1 correct?
2 A. I mean, both. Yeah, I was overseeing the
3 majority --
4 Q. I'm going to break this down.
5 A. -- the majority of it, yes.
6 (Simultaneous speaking.)
7 Q. So you were overseeing it.
8 Was anyone else on the DCDLA board
9 involved in the investigation or was it just you?
10 A. It was -- it was mostly just me and --
11 like, I found out it was Tim. I talked to him and I
12 talked to Kristen. Doug and Gonzalo were supposed
13 to talk to Blake and Eddie, but they ended up not
14 once we found out it was Tim, and I had already
15 spoken with Kristen.
16 And then that Monday morning after we
17 talked to -- like, I had talked with Creuzot. He
18 called me first thing that Monday morning because he
19 had received an email from Judge Givens. And then
20 soon after that, I got a call from the supervisor,
21 the DA supervisor.
22 Q. So you spoke with Tim on October 21?
23 A. Correct.
24 Q. And you spoke with Kristen the same day?
25 A. Correct.

Page 101

1 Q. And the only other people who were
 2 involved in the investigation were Doug and Gonzalo?
 3 A. From what I recall, yes, but they ended up
 4 not talking to them.
 5 Q. And that's Doug Huff and --
 6 A. Gonzalo Serrano.
 7 Q. And you said that they were supposed to
 8 talk to Blake and Eddie.
 9 A. Yes.
 10 Q. Who is Blake?
 11 A. Blake was the chief DA of that court at
 12 the time, and Eddie was the other prosecutor that
 13 was in there with Blake and Kristen.
 14 Q. Eddie is Eddie Carranza?
 15 A. Correct.
 16 Q. What's Blake's last name?
 17 A. Penfield.
 18 Q. So when would you say that the
 19 investigation officially started?
 20 A. Probably on -- well, I tried to call
 21 Kristen in between October 14th and October 21st but
 22 hadn't heard anything. And then October 21st when
 23 we really started finding out details.
 24 Q. When did it officially end?
 25 A. When I wrote the -- when I wrote the --

Page 102

1 the complaint. When I wrote the draft -- the
 2 drafted complaint.
 3 Q. When you drafted it?
 4 A. Yes.
 5 Q. And how -- how many days or weeks before
 6 submitting the complaint did that happen?
 7 A. Oh, that I wrote the draft?
 8 Q. Uh-huh.
 9 A. A few days before because I sent it to the
 10 board for approve -- edits, feedback, approval.
 11 Q. And you hadn't started that draft until a
 12 few days before?
 13 A. Correct.
 14 Q. You actually submitted it on November 22?
 15 A. Correct.
 16 Q. How many investigations were you involved
 17 in while you were a board member of DCDLA?
 18 A. I mean, there's always stuff that comes up
 19 that we look into. I can't recall how many.
 20 Q. How many did you oversee while you were
 21 president?
 22 A. I mean, as far as this kind of
 23 investigation, this, I mean, there's other things
 24 that happened that came up that I'm constantly
 25 getting calls about and having to reach out.

Page 103

1 There was a -- at one point, the judges --
 2 all of a sudden, we all got a form that we were
 3 going to have to fill out for every single courtroom
 4 and bailiff had to come out and screen us for COVID.
 5 Just, like, it would never work. And it was given
 6 just to the defense attorneys and singled us and our
 7 clients out.
 8 So, you know, once that went out,
 9 everybody is very upset. So I was calling different
 10 judges trying to find out what was going on with --
 11 with that and investigating that. So things like
 12 that come up that I would have to do as president.
 13 Q. So when you're saying an investigation,
 14 there is not a formal policy or procedure for an
 15 investigation --
 16 A. Correct.
 17 Q. -- is that right?
 18 A. Correct.
 19 Q. This is not something that is approved by
 20 the board to do?
 21 A. I mean, it was --
 22 MR. GERLEMAN: Objection; form.
 23 A. It's approved to look into something.
 24 Like, we hear something that's troubling or
 25 concerning that affects the defense bar that, yes,

Page 104

1 we look into it. I mean, I guess investigation is
 2 the wrong word to use on that. It's more of, okay,
 3 we need to look into this and find out if this is
 4 true or not, if it's credible, and then decide what
 5 action or -- to take or don't take action or
 6 whatever we decide to do.
 7 Q. And how many times did that happen while
 8 you were president?
 9 A. Oh, gosh, I don't know. I mean, multiple.
 10 Multiple things come up all the time. I mean,
 11 there's always something going on down there.
 12 But, you know, the big part of when I was
 13 president was the courts were starting to open back
 14 up, so a big majority of -- of last year was trying
 15 to figure out court procedures and policies for each
 16 court. And, again, every judge had a different one,
 17 reaching out to them, not getting responses from the
 18 majority, stuff like that. I mean, that took up a
 19 lot of time of --
 20 Q. And that was --
 21 A. -- looking into that.
 22 Q. That was a formal investigation in the
 23 same way that the investigation into the August 3rd
 24 matter was an investigation?
 25 A. I mean, I wouldn't -- again, I wouldn't

Page 105

1 call it investigation. It's more of a, hey, let's
2 try and figure out what's happening. You know, I
3 reached out to every single court and found out --
4 you know, finding out what was going on.
5 Again, we also had the issue of courtrooms
6 being closed and locked and not able to go in. And
7 so we all kind of were on the lookout for that of
8 which courts were doing that, which ones -- you
9 know, which ones we need to address, and that's
10 where the open letter came from.
11 Q. So it was the August 3rd investigation
12 that you conducted similar to or different from the
13 investigation of that other matter?
14 A. I would say it's different in that it's --
15 I mean, you kind of have to look into everything
16 depending on the situation. It's different each
17 situation.
18 Q. Did you spend any of the organization's
19 money on either of these investigations?
20 A. No.
21 Q. Are there any witness notes from any of
22 the investigations?
23 A. I mean, besides what I've turned over as
24 far as emails and everything, and then majority of
25 conversations were had on the phone or in person.

Page 106

1 Q. You didn't -- I don't believe that you
2 turned over any emails or other documents that had
3 any notes from interviews.
4 Do you recall having notes from interviews
5 and emails?
6 A. I do not.
7 Q. So no --
8 A. Like, I don't have -- no, I don't have
9 those. Like I said, the majority of my
10 conversations were in person or on the phone.
11 Q. How many hours did you spend on the phone
12 with the people that you have called witnesses?
13 A. Like I said, about 20 minutes with Tim
14 that -- that initial conversation. With Kristen on
15 and off on the phone that day for probably around
16 the same. I spoke to Tim multiple times afterwards.
17 You know, talked to -- I talked to Eddie at one
18 point, Leah, and that was in person at court.
19 Q. Who is Leah?
20 A. Leah Dintino, she is the other prosecutor
21 that was on the call. Blake Penfield was actually
22 out that day, so it was Eddie, Kristen, and Leah.
23 Leah was the family violence prosecutor for that
24 court.
25 Q. So how many minutes -- was it even an hour

Page 107

1 on the phone with the witnesses?
2 A. I mean, between on the phone and in
3 person, yeah. It was a good chunk of time. I can't
4 tell you how many minutes exactly but...
5 Q. Did you ever check the court's docket to
6 see if there were any records from that matter that
7 would provide insight into what happened?
8 A. The DA said that they requested a
9 transcript and was told that it didn't exist even
10 though the -- even though they had said on and off
11 the record.
12 Q. Did you ever look at the docket for the
13 Floyd Aaron matter?
14 A. No.
15 Q. Did you know that there was an order on
16 the bond?
17 A. There was a what?
18 Q. There was an order on the bond?
19 A. What do you mean an order on the bond?
20 Q. A written order. Did you know that?
21 A. On the docket sheet?
22 Q. Yes.
23 A. I'm assuming there would be because --
24 Q. Did you ever --
25 A. -- there has to be.

Page 108

1 Q. -- call the court?
2 A. No. The court was very unresponsive, even
3 just trying to contact them about actually work
4 stuff.
5 Q. The court was unresponsive so you decided
6 you didn't need to talk to them?
7 A. Well, I had had three DAs saying the same
8 thing, a defense attorney saying the same thing.
9 And when I spoke to the DA supervisor, she had said
10 that she saw a note in the probation's file saying
11 that judge was not present for the hearing. So at
12 that point, I felt like we had a -- very consistent
13 stories between those witnesses and those witnesses
14 are credible. I know them. I have worked with
15 them. And they had no reason to lie about that, so
16 I -- I truly believed it happened.
17 Q. Did you know it was an agreed bond
18 reduction?
19 A. Yes, but she also added an ELM as a
20 condition that was not agreed.
21 Q. When did you speak with Eddie Carranza?
22 A. I spoke with him -- I don't recall
23 exactly. It was at court.
24 Q. By that, you mean at the courthouse?
25 A. Correct.

Page 109

1 A. I know that they're having to listen for
 2 their -- for their names and everything.
 3 Now, during that hearing, I mean, they
 4 were all listening because they told me that they
 5 witnessed this.
 6 Q. Kristen told you she witnessed it?
 7 A. Correct. She told me exactly what
 8 everybody else had been saying.
 9 Q. And Leah, she was the third that you
 10 talked to; is that right?
 11 A. Correct.
 12 Q. When was that conversation?
 13 A. Sometime during that time frame. I ran
 14 into her at court one day, and I was, like, Hey,
 15 just giving you a heads up, like, we're, you know, I
 16 heard that you were a witness on this.
 17 And she said, Yes.
 18 And I was giving her a heads-up about the
 19 complaint that, you know, we're going to be doing
 20 that. And then -- and she was, like, Okay?
 21 And then at that point, people had been
 22 talking about doing, like, a grievance against
 23 prosecutors for not stopping the hearing. And so
 24 she was very concerned about that.
 25 And I said that I'm doing everything I can

Page 114

1 for that not to happen.
 2 Q. When was this meeting?
 3 A. Probably early November.
 4 Q. By early November, you knew you were going
 5 to file a complaint?
 6 A. We were working on it, yes. We were
 7 talking about it.
 8 Q. Did she tell you anything substantive
 9 about August 3rd?
 10 A. I mean, from the conversation from what I
 11 remember, it was that she -- it was like she was --
 12 like, yes, I was a witness to it. But I don't think
 13 we really talked too much substantive at that point.
 14 Q. So she never really confirmed anyone's
 15 impression of what happened?
 16 A. I mean, I said, like, Hey, I'm aware that,
 17 you know, this incident where it was her picture and
 18 Arce's voice.
 19 And she was, like, Yeah.
 20 So I mean, like, she confirmed that part
 21 but not -- I mean, we didn't really discuss it very
 22 much. Again, she was upset about the rumor of going
 23 after her.
 24 Q. She had heard a rumor that -- she had
 25 heard the rumor that DCDLA was looking at going

Page 115

1 after the prosecutors?
 2 A. Yes.
 3 Q. The two probation officers, who were they?
 4 A. Erin Barron and Amanda Kent.
 5 Q. And when did you speak to Amanda Kent?
 6 A. I did not speak to them.
 7 Q. You didn't speak to Amanda Kent or Erin
 8 Barron?
 9 A. No. I had spoken to Stephanie Fargo who
 10 said that she saw that in the -- like, the note in
 11 the file. And then when she tried to go back to
 12 talk to them again, they said that they were
 13 instructed by their supervisor that they are not to
 14 discuss that case unless they are subpoenaed.
 15 At that point, I realized that even if I
 16 tried to talk to them, they wouldn't talk to me
 17 about it.
 18 Q. So let's look at your affidavit, which
 19 I'll mark as Petitioner's Exhibit 7.
 20 (Exhibit 7 marked.)
 21 THE WITNESS: Thank you.
 22 Q. So in paragraph 5, you state, During the
 23 inquiry, DCDLA identified a total of seven witnesses
 24 aside from the court staff of the 282nd. These
 25 witnesses included Tim Jeffrey, Floyd Aaron, Eduardo

Page 116

1 Carranza, two other district attorneys, and two
 2 probation officers.
 3 A. Yes.
 4 Q. Did I read that right?
 5 A. Correct.
 6 Q. Did you speak with Floyd Aaron?
 7 A. No, I did not.
 8 Q. And you didn't speak with either of the
 9 two probation officers?
 10 A. Correct.
 11 Q. And one of the district attorneys didn't
 12 provide any substantive information, correct?
 13 A. I mean, no.
 14 MR. GERLEMAN: Objection; form.
 15 Q. And one of the other district attorneys,
 16 that conversation was in passing at Frank Crowley?
 17 A. I wouldn't say passing, but it was a
 18 quicker conversation.
 19 Q. It says two district attorneys and you
 20 have identified three.
 21 It's Eduardo Carranza, Leah, and --
 22 A. Kristen.
 23 Q. Kristen?
 24 A. Uh-huh.
 25 MR. GERLEMAN: It says two other.

Page 117

1 Q. Yeah, two other.
2 So fair to say that most of the
3 information that you got came from either Kristen or
4 Tim Jeffrey?
5 A. Correct. And Stephanie Fargo.
6 Q. And your conversation with Stephanie
7 Fargo, when did that happen?
8 A. That happened -- so October 21 was a
9 Thursday, and it happened that Monday after.
10 Q. What did she tell you?
11 A. So she had called me asking about what had
12 been on the LISTSERV. And I told her, you know, it
13 really wasn't anything major or anything and -- but
14 I had already -- so Creuzot had already called me
15 that morning because Judge Givens had reached out to
16 him by email. And then she had contacted me to find
17 out about what was on the LISTSERV.
18 And then at that point, we discussed and
19 she said she was contacted immediately after by the
20 prosecutors in that court and saying that it was
21 Judge's picture, Arce's voice conducting the
22 hearing, that they had asked for the record, and the
23 court reporter said it did not exist.
24 She said that she went over to talk to the
25 probation officers, Ms. Barron and Ms. Kent, and saw
Page 118

1 the note in the file, and she talked to them
2 about -- about what happened.
3 And then she said she went back later, and
4 when she went back later to talk to them, that they
5 said that they were -- they were instructed by
6 their -- by their supervisor that they were not to
7 discuss that case unless they were subpoenaed.
8 Q. She was not an eyewitness on August 3rd,
9 correct?
10 A. No, except for the note that was in their
11 file.
12 Q. And when did she -- when did she say that
13 she had that meeting where she saw a note in that
14 file?
15 A. That same day of the hearing.
16 Q. August 3rd?
17 A. August 3rd.
18 Q. Was there a subsequent request for that
19 file?
20 A. For the probation file from the DAs? I
21 don't -- I don't know.
22 Q. Did DCDLA ever ask for the file?
23 A. No, but I do know that note was in the
24 file. I asked another probation officer if they saw
25 it, and they looked it up.
Page 119

1 Q. And you made no attempt to talk to Floyd
2 Aaron --
3 A. No.
4 Q. -- correct?
5 A. Tim -- I mean, Tim had talked to him, and
6 he remembered the hearing very well and knew that it
7 was not Judge Givens' voice.
8 Q. When did you talk to Tim and discuss Floyd
9 Aaron's recollection?
10 A. It was -- it was a while after that. I
11 don't recall exactly when. Sorry. All the times,
12 like, run together that -- that period of time. I
13 don't recall exactly when we had that discussion,
14 but I believe it was after we filed the complaint.
15 Q. So paragraph 6 you state, During the
16 inquiry, our membership spoke with other assistant
17 district attorneys who were present at the hearing
18 and learned that both had the same recollections as
19 Mr. Jeffrey and did not believe that Judge Givens
20 had participated in the hearing.
21 What does this mean, "our membership spoke
22 with the other assistant district attorneys"?
23 A. I believe at that point, Gonzo had talked
24 to Eddie at that point. He hadn't talked to him
25 when we were originally inquiring to find out who it
Page 120

1 was, but they're good friends. So I think -- now
2 that I'm looking at this again, yeah, I think that
3 he had talked to him about it.
4 Q. Gonzo had talked to Eddie Carranza?
5 A. Yes, I know he talked to him at some
6 point. I don't know exactly when, but -- I mean,
7 like I said, they're good friends.
8 But at the time of these messages when I
9 asked -- I'm sorry, the messages on the GroupMe,
10 when I asked, he had not talked to talked to -- to
11 talked to him when we originally started to look
12 into things.
13 Q. And when did your meetings with
14 Mr. Creuzot occur?
15 A. So I spoke with him on the phone on
16 October 21st. We spoke again on the phone that
17 Monday after he received the email from Judge
18 Givens. And then I had a face-to-face meeting with
19 him. It was -- I can't recall exactly when it was.
20 I would have to look at my -- at my calendar. But,
21 yeah, we sat down to discuss him recusing himself
22 from the investigation.
23 Q. What was his response to that?
24 A. He had said he's not -- oh, and also
25 asking if his prosecutors would write affidavits to
Page 121

1 go with our complaint. He had spoken with the
2 prosecutors, and he said that if the Judicial
3 Commission asked for affidavits or wants to speak
4 with them, then they will provide or speak with
5 them. He did not want to be at the forefront of a
6 judicial complaint, but he was willing to cooperate
7 in their investigation.
8 He said that he is going to look into
9 these -- he said he was going to investigate that
10 hearing and look into a criminal investigation on --
11 on Judge Givens and her staff.
12 Q. When did he say that?
13 A. At that meeting that I had with him. It
14 was -- I mean, it was before we did the complaint
15 since I was asking him for the -- I was asking for
16 the affidavits.
17 He also said -- about recusing himself,
18 you know, I said, the -- we are asking for the Texas
19 Rangers or the AG's office to look into this because
20 we felt that since his prosecutors were involved,
21 that it should be an outside agency to investigate.
22 He said that his investigation could go
23 quicker than somebody else's, so he wanted to
24 investigate.
25 Q. So in paragraph 7, you say, The officers

Page 122

1 and board of DCDLA found the absence of a record to
2 be suspicious and that neither a record nor a video
3 was available for the August 3, 2021, bond reduction
4 hearing of Floyd Aaron.
5 At what point was DCDLA advised that there
6 was a record?
7 A. When I spoke to Kristen and she said that
8 the DA's office had asked for it.
9 Q. Was there a record for the matter that you
10 had on August 3rd?
11 A. No, because my client had not been brought
12 up yet, and she was in quarantine, so it ended up
13 not being a hearing.
14 Q. Did you tell anybody that when you were
15 talking to them?
16 A. Tell anybody...
17 Q. That you had a hearing on August 3rd that
18 didn't have a record.
19 A. I did not have a hearing that day.
20 Q. That you had a matter before the Court --
21 A. I had a matter before the Court.
22 Q. -- that did not have a record?
23 A. It ended up not being a hearing to have a
24 record on because my client was in quarantine and so
25 nothing was to be decided on or anything.

Page 123

1 Q. Things can be before the Court and not be
2 a hearing, right?
3 A. They can. And mine was more of the prior
4 to going on the record, getting things set up of,
5 okay, what are we here for, let's get the client up,
6 so that wouldn't have been on the record.
7 Q. Did you tell anybody on the board that you
8 had a hearing on August 3 or matter on August 3 but
9 it didn't have a record?
10 A. I told them I had a matter on there and
11 what happened. But, again, it wasn't -- we wouldn't
12 have been on the record if the judge had been there
13 yet.
14 Q. You told them that Arce was speaking?
15 A. Yes.
16 Q. And no confusion on your part about what
17 Arce sounds like versus what Judge Givens sounds
18 like?
19 A. Correct. No confusion at all.
20 Q. Did you ever -- I think you already
21 answered this but let me ask: Again, you never
22 contacted the court to ask for a record, right?
23 A. No. But I have no reason to doubt the
24 prosecutors.
25 Q. DCDLA did submit a formal letter

Page 124

1 requesting the transcript?
2 A. At one point we did. That was after the
3 complaint.
4 Q. That was after the complaint?
5 A. I believe so. I have to look at the date,
6 but yeah, maybe.
7 Q. So the first request that DCDLA makes to
8 request the transcript is after the complaint was
9 filed?
10 A. I believe -- can I look at the date?
11 Q. Yeah. I'll pull it out. It's --
12 A. I'm sorry. Yeah.
13 Q. We'll mark it as Petitioner's Exhibit 8.
14 A. Sorry, I'm really bad with dates and
15 timing.
16 (Exhibit 8 marked.)
17 THE WITNESS: Thank you.
18 Q. You reviewed this --
19 A. Oh, I have two copies.
20 Q. You've reviewed this letter before?
21 A. Yes.
22 Q. Did you assist in drafting this letter?
23 A. No.
24 Q. Who drafted it?
25 A. Deandra.

Page 125

1 A. I think, like, the week before.
 2 Q. The week before it was notarized?
 3 A. I -- I believe so, around then.
 4 Q. Why did he show it to you first before he
 5 had it notarized?
 6 MR. GERLEMAN: Objection; form.
 7 A. I'm not really sure. I think he just
 8 wanted somebody else to read over it and make sure
 9 it sounded okay, I told him it did, and he got it
 10 notarized and gave back to me.
 11 Q. Was that at the court?
 12 A. Yes.
 13 Q. There are notaries at the court, right?
 14 A. Yes. But I don't think he -- I don't
 15 think he notarized it at the court. I think he went
 16 back to his office and had it notarized.
 17 Q. And you're not aware of any changes
 18 between the version he showed you initially and the
 19 final version?
 20 A. Not that I can remember or am aware of.
 21 Q. Is it possible that there were changes?
 22 A. I don't know. It looked the same. I
 23 don't know if there were or not.
 24 Q. Did you read it at that time?
 25 A. I did, but I don't recall if -- it has

Page 150

1 been a while. I don't recall if there were changes.
 2 Q. Did you make any suggestions at that time?
 3 A. Not that I recall.
 4 Q. So second paragraph, it states, I received
 5 an email from the 282nd JDC in Dallas County
 6 concerning my client Floyd Aaron. The email stated
 7 that my client had a probation violation and would
 8 be served with a probation violation the next day,
 9 August 3, 2021. The email also indicated that the
 10 bond would be discussed, and that I needed to follow
 11 the included instructions on how to virtually
 12 appear. I believe that prior to this date, I had
 13 spoken to the assigned ADA and we had agreed to a
 14 \$25,000 bond.
 15 Did I read that correctly?
 16 A. You did.
 17 Q. And you see in the second paragraph it
 18 says, The audio was a female who I knew was not
 19 Judge Givens.
 20 Did I read that correctly?
 21 A. Sorry. Where are -- where are you?
 22 Q. Sorry. Middle of the second paragraph.
 23 A. Oh.
 24 Q. The audio was a female who I knew was not
 25 Judge Givens.

Page 151

1 A. Yes.
 2 Q. And then it says in the same paragraph, On
 3 at least one but possibly two occasions when my
 4 client, Mr. Aaron, was addressed by whoever was
 5 conducting the hearing, he addressed her as "Your
 6 Honor."
 7 A. Yes.
 8 Q. Did you ask Mr. Jeffrey whether Mr. Aaron
 9 was corrected when he referred to Mr. --
 10 Ms. Warfield as Judge?
 11 A. He told me that he was not corrected.
 12 Q. When did he tell you that?
 13 A. When he originally told me what happened
 14 on October 21st.
 15 Q. Why didn't he put that in the affidavit?
 16 MR. GERLEMAN: Objection; form.
 17 A. I don't know. I mean, he put in there
 18 that he addressed her as "Your Honor" but I mean --
 19 .
 20 Q. Did you reach out --
 21 A. -- I think it was --
 22 Q. I'm sorry. Go ahead.
 23 A. I mean, I'm just guessing if he was
 24 corrected, he would have put that in there. And,
 25 actually, if he was corrected, we wouldn't be

Page 152

1 sitting here today.
 2 Q. Did anyone reach out to the court staff to
 3 confirm the affidavit -- the content of the
 4 affidavit?
 5 A. No.
 6 Q. Did you reach out to Judge Givens to ask
 7 about the content of the affidavit?
 8 A. No.
 9 Q. Did he tell you that he received a signed
 10 order at the hearing?
 11 A. I don't recall exactly what he said about
 12 it.
 13 Q. Then he says, Within minutes of the
 14 conclusion of the hearing, I was contacted on my
 15 cell phone by an ADA in a supervisory role asking me
 16 if I knew Ms. Warfield, Judge Givens' court
 17 coordinator, conducted the hearing and not Judge
 18 Givens. I replied in the affirmative that I knew it
 19 was not Judge Givens.
 20 Did I read that right?
 21 A. Yes.
 22 Q. And the final paragraph says, I'm
 23 submitting this affidavit at the request of DCDLA.
 24 I don't know if Judge Givens was or was not aware of
 25 the above occurrence.

Page 153

1 Q. She's -- she's suggesting that a crime was
2 committed?
3 MR. GERLEMAN: Objection; form.
4 A. Correct.
5 Q. And that -- if you look at this in its
6 entirety, that the defense was the victim of that
7 crime?
8 MR. GERLEMAN: Objection; form.
9 A. The defense? I mean, the defendant, yes.
10 It was a serious criminal matter, and his life, his
11 freedom is on the line. I mean, not having the
12 judge conduct a hearing and having somebody else
13 is -- it is a criminal offense. And these are cases
14 that affect people's lives seriously and -- so, yes,
15 he is.
16 Q. Did she know it was an agreed bond
17 reduction?
18 MR. GERLEMAN: Objection; form.
19 A. We know that it was a bond hearing, that
20 they had agreed upon the bond. But in Judge Givens'
21 court, nothing is agreed upon. You can have
22 something agreed upon but it still is her that
23 decides if it is or not. I have had her tell me,
24 oh, no, you and the State cannot agree on XYZ.
25 That's my decision. I make -- I make those

Page 162

1 decisions.
2 So, yeah, it being an agreed upon bond
3 doesn't necessarily say it's not -- it's still a
4 hearing in front of a judge. And her adding the ELM
5 condition, then at that point moves it past being
6 agreed because she's adding her own -- own terms
7 that were not agreed upon between the two parties.
8 Q. Did she know that Mr. Jeffrey said in his
9 affidavit, I was asked if I was okay with it, and my
10 response was something to the effect that as long as
11 my client had his bond set and was able to get out
12 of jail, I was satisfied?
13 MR. GERLEMAN: Objection; form.
14 A. At that point, I do not know what Deandra
15 knew on that affidavit or not. I don't recall she
16 was at -- she was not at that board meeting after I
17 had the affidavit in hand.
18 Q. Thoughts on the -- I'm going back to the
19 post: Thoughts on the probation officer involved in
20 the hearing also trying to cover it up.
21 That's suggesting that there is something
22 that was hidden, correct?
23 A. I don't -- I think she was talking
24 about -- I mean, I don't -- I can't say exactly what
25 she was talking about. But in my thought on reading

Page 163

1 that is that she is talking about the fact that
2 probation at that point was not going to talk about
3 it unless subpoenaed. I think that's probably what
4 she was referring to. Again, I'm not inside her
5 head, I don't know for sure.
6 Q. But the "cover it up" suggests that
7 something was hidden --
8 MR. GERLEMAN: Objection; form.
9 Q. -- right?
10 MR. GERLEMAN: Objection; form.
11 A. I'm not aware of anything that was hidden.
12 I -- again, I don't know. I told you what I think,
13 like, what I got out of -- knowing the whole story,
14 what I got out of it. But, again, that's my
15 interpretation.
16 Q. So would you agree that the goal of the
17 November 22 complaint was to get Judge Givens off
18 the bench?
19 MR. GERLEMAN: Objection; form.
20 A. I can only speak on my own intent and goal
21 on that because, again, there's multiple board
22 members.
23 At that point, I was extremely concerned
24 about having a judge who was -- her behavior is just
25 becoming more and more prevalent to the point of

Page 164

1 committing a criminal offense. So I don't believe
2 anybody in that position should have -- should hold
3 that position if they're going to behave like that.
4 Q. And I just want to be clear about one
5 thing. So you're testifying that you cannot speak
6 on behalf of DCDLA about whether the purpose of the
7 complaint was to unseat Judge Givens?
8 MR. GERLEMAN: Objection; form.
9 A. I'm saying for each individual person, but
10 as a group, we did decide to go forward and file
11 that complaint.
12 Q. Was --
13 A. Yes, I believe that the majority of the
14 board feels that she is unfit. She doesn't hold the
15 judicial temperament to be on a bench. I mean, it
16 shows in those videos, and then going to the -- you
17 know, I mean -- then jumping to committing a
18 criminal offense. So, yeah, I don't -- I believe
19 that all of us were --
20 Q. This was --
21 A. -- intent --
22 (Simultaneous speaking.)
23 A. -- or all of us were wanting to --
24 hopefully that would be the end goal.
25 Now it's up to the Judicial Commission of

Page 165

1 they -- I just knew it was around the time -- around
2 that time because when I said something about the
3 Dallas Morning News reaching out, Doug said he had
4 spoken with them. And so he was, like, I'm sure
5 other board members got calls too.
6 Q. And do you know the content of the
7 conversations that Doug and -- Mr. Huff and
8 Ms. Grant had with the Dallas Morning News?
9 A. Doug mostly talked about the concern of
10 the courts being closed and spoke about the judicial
11 pole that we had done. And I think Deandra, I think
12 she kind of spoke about everything. I'm not really
13 sure exactly what was said. But I believe they both
14 directed them towards me since I was the
15 spokesperson as president.
16 Q. They both told you that their
17 conversations involved substantive discussion of the
18 issues that they had?
19 A. Like I said, Doug did not really speak of
20 this situation. He mostly was speaking to her -- he
21 told me he mostly spoke to her about the courts
22 being closed and about our judicial pole.
23 And then as far as Deandra, I'm really not
24 sure exactly what was said in that conversation.
25 But I know that she -- I think she spoke a little

Page 198

1 bit about it and then directed them towards calling
2 me because I was the spokesperson for DCDLA as the
3 president.
4 Q. Did you ask Mr. Huff whether he told
5 Dallas Morning News that DCDLA filed the complaint?
6 A. I asked him if he spoke about the
7 complaint with them and he said, no.
8 Q. When did that conversation happen?
9 A. Between me and him?
10 Q. That's right.
11 A. The last couple weeks, like the week
12 before last when I was preparing for this.
13 Q. And you decided not to send Mr. Jeffrey's
14 affidavit to the Dallas Morning News; is that right?
15 A. We had decided to send the complaint but
16 with names redacted.
17 Q. But not Mr. Jeffrey's affidavit, right?
18 A. I don't believe we added his affidavit to
19 it.
20 Q. Did you disclose to the Dallas Morning
21 News that Mr. Jeffrey said in his affidavit that he
22 did not know whether Judge Givens had done anything
23 improper?
24 MR. GERLEMAN: Objection; form.
25 A. No, because he did not say that.

Page 199

1 Q. Did you disclose that he said in his
2 affidavit that he heard a voice that was not Judge
3 Givens and he knew that the voice he heard was not
4 Judge Givens?
5 A. Yes.
6 Q. Did you disclose that to the Dallas
7 Morning News?
8 A. That it was not Judge -- it was not Judge
9 Givens' voice, yes.
10 Q. That Tim Jeffrey never thought that --
11 there was no confusion about who he was hearing?
12 A. Are you -- I'm sorry. Are you asking if
13 he said that he heard Judge Givens?
14 Q. No. I'm asking whether he was confused
15 about whether the person that he heard was Judge
16 Givens or was not Judge Givens.
17 MR. GERLEMAN: Objection; form.
18 A. He said in his affidavit that the voice
19 was not Judge Givens.
20 Q. Why don't we skip forward to the Dallas
21 Morning News article real quick.
22 MR. GERLEMAN: Madam court reporter,
23 how long we have been going on the record?
24 THE REPORTER: I'd have to add it up.
25 MR. PARHAM: Petitioner's Exhibit 16.

Page 200

1 (Exhibit 16 marked.)
2 Q. You reviewed this article, correct?
3 A. I have.
4 Q. So if you go to the second page -- I'm
5 sorry. It's the third page. It's about midway
6 down. The paragraph that starts with, During the
7 proceeding.
8 A. Okay.
9 Q. During the proceeding the lawyers --
10 THE VIDEOGRAPHER: 5 hours, 51
11 minutes.
12 MR. PARHAM: That we have been going?
13 THE VIDEOGRAPHER: Yes.
14 MR. PARHAM: On the record?
15 MR. GERLEMAN: You have 19 minutes.
16 Q. During the proceeding, the lawyers and
17 probation officer referred to the voice as Judge and
18 Your Honor and were not urged not to use those
19 titles, Brandon said. The lawyers and probation
20 officers referred to the voice as Judge and Your
21 Honor.
22 Mr. Jeffrey never said that, right?
23 A. He told me that.
24 Q. He told you something that was
25 inconsistent with his affidavit?

Page 201

1 MR. GERLEMAN: Objection; form.
2 A. He told me that they were not corrected.
3 And in the affidavit, he says that he does not
4 believe that it was Judge's voice. And also he says
5 that he called her Your Honor.
6 Q. He doesn't say that he called her Your
7 Honor.
8 A. Or he says his client called her Your
9 Honor.
10 Q. So it is incorrect that the lawyers and
11 probation officer refer to the voice as Judge and
12 Your Honor?
13 MR. GERLEMAN: Objection; form.
14 A. From the conversations I had, that's what
15 was -- that was relayed to me, that --
16 Q. And --
17 A. -- they were.
18 Q. -- the next paragraph, Givens said that
19 the prosecutor falsely claimed that she was not on
20 the call. She said he did not confirm his
21 impression with the court's coordinator or with
22 sheriffs' officers who were in the courtroom.
23 Did you ever try to speak to the sheriffs'
24 officers who were in courtroom?
25 A. No. It's kind of hard to do that in her

Page 202

1 courtroom because she keeps it locked.
2 Q. Did you ever reach out to the Dallas
3 Sheriffs' -- Dallas County Sheriff's office?
4 A. No.
5 Q. And ask for permission to speak to the
6 bailiffs?
7 A. No.
8 Q. The next paragraph, The Association
9 conducted an inquiry with the lawyers who were
10 involved as well as other lawyers who were in the
11 online meeting waiting for their matters to be
12 considered.
13 Generally what you wanted the Dallas
14 Morning News to understand is that you were
15 conducting an impartial investigation, right?
16 MR. GERLEMAN: Objection; form.
17 A. What do you mean by we wanted them to --
18 Q. That the outcome of the investigation had
19 not been predetermined. You wanted the Dallas
20 Morning News to believe that that was the case;
21 isn't that right?
22 A. It wasn't predetermined.
23 Q. Would you consider the investigation you
24 conducted impartial?
25 A. Yes.

Page 203

1 Q. A 20-minute phone call with Mr. Jeffrey
2 who discloses facts that he never told to the Dallas
3 Morning News and then contradict what you to do tell
4 the Dallas Morning News?
5 A. I don't think it contradicts what I told
6 them.
7 MR. GERLEMAN: Objection; form.
8 Q. And you never requested to discuss the
9 events with anyone who worked in the courtroom?
10 A. No.
11 Q. Never with the Judge?
12 A. No.
13 Q. Never with the two bailiffs?
14 A. No.
15 Q. Back to my question: Would you consider
16 the investigation you conducted impartial?
17 A. No.
18 MR. PARHAM: I want to take a short
19 break before we wrap this up, if that's all right
20 with you two.
21 MR. GERLEMAN: That's fine.
22 MR. PARHAM: I may ask just a few more
23 questions.
24 THE VIDEOGRAPHER: We're off the
25 record at 4:20.

Page 204

1 (Recess 4:20 p.m. to 4:38 p.m.)
2 THE VIDEOGRAPHER: Back on the record
3 at 4:38.
4 Q. Ms. Branan, earlier you testified that
5 Ms. Grant shared the content of the complaint before
6 it was submitted, the November 22, 2021, complaint.
7 Do you recall that?
8 A. Yes.
9 Q. And that was on Facebook or some social
10 media platform?
11 A. I believe so.
12 Q. And that was against -- did she have
13 approval from the board to do that?
14 A. No.
15 Q. Was she reprimanded in any way for sharing
16 that?
17 A. It was discussed, yes.
18 Q. Where was it discussed?
19 A. In our board meeting.
20 Q. Which board meeting?
21 A. The special board meeting.
22 Q. November 19?
23 A. Correct.
24 Q. Is that in the minutes of the November 19
25 meeting?

Page 205

1 CHANGES AND SIGNATURE
 2 WITNESS: AMANDA BRANAN
 3 PAGE LINE CHANGE REASON
 4 _____
 5 _____
 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____
 24 _____
 25 _____

Page 210

1
 2 I, AMANDA BRANAN, have read the foregoing
 3 deposition and hereby affix my signature that same is
 4 true and correct, except as noted above.
 5
 6 _____
 7 AMANDA BRANAN
 8 THE STATE OF TEXAS)
 9)
 10 COUNTY OF DALLAS)
 11)
 12 Before me, _____, on this day
 13 Personally appeared AMANDA BRANAN, known to me (or
 14 proved to me under oath or through _____)
 15 (description of identity card or other document)) to
 16 be the person whose name is subscribed to the
 17 foregoing instrument and acknowledged to me that they
 18 executed the same for the purposes and consideration
 19 therein expressed.
 20 Given under my hand and seal of office this
 21 _____ day of _____, 2022.
 22
 23 _____
 24 NOTARY PUBLIC IN AND FOR
 25 THE STATE OF _____


Page 211

1 CAUSE NO. DC-22-0035
 2 IN RE: THE HONORABLE AMBER) IN THE DISTRICT COURT
 3 GIVENS,)
 4)
 5 vs.) DALLAS COUNTY, TEXAS
 6)
 7 DEANDRA GRANT CLENDENIN,)
 8 AMANDA BRANAN, AND THE)
 9 DALLAS CRIMINAL DEFENSE)
 10 LAWYERS ASSOCIATION) 193RD JUDICIAL DISTRICT
 11)
 12 REPORTER'S CERTIFICATION
 13 DEPOSITION OF AMANDA BRANAN
 14 MAY 9, 2022
 15
 16 I, Michelle L. Munroe, Certified Shorthand
 17 Reporter in and for the State of Texas, hereby
 18 certify to the following:
 19 That the witness, AMANDA BRANAN, was duly sworn
 20 by the officer and that the transcript of the oral
 21 deposition is a true record of the testimony given by
 22 the witness;
 23 That the deposition transcript was submitted on
 24 _____, 2022 to the witness or to the
 25 attorney for the witness for examination, signature
 and return to me by _____, 2022.
 That the amount of time used by each party at
 the deposition is as follows:
 Mr. Parham - 4 hours, 57 minutes

Page 212

1 That pursuant to information given to the
 2 deposition officer at the time said testimony was
 3 taken, the following includes counsel for all parties
 4 of record:
 5
 6 Mr. Parham and Ms. Homsher, Attorneys for
 7 Petitioner
 8 Mr. Gerleman, Attorney for Respondents
 9
 10 I further certify that I am neither counsel for,
 11 related to, nor employed by any of the parties or
 12 attorneys in the action in which this proceeding was
 13 taken, and further that I am not financially or
 14 otherwise interested in the outcome of the action.
 15 Further certification requirements pursuant to
 16 Rule 203 of TRCP will be certified to after they have
 17 occurred.
 18 Certified to by me this 13th day of
 19 May, 2022.
 20
 21 *Michelle L. Munroe*
 22 MICHELLE L. MUNROE, CSR No. 6011
 23 Commission expires 1-31-24
 24 Firm Registration #571
 25 VERITEXT LEGAL SOLUTIONS
 300 Throckmorton Street, Suite 1600
 Fort Worth, Texas 76102
 817.336.3042 telephone

Page 213

1 FURTHER CERTIFICATION UNDER RULE 203 TRCP
2
3 The original deposition was/was not returned to
4 the deposition officer on _____, 2022;
5 If returned, the attached Changes and Signature
6 page contains any changes and the reasons therefor;
7 If returned, the original deposition was
8 delivered to _____, Custodial
9 Attorney;
10 That \$ _____ is the deposition officer's
11 charges to the Petitioner for preparing the original
12 deposition transcript and any copies of exhibits;
13 That the deposition was delivered in accordance
14 with Rule 203.3, and that a copy of this certificate
15 was served on all parties shown herein on and filed
16 with the Clerk.
17 Certified to by me this ____ day of
18 _____, 2022.
19
20 
Michelle L. Munroe, CSR No. 6011
21 Commission expires 1-31-24
Firm Registration #571
22 VERITEXT LEGAL SOLUTIONS
300 Throckmorton Street, Suite 1600
23 Fort Worth, Texas 76102
817.336.3042 telephone
24
25

1 Mr. Mr. Grant Gerleman, Esq., grant@scottpalmerlaw.com
2 May 13, 2022
3 RE: In Re: The Honorable Amber Givens v.
4 DEPOSITION OF: Amanda Branam (# 5207208)
5 The above-referenced witness transcript is
6 available for read and sign.
7 Within the applicable timeframe, the witness
8 should read the testimony to verify its accuracy. If
9 there are any changes, the witness should note those
10 on the attached Errata Sheet.
11 The witness should sign and notarize the
12 attached Errata pages and return to Veritext at
13 errata-tx@veritext.com.
14 According to applicable rules or agreements, if
15 the witness fails to do so within the time allotted,
16 a certified copy of the transcript may be used as if
17 signed.
18 Yours,
19 Veritext Legal Solutions
20
21
22
23
24
25

Exhibit 4

DCDLA BOARD MINUTES

OCTOBER 14, 2021

Attendance: Sheridan Lewis, Amanda Branan, Sorsha Huff, Allison Grinter, Morgan Martin, Gonzalo Serrano, Nnamdi Ekeh, Paul Saputo, Stephanie Alvarado, Kathryn Bishkin, Monique Huff, Douglas Huff, Megan Roper, John Gioffredi, Deandra Grant

Secretary's Report--September meeting minutes were reviewed. Amanda Branan made a motion to accept the minutes from the last meeting, Deandra Grant seconded the motion passed and the minutes from September meeting were adopted

Treasurer's Report—Doug said he would give us a Treasurer's Report by the end of the day.

Upcoming Events:

October 21st CLE— Confirmed. Morgan is bringing posters to HH tonight for Gonzalo or Doug to get and take to court Friday.

Legislative Update— Kristin Brown to present this topic scheduled for Zoom on November 18th. Stephanie confirmed Kristin will cover topics we want covered: general new laws, bail and police reform

Holiday Party—The general consensus was that we should plan on doing an in-person holiday party this year. Stephanie moved, Deandra seconded. Motion was approved by unanimous consent. Amanda said she would send an email to the committee for planning the holiday party.

Board Nominations — Morgan got the link out. Nominations are going until next Thursday.

New Officer — Megan is moving out of town. Amanda nominated Paul for Secretary position and will take over for Megan immediately. We need to get a new Secretary for 2022.

Judicial Poll—We're between using survey monkey or the website for the poll. Survey monkey has better graphs and data display and anonymous data entry but no way to rule out duplicates. The websites can rule out duplicates by IP address but people could vote by using a different IP address. We could email a PIN number but then people would have to give information to receive a PIN. General discussion followed regarding the structure of the poll and how to anonymize the entries but verify the authenticity. Katie moved to use Survey Monkey for the poll. Sorsha seconded. Unanimously approved.

DPD and Data Loss—OpenRecords.org gave us a list of questions that they think we need to be asking. Deandra said that we could file an open records act request. No one at the meeting is aware of any cases that have been dismissed and no one seems to be looking into this situation. We discussed using this at trial during voir dire, using it during officer cross, subpoenaing DPD IT officers. Amanda and Deandra will reach back out to the guy from openrecords.org to get the list of questions. Sheridan also suggested surveying via the listserv whether any cases have been dismissed and whether this is getting addressed at trial. Paul volunteered to put something out on the listserv.

Strike Force – we're going to use the Givens issue regarding nonpayment to see how the SF should work. Deandra brought up issues with the locked courtrooms in Dallas. Macy briefed this issue after a run-in with J. Bender. Stephanie is looking for this brief and will let us know if she can find it. Sheridan suggested checking TCDLA's Covid resources as well.

ATRS Motion – Sorsha isn't sure whether it's been uploaded to the motion bank but she reported that it's ready to go. Amanda said she would like to start getting that circulated.

Howard Issues – J. Howard's public statements are that she is running but the consensus is that she lives out of county and is not running. We're tabling tackling the issues with her since we only received one response on the listserv and since we don't think she's running.

Givens Grievance – Amanda heard that she had her picture up and that her coordinator is doing bond hearings for her. Sheridan said the grievance can be updated any time and suggested that we add this. We need to find a witness. Katie suggested that we reach out to the prosecutors since they're logged in every day.

Exhibit 5

Monique J. Bracey <mjbracey.law@gmail.com>

Tue, Nov 16, 2021 at 1:16 PM

To: Stephanie Alvarado <stephalva211@yahoo.com>

Cc: "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Douglas Huff <douglas@defenseisready.com>, Alison Grinter <alisongrinter@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, Deandra Grant <deandra@hgtexas.com>, Sorsha Huff <sorsha.huff@gmail.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>, Nnamdi Ekeh <nnamdi@ekehlaw.com>

So when are we having this meeting? We need to have it ASAP.

I'm Oppose to waiting until Friday at 4p on the Friday before Thanksgiving.

1. This is a special meeting, so we urgently need to have it. I know we all have busy schedules. I'm dying under the weight of my 2 full time jobs- campaigning & law office owner.
2. We need to have the meeting sooner than the end of the business day and business week. If we need clarification on things, it's hard to get on a Friday afternoon/night. You won't get answers until the next week, which is Thanksgiving week.
3. To approve all these unknown costs to have the party, we need numbers. Dec. 9th is only 3 weeks away.

Sorry so long but we need meeting asap if we want this party.

Also, we need to get grievance investigation going. This is a judge directing the illegal practice of law. There is possibly ongoing criminal activity. We need to fulfill our obligations to the defense bar and get in action outside of emails with the board. Time to act!

Hope I'm not too preachy! I know we are all super busy.

MJBH

Monique J. Bracey Huff

Monique J. Bracey, Attorney at Law, P.C.

(214) 785-6259 Office

(972) 759-9761

MJBracey.law@gmail.com

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[Quoted text hidden]

Amanda Branan <brananlaw@gmail.com>

Tue, Nov 16, 2021 at 4:18 PM

To: "Monique J. Bracey" <mjbracey.law@gmail.com>

Cc: Stephanie Alvarado <stephalva211@yahoo.com>, "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Douglas Huff <douglas@defenseisready.com>, Alison Grinter <alisongrinter@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, Deandra Grant <deandra@hgtexas.com>, Sorsha Huff <sorsha.huff@gmail.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Morgan Martinwood <morgan@martinwood.studio>, Nnamdi Ekeh <nnamdi@ekehlaw.com>

We are having our meeting on Friday at 4pm at the Green Door Public House. They have plenty of parking and if the weather is nice we can sit on the patio. I don't think it will be too busy on a Friday afternoon.

As for the agenda, we had a long discussion about the holiday party at the last board meeting and we voted on this and decided to move forward with this venue.

I was made aware today that the draft of the Givens Grievance Supplement has been leaked and shared. THIS IS NOT OK!!!! Whoever has shared this, do not share anything else that we have drafted and sent to the board for edits and especially do not share the letters Deandra sent because those have not been approved by the board.

Exhibit 6



Amanda Branan <brananlaw@gmail.com>

Givens Grievance Supplement Draft

21 messages

Amanda Branan <brananlaw@gmail.com>

Mon, Nov 15, 2021 at 1:37 PM

To: Sheridan Lewis <sheridan@udashenanton.com>, Deandra Grant <deandra@hgtexas.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>

Here is the draft for the grievance supplement. I need to add contact information for all the witnesses to this and scan the affidavit to attach to it because Tim gave me a hard copy. Let me know if anyone has any additions/changes to this. Also, does anyone know the court reporter's name?

Amanda Branan

Law Office of Amanda Branan, PLLC
11300 N. Central Expwy, Suite 602
Dallas, Texas 75243
972-661-8330
Fax: 214-891-9990

**Givens Grievance Supplement.docx**

524K

Deandra Grant <deandra@hgtexas.com>

Mon, Nov 15, 2021 at 1:59 PM

To: Amanda Branan <brananlaw@gmail.com>

Cc: Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>

Great letter.

I will note that it needs to be notarized. Only verified complaints can lead to removal of a judge.

The AG's Office and perhaps the Texas Rangers need to be involved in this investigation - not the DA investigating it himself.

On Nov 15, 2021, at 1:37 PM, Amanda Branan <brananlaw@gmail.com> wrote:

<Givens Grievance Supplement.docx>



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269K

Amanda Branan <brananlaw@gmail.com>

Mon, Nov 15, 2021 at 2:09 PM

To: Deandra Grant <deandra@hgtexas.com>

Cc: Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisingrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>

Thanks Deandra! I will get it notarized. We can send this (modified to address them and put statutes instead of Canons) to the AG and Texas Rangers as well. I will work on a letter to Cruzot to conflict out and send this to AG or Texas Rangers. A state agency needs to investigate. I will also work on a letter to the head of probation for them to investigate. Sounds like Givens already made them aware of something going on since they were instructed by their supervisor not to discuss this case unless subpoenaed.

Amanda Branan

Law Office of Amanda Branan, PLLC

11300 N. Central Expwy, Suite 602

Dallas, Texas 75243

972-661-8330

Fax: 214-891-9990

[Quoted text hidden]

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Deandra Grant <deandra@hgtexas.com>

Mon, Nov 15, 2021 at 2:10 PM

To: Amanda Branan <brananlaw@gmail.com>

Cc: Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisingrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>

According to this story 5 people were involved with this hearing in addition to Tim and his client? 3 were licensed attorneys?

So 3 lawyers let this hearing happen and said nothing until it was over?

Has Tim filed a motion to recuse?

A letter needs to be sent to the court reporter formally requesting the transcript in writing. Is she a certified court reporter? Who certifies her? There will be rules. We need to cite some rules she's governed by....

A letter needs to be sent to the head of the probation department demanding an investigation, naming the PO's involved and informing him we expect a copy of his findings.

A letter needs to be sent to Cruzot demanding he appoint a special prosecutor as he has a conflict.

On Nov 15, 2021, at 1:37 PM, Amanda Branan <brananlaw@gmail.com> wrote:

[Quoted text hidden]

<Givens Grievance Supplement.docx>



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Deandra Grant <deandra@hgtexas.com>

Mon, Nov 15, 2021 at 2:26 PM

To: Amanda Branan <brananlaw@gmail.com>

Cc: Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisingrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>

See attached for little miss court reporter

On Nov 15, 2021, at 2:09 PM, Amanda Branan <brananlaw@gmail.com> wrote:

Thanks Deandra! I will get it notarized. We can send this (modified to address them and put statutes instead of Canons) to the AG and Texas Rangers as well. I will work on a letter to Cruzot to conflict out and send this to AG or Texas Rangers. A state agency needs to investigate. I will also work on a letter to the head of probation for them to investigate. Sounds like Givens already made them aware of something going on since they were instructed by their supervisor not to discuss this case unless subpoenaed.

Amanda Branan

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11300 N. Central Expwy, Suite 602

Dallas, Texas 75243

972-661-8330

Fax: 214-891-9990

On Mon, Nov 15, 2021 at 1:59 PM Deandra Grant <deandra@hgtexas.com> wrote:

Great letter.

I will note that it needs to be notarized. Only verified complaints can lead to removal of a judge.

The AG's Office and perhaps the Texas Rangers need to be involved in this investigation - not the DA investigating it himself.

On Nov 15, 2021, at 1:37 PM, Amanda Branan <brananlaw@gmail.com> wrote:

<Givens Grievance Supplement.docx>

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2 attachments



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coe-court-reporters-cr-firms-2018-website.pdf

336K

Monique J. Bracey <mjbracey.law@gmail.com>

Mon, Nov 15, 2021 at 2:27 PM

To: Deandra Grant <deandra@hgtexas.com>

Cc: Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Amanda,

Great letter! Thanks for completely so quickly.

I have one thing i would edit. You reference a Rule 12 in citing the Judicial Canons; I would suggest citing that rule. As a reader, this is already going to require research, I would want the specific canon violations spelled out so I don't have to do additional research.

Board,

Are we filing a complaint with state bar on prosecutors who allowed this and additional complaint for Givens because this violates Ethics code with her causing the violation of the law in requiring her coordinator to practice law?

MJBH

Monique J. Bracey Huff

Monique J. Bracey, Attorney at Law, P.C.

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[Quoted text hidden]

2 attachments**PastedGraphic-5.tiff**
269K**PastedGraphic-5.tiff**
269K

Sheridan Lewis <sheridan@udashenanton.com>
To: Amanda Branan <brananlaw@gmail.com>
Cc: Deandra Grant <deandra@hgtexas.com>

Mon, Nov 15, 2021 at 2:29 PM

Not to nitpick... some edits. The content was very well done!

Sheridan Lewis

[UA Logo](#)

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**Givens Grievance Supplement- edits.docx**
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Amanda Branan <brananlaw@gmail.com> Mon, Nov 15, 2021 at 2:48 PM
To: "Monique J. Bracey" <mjbracey.law@gmail.com>
Cc: Deandra Grant <deandra@hgtexas.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Monique,

This is being sent to the Bar/Judicial Complaint committee to supplement our original grievance on Givens. The

canons are the violations so they will know what we are talking about when citing canons. The one with Rule 12 is about records and turning them over when requested etc.

Amanda Branam

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11300 N. Central Expwy, Suite 602
Dallas, Texas 75243
972-661-8330
Fax: 214-891-9990

[Quoted text hidden]

Amanda Branam <branamlaw@gmail.com>
To: Sheridan Lewis <sheridan@udashenanton.com>
Cc: Deandra Grant <deandra@hgtexas.com>

Mon, Nov 15, 2021 at 2:49 PM

Thanks Sheridan! I want y'all to nitpick so it is it's best when it gets turned in.

Amanda Branam


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11300 N. Central Expwy, Suite 602
Dallas, Texas 75243
972-661-8330
Fax: 214-891-9990

[Quoted text hidden]

Paul Saputo <paul@saputo.law>
To: Amanda Branam <branamlaw@gmail.com>
Cc: "Monique J. Bracey" <mjbracey.law@gmail.com>, Deandra Grant <deandra@hgtexas.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Mon, Nov 15, 2021 at 2:54 PM

Sounds good! I think this is a great supplement.

Paul Saputo
Defense Counsel




Tel 1.888.239.9305
Fax 1.888.236-2516
Web saputo.law
E-mail paul@saputo.law
Mail 2828 N. Harwood, Suite 1950, Dallas TX 75201

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Sent via [Superhuman](#)

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Nnamdi Ekeh <nnamdi@ekehlaw.com>

Mon, Nov 15, 2021 at 2:55 PM

To: "Monique J. Bracey" <mjbracey.law@gmail.com>, Deandra Grant <deandra@hgtexas.com>

Cc: Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

I'm usually for the DA to get sanctioned when necessary but I don't know how they can be faulted for this . Except this was an ongoing thing and they knew and failed to alert.

It seemed Eddie reported to Stephanie Fargo right after it happened. Maybe I'm missing something.

Nnamdi Ekeh

ACS-CHAL Forensic Lawyer-Scientist

Tel: [972-353-4529](tel:972-353-4529)

EKEH LAW FIRM

[17304 Preston Road, Ste, 800](#)

[Dallas, TX 75252.](#)

[1332 Teasley Lane](#)

[Ste 345,](#)

[Denton, TX 76205](#)

From: Monique J. Bracey <mjbracey.law@gmail.com>

Sent: Monday, November 15, 2021 2:27:21 PM

To: Deandra Grant <deandra@hgtexas.com>

Cc: Amanda Branan <brananlaw@gmail.com>; Sheridan Lewis <sheridan@udashenanton.com>;

Douglas E. Huff <Douglas.e.huff@gmail.com>; Paul Saputo <paul@saputo.law>; Stephanie

Alvarado <stephalva211@yahoo.com>; Gonzalo Serrano <gonzalo@serranolawtexas.com>;

Nnamdi Ekeh <nnamdi@ekehlaw.com>; Katie Bishkin <kbishkin@gmail.com>; Alison Grinter

<alisongrinter@gmail.com>; Sorsha Huff <sorsha.huff@gmail.com>

Subject: Re: Givens Grievance Supplement Draft

[Quoted text hidden]

Paul Saputo <paul@saputo.law>

Mon, Nov 15, 2021 at 2:57 PM

To: Nnamdi Ekeh <nnamdi@ekehlaw.com>
 Cc: "Monique J. Bracey" <mjbracey.law@gmail.com>, Deandra Grant <deandra@hgtexas.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

I agree. I think this is not necessarily the one to blame on the DA, especially if they're on board with our grievance. We can always discuss further at our next meeting, though. It's probably also best discussed in person and offline, too.

Paul Saputo

Defense Counsel



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Mail 2828 N. Harwood, Suite 1950, Dallas TX 75201

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Sent via [Superhuman](#)

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Amanda Branan <brananlaw@gmail.com>

Mon, Nov 15, 2021 at 2:59 PM

To: "Monique J. Bracey" <mjbracey.law@gmail.com>

Cc: Deandra Grant <deandra@hgtexas.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Here are my thoughts on grievances against prosecutors... **Our goal in this is to get Givens off the bench.** The prosecutors that were in the hearing were in a bad situation and were unsure how to handle it during the hearing and reported it to their supervisor after. Yes, I agree that should have been acted on at that point and wrong of them not to. However, we want them to help us in this with the end game being Givens not on the bench. I do not think that it is productive for us to go after them. The grievance we did against Rontear years ago did not go anywhere and she was hiding evidence and lying to judges. I think our grievance against Givens will go a lot farther if we are not grieving other people and looking like we are just after everyone. The one against Givens may not be taken as seriously because they think we are just complaining about everyone.

Amanda Branan

Law Office of Amanda Branan, PLLC
 11300 N. Central Expwy, Suite 602

Dallas, Texas 75243
972-661-8330
Fax: 214-891-9990

[Quoted text hidden]

Deandra Grant <deandra@hgtexas.com> Mon, Nov 15, 2021 at 3:08 PM

To: Nnamdi Ekeh <nnamdi@ekehlaw.com>
Cc: "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

He's in a hearing calling the coordinator "Your Honor", knows what's happening and doesn't stop it?

Pretty sure he's a party to the crime and the SBOT should be the ones deciding what to do with him - and any of the rest of them who participated - and not us.

[Quoted text hidden]



 **PastedGraphic-5.tiff**
269K

Deandra Grant <deandra@hgtexas.com> Mon, Nov 15, 2021 at 3:11 PM

To: Paul Saputo <paul@saputo.law>
Cc: Nnamdi Ekeh <nnamdi@ekehlaw.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

On board? They are not "on board". They won't put anything in writing per Amanda's meeting with Creuzot.

It's CYA for everyone right now.

[Quoted text hidden]



 **PastedGraphic-5.tiff**
269K

Paul Saputo <paul@saputo.law> Mon, Nov 15, 2021 at 3:11 PM

To: Deandra Grant <deandra@hgtexas.com>
Cc: Nnamdi Ekeh <nnamdi@ekehlaw.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <Douglas.e.huff@gmail.com>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Katie Bishkin <kbishkin@gmail.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Do we know why the defense attorney didn't do that either? I'm wondering if maybe they were all still somewhat confused?

Paul Saputo

Defense Counsel



Tel 1.888.239.9305

Fax 1.888.236-2516

Web saputo.law

E-mail paul@saputo.law

Mail 2828 N. Harwood, Suite 1950, Dallas TX 75201

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Sent via [Superhuman](#)

[Quoted text hidden]



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269K

Katie Bishkin <kbishkin@gmail.com>

Mon, Nov 15, 2021 at 3:16 PM

To: Deandra Grant <deandra@hgtexas.com>

Cc: Nnamdi Ekeh <nnamdi@ekehlaw.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Alison Grinter <alisingrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

If I were in Eduardo's position I'd be so shocked it would take me some time to register what was happening. Like Nnamdi says, if it's going on on the regular and they turn a blind eye (or ear), that's a completely different story.

Katie Bishkin
(214) 414-0991 (work)
(210) 464-4461 (cell)

Sent from my iPhone

On Nov 15, 2021, at 3:08 PM, Deandra Grant <deandra@hgtexas.com> wrote:

He's in a hearing calling the coordinator "Your Honor", knows what's happening and doesn't stop it?

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[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

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<PastedGraphic-5.tiff>

<PastedGraphic-5.tiff>

Deandra Grant <deandra@hgtexas.com>

Mon, Nov 15, 2021 at 3:41 PM

To: Katie Bishkin <kbishkin@gmail.com>

Cc: Nnamdi Ekeh <nnamdi@ekehlaw.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Gosh, golly, gee - if only the DA's involved were giving written statements.....but, alas.....

[Quoted text hidden]



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269K

Nnamdi Ekeh <nnamdi@ekehlaw.com>

Mon, Nov 15, 2021 at 4:13 PM

To: Deandra Grant <deandra@hgtexas.com>, Katie Bishkin <kbishkin@gmail.com>

Cc: "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

Yeah it sucks that they are not voluntarily giving witness statements except subpoenaed. I think they have a duty without being compelled. That's my only issue against them on this and it needs to be addressed. Seems this would fall more on the leadership since they are just following orders.

Nnamdi Ekeh

ACS-CHAL Forensic Lawyer-Scientist

Tel: [972-353-4529](tel:972-353-4529)

EKEH LAW FIRM

17304 Preston Road, Ste, 800
Dallas, TX 75252.

1332 Teasley Lane
Ste 345,
Denton, TX 76205

From: Deandra Grant <deandra@hgtexas.com>
Sent: Monday, November 15, 2021 3:41:56 PM
To: Katie Bishkin <kbishkin@gmail.com>
Cc: Nnamdi Ekeh <nnamdi@ekehlaw.com>; Monique J. Bracey <mjbracey.law@gmail.com>; Amanda Branan <brananlaw@gmail.com>; Sheridan Lewis <sheridan@udashenanton.com>; Douglas E. Huff <douglas.e.huff@gmail.com>; Paul Saputo <paul@saputo.law>; Stephanie Alvarado <stephalva211@yahoo.com>; Gonzalo Serrano <gonzalo@serranolawtexas.com>; Alison Grinter <alisongrinter@gmail.com>; Sorsha Huff <sorsha.huff@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

Deandra Grant <deandra@hgtexas.com> Mon, Nov 15, 2021 at 4:21 PM
To: Nnamdi Ekeh <nnamdi@ekehlaw.com>
Cc: Katie Bishkin <kbishkin@gmail.com>, "Monique J. Bracey" <mjbracey.law@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

I think all these letters - with the exception of this supplement - be posted on our public Facebook page as open letters.

Sent from Deandra's DWI Mobile Command

On Nov 15, 2021, at 4:14 PM, Nnamdi Ekeh <nnamdi@ekehlaw.com> wrote:

[Quoted text hidden]

Monique J. Bracey <mjbracey.law@gmail.com> Mon, Nov 15, 2021 at 4:34 PM
To: Deandra Grant <deandra@hgtexas.com>
Cc: Nnamdi Ekeh <nnamdi@ekehlaw.com>, Katie Bishkin <kbishkin@gmail.com>, Amanda Branan <brananlaw@gmail.com>, Sheridan Lewis <sheridan@udashenanton.com>, "Douglas E. Huff" <douglas.e.huff@gmail.com>, Paul Saputo <paul@saputo.law>, Stephanie Alvarado <stephalva211@yahoo.com>, Gonzalo Serrano <gonzalo@serranolawtexas.com>, Alison Grinter <alisongrinter@gmail.com>, Sorsha Huff <sorsha.huff@gmail.com>

ADAs had their chance. They could have filled anonymously with the bar but they were more interested in not making waves at work than their ethics. These are not bad people, but prosecutors have a higher ethical standard to seek justice and protect the law. This whole lets just get along and forget about 1) Defendant's rights and 2) other cases this could be happening in is a problem.

Let bar figure it out. Don't we have an ethical duty to report at this point?!?

I'm not trying to hang these guys out to dry but time to report is miles in their rear view and we still have no action and lame promise of investigation

Monique J. Bracey Huff
Monique J. Bracey, Attorney at Law, P.C.
(214) 785-6259 Office
(972) 759-9761
MJBracey.law@gmail.com

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[Quoted text hidden]

Exhibit 7

Also, as a side note, this issue has made clear some areas where we need some additional procedures and clarifications in the bylaws. For instance, time, place and deadlines to have special meetings. Hopefully we can all agree to tackle bylaws at the board retreat again.

Sent from my phone. Please excuse any typos.

On Tue, Nov 16, 2021, 5:41 PM Douglas Huff
<douglas@defenseisready.com> wrote:

Good afternoon Everyone!

“I heard it from a Judge”. Okay, again we are playing secrets with Board information. Which Judge? An actual draft of the grievance or just that the grievance is happening? Why the hell is everything being kept secret from the board?

As for the fact there are letters, a grievance, anything, WHY IS THIS SECRET? We should be sharing this information. Who are we protecting? Who are YOU protecting? We would still be tiptoeing around the Zoom issue with Givens but for Deandra blowing that up. She was right to do it. Every letter Deandra has written should be shared on the DCDLA Facebook group. Our Board shouldn't be hiding information from each other and we should be informing the Defense Bar. We should not be trying to hide information or sweep stuff under the rug. More than one of us has asked for the Affidavit from the Defense Attorney but you aren't sharing? Why?

Friday at 4:00pm for the Special Meeting? That's CLEARLY an attempt to prevent a quorum and to delay any questioning of what is happening here. Especially after the information provided by board members on availability. Even if anything could be accomplished, it conveniently will have to wait until

after the weekend. What are YOU hiding?

We don't have a contract on the Christmas Party venue. This was poorly planned and now in a rush we are spending more money than people pay in dues for a year! We don't have a contract for a DJ. We don't have a contract for the photo booth. We don't know the food costs. We don't know if there are any service fees per the contract. This party is supposed to happen in 3 weeks! We normally take months and months to plan. We have Sponsors, Raffle Tickets, a Silent Auction, all to offset costs and raise money for a charity. If your argument is that the Board voted to give you unlimited resources and funds and we just have to go with it then I am asking for an immediate halt to any Christmas Party spending and a re-vote according to the bylaws. I will be presenting a motion to abandon the board's previous decision.

Sec. 11.4. Re-Voting. If the Board of Directors has properly voted on an issue with a quorum present, such decision shall not be voted upon again at subsequent board meetings unless a board member makes a motion to abandon the board's previous decision, the motion is seconded, and, with a quorum present, a majority favors abandoning the previously voted upon decision. If the motion to abandon the board's previous decision fails, the previous decision stands, and another vote on the issue will not occur within the calendar year.

I've asked for the following to be on the Agenda:

- Givens Zoom Gate
 - Letters from Deandra
 - Letters to which Parties
 - What additional actions should be taken
 - A review of the Affidavit of the Defense Attorney
- Open Courts Letter to be Signed
- Holiday Party
 - What are the specific and total costs
 - What are the contracts
 - What are the conditions
 - § Bar times
 - § Food
 - A re-vote according to the Bylaws

Douglas E. Huff

Exhibit 8



2022 DCDLA Board



Oct 21, 2021 at 4:22 PM



Deandra

Where are we on the Givens bond hearing rumor?



Deandra

Should we ask the list serve?



Amanda Branan

I called Kristen Jackson but did not hear back. I'll reach out again. Doug and Gonzalo, did y'all find out anything from Eddie or Blake?



Amanda Branan

Let's hold off for a little bit from posting on listserve and see if we get anywhere from asking the DAs



Alison Grinter

I think Blake is the most likely candidate



Deandra

This is not a secret. Tim Jeffery was in the workroom today telling them DCDLA is filing a grievance over it



Deandra

And the DA's acted as if it's a on known fact that it happened.



Sheridan Lewis

We really need to try to track down details. The judicial complaint people said we can supplement our complaint



Send Message...





2022 DCDLA Board



2D



Sheridan Lewis

We really need to try to track down details. The judicial complaint people said we can supplement our complaint and/or add to their investigation at any time



Oct 21, 2021 at 4:38 PM



Amanda Branam

Tom Cox said he thought it was maybe clay smith. I talked to him and he said it wasn't him



Megan Roper

Without a first hand witness, there's not much we can do



Megan Roper

I think those DAs are putting their law licenses on the line by not reporting it



Megan Roper

A little fear combined with some public shaming can be a power tool...



Amanda Branam

I know it's out there but I just don't want it coming back that the ones who filed the grievance are putting it out there in writing and not being confidential. We can put it out there on the listserve but just don't reference the actual grievance.



Megan Roper



Send Message...





2022 DCDLA Board



Amanda Branan

I know it's out there but I just don't want it coming back that the ones who filed the grievance are putting it out there in writing and not being confidential. We can put it out there on the listserve but just don't reference the actual grievance.



Megan Roper

I think we post on the list serve and go hard....hell, I'll do it since I'm leaving if y'all want.



"We need anyone who has witnessed this to step forward. It is our position, as an officer of the court, you have an absolute duty to report this unethical and potentially illegal behavior."



Megan Roper

We don't have to say anything about the pending grievance



Oct 21, 2021 at 4:56 PM



Amanda Branan

I'll send it out later when I'm not in the car since you are leaving and won't be at the next board meeting for follow up



Oct 21, 2021 at 5:39 PM



Monique Bracey

Amanda i lime Megan posting! It has to be done. DAs aren't on listserve directly



Send Message...





2022 DCDLA Board



Monique Bracey

Amanda i lime Megan posting! It has to be done. DAs aren't on listserve directly so post to find defense attorneys who know something



Monique Bracey

We can be slow about this. This is a major ethics violation and illegal practice of law.



Amanda Branan

Talked to the DAs. It was Time Jeffrey. Just got off the phone with him. He is writing an affidavit to add to the grievance. The DAs are checking with their super chief if they can write an affidavit.



Amanda Branan
*Tim



Monique Bracey

Shame that they want to get permission to keep their bar card. Lets get permission to follow the ethics we all swear to uphold



Amanda Branan

I know but they are all scared to do anything.



Monique Bracey Huff

This message was deleted



Send Message...





2022 DCDLA Board



Amanda Branan

I know but they are all scared to do anything.



Monique Bracey Huff

This message was deleted

Oct 21, 2021 at 5:55 PM



Amanda Branan

I told them I will talk to their chief about it



Monique Bracey

Inaction is the ethics violation. They are prosecutors and they are allowing the illegal practice of law. Then they are doubling down to allow a non-lawyer, non-elected person to make judgment over a person



2



Deandra

It's not ok



2



Deandra

By the way, I told Creuzot



Deandra

And he's about to start asking questions.



1



Amanda Branan

Good!!!



Oct 26, 2021 at 2:10 PM



Monique Bracey



Send Message...



Exhibit 9

IN RE: THE HONORABLE AMBER
GIVENS.

REQUESTING THE DEPOSITIONS OF:

DEANDRA GRANT CLENDENIN,
AMANDA BRANAN,
TERESA HAWTHORNE, AND THE
DALLAS CRIMINAL DEFENSE LAWYERS
ASSOCIATION

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

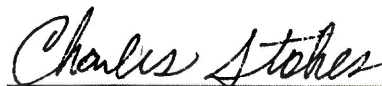
193rd JUDICIAL DISTRICT

**[PROPOSED] ORDER GRANTING PETITIONER'S VOLUNTARY MOTION FOR
ORDER OF DISMISSAL WITH PREJUDICE AND NOTICE OF NONSUIT WITH
PREJUDICE AS TO RESPONDENT TERESA HAWTHORNE**

The Court has considered Petitioner's Voluntary Motion for Order of Dismissal With Prejudice and Notice of Nonsuit With Prejudice as to Respondent Teresa Hawthorne, and GRANTS the Motion in its entirety.

It therefore is ORDERED, ADJUDGED, and DECREED that the Rule 202 Petition submitted by Petitioner as to Respondent Teresa Hawthorne in the above-captioned Rule 202 Petition is hereby DISMISSED, WITH PREJUDICE. Respondent Hawthorne and Petitioner shall bear their own costs and attorneys' fees in relation to this matter. Petitioner's Rule 202 Petition remains live as to the other Respondents.

SIGNED this 4th day of April, 2022.



JUDGE PRESIDING

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Angela Zambrano on behalf of Angela Zambrano
Bar No. 24003157
angela.zambrano@sidley.com
Envelope ID: 64510401
Status as of 5/16/2022 9:11 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Scott Palmer		Scott@scottpalmerlaw.com	5/13/2022 10:34:44 PM	SENT
Angela CZambrano		angela.zambrano@sidley.com	5/13/2022 10:34:44 PM	SENT
Mason Parham		mparham@sidley.com	5/13/2022 10:34:44 PM	SENT
TX E filing Notice		txefilingnotice@sidley.com	5/13/2022 10:34:44 PM	SENT
Nancy Cade		ncade@sidley.com	5/13/2022 10:34:44 PM	SENT
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Benjamin N.Kelton		bkelton@sidley.com	5/13/2022 10:34:44 PM	SENT
Nicole Knox	24069324	nknox@nicoleknoxlaw.com	5/13/2022 10:34:44 PM	SENT
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Crystal Clark		crystal.clark@sidley.com	5/13/2022 10:34:44 PM	SENT

Associated Case Party: DEANDRAGRANTCLEN DENIN

Name	BarNumber	Email	TimestampSubmitted	Status
Grant Gerleman		grant@scottpalmerlaw.com	5/13/2022 10:34:44 PM	SENT

Associated Case Party: AMANDA BRANAN

Name	BarNumber	Email	TimestampSubmitted	Status
Grant Gerleman		grant@scottpalmerlaw.com	5/13/2022 10:34:44 PM	SENT

Associated Case Party: DALLAS CRIMINAL DEFENSE LAWYERS ASSOCIATION

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Angela Zambrano on behalf of Angela Zambrano
Bar No. 24003157
angela.zambrano@sidley.com
Envelope ID: 64510401
Status as of 5/16/2022 9:11 AM CST

Associated Case Party: DALLAS CRIMINAL DEFENSE LAWYERS ASSOCIATION

Name	BarNumber	Email	TimestampSubmitted	Status
Grant Gerleman		grant@scottpalmerlaw.com	5/13/2022 10:34:44 PM	SENT