

OFFICE OF THE CHIEF DISCIPLINARY COUNSEL
STATE BAR OF TEXAS
GRIEVANCE FORM

GENERAL INFORMATION

I have not contacted the Client-Attorney Assistance Program. This complaint does not involve a dispute with my lawyer.

INFORMATION ABOUT YOU -- PLEASE KEEP CURRENT

Name: John Douglas Stone

Address: 2042 Country Club Estate Circle

City: San Angelo

State: Texas

Zip Code: 76904

Telephone numbers:

Residence: 409-658-2029

Work: 409-658-2029

Cell: 409-658-2029

Email: jstone@stonemoseley.com

I understand and write in the English language.

Are you a Judge? If yes, please provide

No

Court,
County,
City,
State:

INFORMATION ABOUT ATTORNEY:

This is a complaint about: Geoffrey Lloyd Harrison

Texas Bar Number: 00785947

Work Address: 1000 Louisiana Street, Suite 5100, Houston Texas 77002-5096

Work Phone Number: 713-653-7807

Position: Partner, Susman Godfrey, LLP

Have you or a member of your family filed a grievance about this attorney previously?

Yes ___ No X

If "yes", please state its approximate date and outcome.

INFORMATION ABOUT ATTORNEY'S REPRESENTATION:

Mr. Harrison represents the City of Houston in Cause No. 2014-44974; *Woodfill v. Parker; In the 152d District Court; Harris County, Texas.*

IF YOU DID NOT HIRE THE ATTORNEY, WHAT IS YOUR CONNECTION WITH THE ATTORNEY? EXPLAIN BRIEFLY:

Mr. Harrison volunteered to represent the City of Houston in a highly controversial litigation matter that has gained international notoriety because of the salacious nature of the underlying issue – the so-called "Houston Homosexual Bathroom Law", also known as the Equal Rights Ordinance (ERO). In that capacity Mr. Harrison engaged in reprehensible ethical misconduct that immediately captured the international publicity and sparked a firestorm of outrage and protest across the nation. As a retired lawyer with more than 30 years of civil litigation experience, I formed the steadfast belief that Mr. Harrison's actions raise serious questions about his fitness to practice law in Texas.

ARE YOU CURRENTLY REPRESENTED BY AN ATTORNEY IN CONNECTION WITH THIS COMPLAINT?

YES ___ NO X

If yes, please provide information about your current attorney:

INFORMATION ABOUT ANY IMPAIRMENT FOR THIS ATTORNEY:

I have no knowledge concerning any mental impairment of this attorney, nor any information regarding any possible substance use or abuse for this attorney.

INFORMATION ABOUT YOUR GRIEVANCE:

Where did the activity you are complaining about occur?

County: Harris County

City: Houston, Texas

If your grievance is about a lawsuit, answer the following, if known:

Name of court: 152d District Court, Harris County, Texas

Title of the suit: Woodfill v. Parker

Case number: Cause No. 2014-44974

Date suit was filed: August 5, 2014

If you are not a party to this suit, what is your connection with it? Explain briefly.

I am a member of the Texas State Bar, a veteran, a Christian, and an American citizen. I fought for this country for more than 12 years, on three continents, at the height of the Cold War and the height of the “hot war” in Southeast Asia. I did not sacrifice for this nation to watch an out-of-control, ivory-tower, Houston lawyer attack the Christian church and the fundamental American freedoms that set this nation apart from the failed socialist/communist, American wan-a-bees around the world.

If you have copies of court documents, please attach.

PLEASE NOTE: A FILE WITH “ZIP” DOCUMENTS WAS PREVIOUSLY SUBMITTED TO YOU VIA YOUR ONLINE COMPLAINT FORM. THE INFORMATION BELOW REFERS TO THE SAME DOCUMENTS

<https://www.dropbox.com/s/8mo7i0aelsqtyso/RECORD%20-%20TxSCt%20Mandamus%20File.zip?dl=0>

This is a link to a condensed “zip” file. The file contains the official “Record” filed with the Texas Supreme Court in Cause No. 14-0667; *Woodfill v. Parker*; *Petition for Writ of Mandamus*. All of these documents support this Complaint.

Explain in detail why you think this attorney has done something improper or has failed to do something which should have been done.

WHAT DID THE LAWYERS DO WRONG

Overview of the Complaint.

Geoffrey L. Harrison (hereafter *Harrison*), is the target of this complaint. Harrison is a Partner, with the mega-law-firm of Susman Godfrey, LLP. *Harrison* has seriously violated his public oath of office, numerous rules of ethics, several criminal and civil statutes, and the sacred public trust granted to him when he was admitted to practice law in the State of Texas.

Harrison was an eager volunteer in a vicious political war being waged all across this nation today. The strategic objective of that “Progressive” war is to extinguish our most cherished, time-honored, traditional American and Judeo-Christian values in exchange for a new and uncertain secular, socialist, anti-life, anti-faith, anti-democratic, all-controlling, massive government bureaucracy. The emerging tactic-of-choice for this insurgency is the large-scale abuse of government power to attack and punish any citizen who dares to oppose this cancer on our heritage. The ATF, the NSA, the IRS, the INS, and now closer to home, the new assault team leader, *Harrison*, have one thing in common. If you step out of line; if you dare to speak out in opposition; if you try to resist the abuse of government power, then you immediately become a target for elimination.

In September of this year, *Harrison* un-holstered his law licenses and took dead aim at some of the most innocent, helpless and legally unarmed targets he could find – Christian Church

Pastors¹. His callous attack on a handful of God-fearing clergymen who had the courage to try to fight City Hall was completely unjustified, illegal and glaringly unethical. It served no purpose other than to broadcast a nation-wide message of hate and terror designed to scare into silence and inaction the vast majority of mainstream Americans who oppose the radical policies of the far, far political Left in this country. As surely as ISIS, or al-Qaeda, or the Taliban use terror, fear, threats, and public demonstrations to impose their nauseating social order on the masses, *Harrison* clearly set out to teach the uppity Church Pastors a lesson neither they, nor the legions of legal non-combatants watching across America, would quickly forget.

Given the patently malicious intent behind his flagrant disregard of 1) the Texas Disciplinary Rules of Professional Conduct, 2) our criminal and civil laws, and 3) the federal and state Constitutions he swore an oath to support; and considering the sheer magnitude and nation-wide impact of his assault on the very foundations of our republic, he should be disbarred by this tribunal in order to protect the citizens of Texas and the general public from any further attacks by this shamefully unethical lawyer, and to send a clear counter-message to any other misguided Texas lawyers who might think about jumping into this immoral jihad just to curry favor with those who are temporarily at the reins of government power.

Relevant Background

The Mayor of Houston, Annise Parker, recently proposed certain radical new social legislation for the City of Houston. It is a matter of wide-spread public knowledge that the Mayor is openly homosexual. The central purpose of her new ordinance was to impose fines and criminal charges on any businessman, contractor, or operator of any sort of public facility if they tried to prevent homosexuals, or transgenderites, or cross-dressers, or any other sort of people who claimed they were confused about their gender, from freely using any public facilities that were traditionally classified as to gender, such as public restrooms, regardless of their actual biological gender.

The ordinance was called the Equal Rights Ordinance (ERO). Immediately following the adoption of ERO by City Counsel, public clamor against the ordinance began among the citizens of Houston. A number of social groups, including several Christian churches, spoke out strongly against the enactment and encouraged Houston citizens to sign a Referendum Petition (the Petition) in accordance with the provisions of the Houston City Charter (the Charter). That Petition, with more than 55,000 signatures on it, was duly served on the City in a timely manner. The City Secretary, as required by the Charter, quickly certified that a sufficient number of valid signatures appeared on the petition, which should have ended the matter at that point. By law, once the City Secretary validated the petition, enforcement of the ordinance was immediately stayed, and the City Council had the option of rescinding the ordinance or placing it on a ballot so all the citizens of the City of Houston (the City) could vote on it directly.

Given the vigorous opposition already voiced by the people of Houston, the Mayor, together with her City Attorney, realized that her hand-crafted legislation was in serious jeopardy. At that point, the Mayor and the City Attorney, without any lawful authority, openly interfered with the routine validation process specified in the Charter. The City Attorney claimed that numerous pages of the Petition were invalid for a variety of reasons, none of which were supported by the

¹ The targets included Pastor Hernan Castano, Ms. Magda Hermida, Pastor Khan Huynh, Pastor Steve Riggle, and Pastor David Welch, all of Houston, Texas.

explicit provisions of the Charter. Moreover, neither the Mayor nor the City Attorney was given a role in the verification process under the terms of the Charter. Nevertheless, the Mayor and City Attorney issued a public proclamation in the form of a press release in which they declared the Petition invalid, and thus the Mayor's pet legislation became the new law of the land in Houston. In short, the City simply moved the goal posts after the fact, and without any lawful authority to do so.

Several individuals who helped draft and circulate the Petition, immediately sued the City, the Mayor, and the City Secretary for declaratory and injunctive relief (the Injunction Lawsuit). **The central issue in that suit, indeed the only issue in the suit, was whether a sufficient number of valid signatures were affixed to the Petition.**

The Underlying Injunction Litigation.

The Injunction Litigation is shockingly simple. A first year law school student at a third rate law school could easily identify the issues in the case. To begin with, the City passed a controversial ordinance. Some residents wanted the ordinance repealed. The specific procedure to repeal any new ordinance is fully set out in the Charter. The process calls for a "Referendum Petition" to be filed with the City within a certain time limit. That petition must contain a minimum number of valid signatures from qualified City voters. The Charter spells out the method for calculating the exact number of signatures required. The Charter also prescribes the format for the petition including the information that must appear on the petition for each person who signs it. In short, everything anyone ever needed to know about repealing an ordinance was spelled out in the City Charter – as a matter of law.

In this case, a Petition was promptly circulated and over 55,000 signatures were obtained. The Petition was filed with the City, and everyone agrees it was timely. As soon as it was filed, the City Secretary had a ministerial duty to calculate the exact number of signatures required for the Petition to be valid. That number was 17,269, and everyone agrees that figure is correct. The only remaining question was whether or not a sufficient number of the signatures on the Petition were, indeed, valid. Once again, it was the sole and exclusive duty of the City Secretary to review each signature and certify the total number of valid signatures on the Petition. This is where the dispute arose.

The City Secretary examined the signatures on the petition, but once she found more than enough verified signatures to pass the minimum necessary, she and her staff ceased their work. There were more than 35,000 signatures on the petition that were never examined or verified. The City Secretary, who has held that job for more than 40 years, felt it was unnecessary to go any further beyond the minimum threshold.

In a letter to the City Council, the City Secretary "Certified" that more than enough valid signatures were presented. However, in the same letter, the City Secretary went on to comment that she had been told by the City Attorney that some of the pages of the Petition were not in proper format and the signatures on those pages should not count toward the total. The City Secretary did not "de-certify" her previous "Certification". In fact, she persisted in her position that there were a sufficient number of valid signatures on the petition, so once again no one took time to examine the 35,000 additional signatures. The City Secretary merely included the

comments from the City Attorney in her letter. However, a few days later, the Mayor and the City Attorney called a press conference and simply announced that they were declaring the Petition invalid. Of course, the Charter clearly designated the City Secretary as the only official authorized to Certify such a petition – and not the Mayor or City Attorney.

Almost immediately, the Injunction Litigation was filed. The Original Petition filed in *Cause No. 2014-44974; Woodfill v. Parker; In the 152d District Court; Harris County, Texas* was simple, well written, and straight forward. The plaintiffs were men who had signed the Petition and were registered City voters. The suit sought declaratory and injunctive relief. Basically, the plaintiffs claimed the Petition was valid and that the Mayor and City Attorney had no legal authority to void it. All of the relevant provisions of the Charter were addressed in the Original Petition and all of the other documents needed for the trial court to adjudicate the entire matter were filed with the Court.

The Injunction Litigation was one of those extremely rare cases where there were no thorny fact issues to debate (who had the *red light*, etc.). No legal mumbo-jumbo or mental gymnastics were required. No discovery of any kind was called for. Absolutely no testimony at all from any witness was required, or for that matter, *permitted* under the applicable rules of court. The case is still pending, but a Petition for Writ of Mandamus in this matter is also pending before the Texas Supreme Court.

The trial court actually has two options to resolve the Injunction suit. Under option one, the trial court could simply decide as a matter of law that the Mayor and the City Attorney had no authority to interfere in the Certification of the Petition under the express terms of the Charter. In that event, the City Secretary has already Certified that a sufficient number of valid signatures did, in fact, appear on the Petition, so the matter would be resolved. The referendum process would proceed with repeal of the ordinance, or a referendum election would be scheduled as specified in the Charter. Case over.

Under option two, the trial judge simply has to read the Charter to see what information was required from each person who signed the petition in order to be a valid signature. Then, the trial judge can review the Petition to see if there are a sufficient number of valid signatures on the Petition, using the number of required signatures as previously certified by the City Secretary (17,269). If there are enough signatures; case over. If not; case *still* over. Either the Petition is valid or not. End of story.

The Injunction Litigation is a “documents case”. The Charter, the Petition, and the Certification Letter constitute the only material and relevant evidence the Court needs to adjudicate the matter.

Clearly, there is no place in either version of the Injunction Litigation for the introduction of extraneous documents dealing with how Houston pastors or their congregations feel about the Mayor, personally; or their disdain for her ERO; or their views on homosexuality in general; or their displeasure with alleged gender confusion; or the proper etiquette for public restroom occupancy; or the who, how, why, when, where and with what money, the free citizens of Houston, Texas, went about circulating the Petition. The Petition is the Petition. The signatures are the signatures. The Charter is the Charter. The law is the law. And, the limited legal issues

before the trial court are strictly confined to discerning the number of valid signatures on the Petition, unless the trial judge decides the Mayor and her City Attorney had no legal authority to interfere with the certification process.

In other words, the Injunction Litigation is not a 21st century *Scopes Monkey Trial* about God's view of Mayor Parker's homosexuality. Nor is it about the logic or merits of compelling every heterosexual person in Houston, Texas, to share public restroom facilities with homosexuals and folks who claim they don't even know what sex they are. But, you would never know that by reading the outrageous Subpoenas that *Harrison* concocted and served in the Injunction Litigation on several non-party Christian Pastors who had the courage to try to stand up for their beliefs against the Mayor and her radical social/political proposals.

The Harrison Attack on Freedom and Liberty.

Shortly after commencement of the Injunction Lawsuit, *Harrison* and Mayor Parker conspired to attack the dissenters who organized the primary protest against the ERO. Together they contrived, authored, filed and served overwhelmingly abusive and outright unlawful so-called "third party" discovery on five of the most prominent religious opposition leaders. These were clergymen; Christian Pastors, who had openly voiced opposition to ERO and the Mayor's radical anti-Christian agenda. These carefully selected targets had absolutely no connection whatsoever with any of the pending legal issues in the Injunction Litigation. Furthermore, the documents *Harrison* demanded in his Subpoenas were, likewise, legally immaterial, irrelevant and had no logical relationship whatsoever to the legitimate justiciable issues of law controlling the underlying Injunction Litigation case. That bears repeating. The Subpoenas were completely unjustified. Their sole purpose was to attack and punish the people who opposed the Mayor!

Harrison demanded every scrap of paper the Christian Pastors had – including transcripts of **all of their sermons** - dealing with the Churches' views on homosexuality or gender confusion, or equal rights, or use of a restroom, or the personal views held by the Christian Pastors toward the Mayor, the City Council, the City Secretary, and so on. An exemplar of the malicious Subpoenas is attached. It is self-evident that none of the documents or other material specified in the Subpoena served any legitimate purpose in the Injunction Litigation. The crystal-clear motive for serving a useless, 16 page Subpoena – **complete with a bold print threat to have the Christian Pastors thrown in jail**² – was to harass, intimidate, and strike fear of reprisal into the heart of every person anywhere who might ever think about standing up against government's abuse of power.

² Text from Page 2, Attachment A, to each subpoena:

"YOU ARE COMMANDED to appear and produce and permit inspection and copying of the documents identified in the attached "Exhibit A" at the offices of SUSMAN GODFREY LLP, 1000 Louisiana Street, Suite 5100, Houston Texas 77002, on October 10,2014 by 5PM.

CONTEMPT: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH." (bold emphasis in original).

The truth of the matter is that absolutely no formal discovery of any kind whatsoever was justified or lawfully permitted in the Injunction Litigation under the Texas Rules of Civil Procedure, given the nature of the case and the evidence already before the court. Every legitimate issue in the Injunction Litigation related strictly to the documentary evidence already tendered to the trial Court as part of the original pleadings. Nothing more was needed, or permitted. Nevertheless, and despite the fact that they were not even parties to the Injunction Litigation, Harrison demanded, under threat of imprisonment and fines, that the Christian Pastors immediately produce volumes of utterly extraneous, irrelevant, and unquestionably privileged documents that would never be admissible in the Injunction Litigation, nor would any of that material calculably ever lead to the discovery of any admissible evidence in the Injunction Litigation.

There is no room for debate. The Christian Pastors were specifically targeted by Harrison solely because they exercised their guaranteed fundamental right to voice their opposition, and to encourage others to voice their opposition to the ERO and to the Mayor's flagrant abuse of power in aid of her personal homosexual agenda. Harrison knew all along that the Christian Pastors were guaranteed those rights under the Bill of Rights of the U.S. and Texas Constitutions, along with various federal and state civil and criminal statutes. It is simply unthinkable that any Texas lawyer would be so arrogant, so callous, and so unethical as to viciously attack Christian clergy through a perverted use of the Texas legal system merely because they spoke out in opposition to something they saw as a radical new government policy sanctioning conduct deemed by their faith to be sinful and a violation of their Holy scripture. A law license is not a weapon to be used to silence political debate. A discovery subpoena is not a tool to be used to criminalize political opposition. Harrison's abusive use of the legal process is worse than despicable. His conduct violates every principle for which the Texas State Bar stands.

Some may argue this complaint is all about a simple abuse of routine discovery in a civil case, but that would be like saying the attack on New York's World Trade Center on 9/11 was just an aviation incident. The despicable abuse of power that has prompted this complaint was, in fact, a carefully calculated, strategic attack by a well-funded Texas lawyer on our most cherished fundamental American liberties, including freedom of speech, freedom of religion, freedom of association, freedom to assemble, freedom to petition for redress, and freedom from the tyranny of an out-of-control government and its vicious army of unethical lawyers. Make no mistake; this engagement was a major attack in an ongoing nation-wide war for the soul of America.

Sadly, we all see acts of terror around the world every day. We recognize the pattern immediately. Well-armed cowards launch carefully planned sneak attacks on unsuspecting, innocent, unarmed, non-combatants; and the self-evident motive is to inflict horrific injuries in an effort to frighten, intimidate and terrorize an entire society and scare them into silence and submissiveness. There is no question that the lawyer named in this complaint volunteered to use his Texas law license as the primary weapons of terror, not just against the citizens of Houston, Texas, but in such a manner that the entire nation would take note that anyone who dares to oppose a far Left, radical, anti-American, political and social agenda will become targets and quickly find themselves as casualties of war. If there could be any doubt about the malicious motives behind this attack, the conspicuous fact that the targets in this case were churches and

clergy – places and people traditionally associated with safety and sanctuary – serves to amplify and confirm the wretched contempt this lawyer showed for his oath of office, the Disciplinary Rules for Professional Conduct, and the special place lawyers hold in the fabric of society in Texas.

The Harrison Discovery Weapon.

Lawyers are fond of telling juries that, “documents speak for themselves.” In this case, the *Harrison* Subpoenas say volumes about the vindictiveness and the retaliatory motivation behind his flagrant abuse of discovery in this matter. “Motive” is rarely proven by “direct” evidence. People usually don’t wear a tee shirt that says, “*We hate you and what you stand for, so we want to do everything we can to hurt you and show everyone watching the price they will pay if they cross us.*” That sentiment is, however, the precise message sent to the entire nation by the *Harrison* discovery attack on the Christian Pastors in this case.

The “circumstantial” evidence in support of that premise is, however, overwhelming. The illegitimate motives behind the subpoenas can be conclusively established by simply looking at the near-childish format of the Subpoena, and by examining the bizarre information actually requested from the pastors by *Harrison*.

First, the actual content of the Supoena and *Harrison*’s demand for documents is so amateurish in its construction, its wording, and its rambling scope, that it is clear this was never intended to be a serious discovery attempt. This work-product is from a mega-firm with unlimited resources, yet the actual Subpoenas are thoroughly unprofessional. A first-year paralegal could craft a more effective document request.

Second, the nature and scope of the documents demanded is frankly silly and ridiculous. *Harrison* demanded unlimited quantities of documents concerning absolutely nothing of any value to the actual Injunction Litigation. The Subpoenas each contain an idiotic shopping list of nonsensical document demands that could best be described as legal “junk mail”. The material sought in the Subpoenas is so far outside any legitimate issues in the Injunction Litigation, no one could possibly claim that *Harrison* really needed that information in order to prepare and present his client’s defense at trial.

It is completely irrational to think, for instance, that the presiding judge of the 152d District Court would ever allow a non-party Christian Pastor to sit on the witness stand in a “documents case” and ramble on about God’s position on homosexuality; followed by the pastor’s personal view on sharing a public restroom with the “gay” Mayor; followed by some accountant offering testimony about the finances and expenses incurred by the people who engaged in a lawful, constitutionally protected, petition drive to repeal the ERO. That’s a Saturday Night Live script, not a defense to a charge of *ultra vires* misconduct, or the proper calculation of valid signatures on a formal document.

Nevertheless, the *Harrison* Subpoena demanded to know what the Christian Pastors have read, written, discussed, filed or in any other manner recorded, or how they personally think or feel, or any comments they might ever have made or written down about the Mayor, or the City Attorney, or the City Secretary, or homosexuality, or gender assignment, or civil rights, or equal

rights, or restroom access, or the ERO and any drafts of the ERO, or the ERO's impact on restroom access, or the Referendum Petition, or the Injunction Petition, or Texas law, or Houston municipal law, or any of the 55,000 individual people who signed the Referendum Petition, or any of the persons who circulated the Referendum Petition, or any of the people who notarized any of the affidavits on the Referendum Petition, or any payments made to any persons, or any conversation they may have had with any member of their congregation regarding the ERO, or the Petition, or the Injunction Litigation, etc., etc.

Every single document responsive to the Subpoenas would be irrelevant, immaterial, and inadmissible in the Injunction Litigation. No matter how you try to twist it, there is no issue in that lawsuit concerning what any Christian Pastors have read, written, discussed or otherwise recorded, or how they think or feel about any conversation they may have had with any human being regarding any of the rambling list of activities and documents cobbled together in the offending Subpoenas.

Add to that the fact that the Pastors had no part of the Injunction Litigation – they are “strangers” to the case. Plus, the Injunction Litigation does not require any written discovery at all – even from actual parties to the lawsuit. And finally, even though there were several opposing parties in the lawsuit, Harrison elected to resort to “third-party” discovery to attack the Pastors. None of that makes any sense, unless the underlying motive was actually revenge, retribution, pay-back, threat, intimidation, or retaliation. If it looks like a duck, walks like a duck, and quacks like a duck...it's most likely a duck!

Harrison's motive for attacking the Pastors is indisputable. It was a shot across the bow for all to see. Stand up, fight back, complain, or protest and you'll spend all of your time and all of your money in court against an army of deep-pocket lawyers like Harrison.

Withdrawal of the Subpoenas.

On October 29, 2014, press reports state that the Mayor instructed her lawyers to withdraw the Subpoenas which form the basis for this complaint. It should be noted that the Pastors are represented by the Alliance for Freedom, a major national group dedicated to protecting churches from abuses of government at all levels. The Alliance filed a Motion to Quash all the Subpoenas, and that motion echoed the basic position in this complaint - the Subpoenas violated Texas discovery rules because they sought documents completely irrelevant to the underlying litigation. Rather than loose at the hearing and face possible sanctions and attorney's fees, the Mayor called for a surrender and retreat. Frankly, the take-away from this latest action is an admission by the City, the Mayor, and her lawyers that none of the materials demanded in the withdrawn Subpoenas were, in fact, necessary, relevant or admissible in the Injunction Litigation. That case is, after all, still pending.

VIOLATION OF THE RULES³ AND OATH OF OFFICE

A lawyer is an officer of the legal system and a public citizen having special responsibility for the quality of justice. Lawyers, as guardians of the law, play a vital role in the preservation of society. The fulfillment of this role requires an understanding by the lawyers of their relationship

³ All references to a “Rule” refer to the Texas Disciplinary Code of Professional Conduct.

with and function in our legal system. A consequent obligation of lawyers is to maintain the highest standards of ethical conduct. **A lawyer's conduct should always conform to the requirements of the law, and a lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others.** (Source; *Preamble to the Texas Disciplinary Code of Professional Conduct*).

Harrison violated Rule 4.04

Lawyers are strictly forbidden from using civil discovery subpoenas as a terror weapon in order to bully, intimidate, threaten, scare, harass, and inflict financial injury on churches, pastors, or any other person or civic group, especially when the targets of those subpoenas are not even parties to the underlying lawsuit.

“In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.”

Rule 4.04(a), TDRPC.

Embarrass, Delay or Burden

In this case, there was no legitimate legal basis whatsoever for propounding written discovery to anyone in the underlying litigation, especially to non-party Christian churches and pastors.

Given the facts of the underlying case, the self-evident motives for targeting the particular pastors herein included intimidation, coercion, revenge, retaliation and punishment for opposing the Mayor, her agenda, and her personal ordinance, the ERO. The unwarranted act of preparing and serving 16 page subpoenas on innocent bystanders to the underlying litigation highlights the malice of the lawyer-violator named herein. The mindlessness of the specific documents sought in those subpoenas confirms the malevolence behind the attack on the pastors; 16 pages demanding volumes of inadmissible, irrelevant, immaterial, non-discoverable, privileged documents, including pastor-penitent communications, the mental impressions of clergy, and the content of every Holy text consulted by religious leaders in preparation for conducting Holy services in their respective churches.

From a strictly legal perspective, perhaps the worst offense of all was a demand for every conceivable writing or document in which the pastors discussed, mentioned, commented, or otherwise thought about such wildly irrelevant items as 1) the Mayor, 2) homosexuality, 3) the Mayor's hand-crafted pro-homosexual, anti-Christian ordinance [the so-called ERO]. As if a pastor's personal or biblical opinion of the Mayor, the ordinance, or homosexuals in general would ever see the light of day inside a Texas courtroom in a case where the underlying lawsuit consists exclusively of pure law, involving nothing more than the court's examination of three or four official documents.

The brazen and shameless abuse of the subpoena power by this lawyer was expressly intended to inflict immediate and direct harm on the Christian opposition leaders who had been active in a lawful City-wide effort to repeal the ERO. The self-evident goal of this lawyer for punishing the designated churches and pastors was to instill fear, frighten, intimidate and coerce silence and

submissiveness from the church leaders who opposed the Mayor and her attempt to inflict her own personal homosexual agenda on all of the residents of Houston. This out-of-control Texas lawyer clearly manifested an additional motive for his malice; that being to gain national media attention by firing a shot across the bow of the entire population of Houston, the State of Texas, and the United States. If you Google such items as “*Houston attacks churches*”, you will discover several millions web items. The message was unmistakable. If you attempt to exercise your constitutional rights of free speech, religion, assembly, or petition, you will be targeted by huge, well-funded, elephant-sized, international law firms who will bury you with legal expenses and have you arrested, fined, and thrown in jail if you slip up or fail to negotiate the labyrinth of legal traps they will set for you.

The message *Harrison* intended is, and rightfully ought to be, offensive to every lawyer, every judge, and every freedom loving citizen throughout Texas and across the nation. Moreover, the brutal abuse of discovery by this lawyer constitutes a deliberate violation of fundamental and constitutional rights held not only by the targets of the subpoenas, but by every other citizen across America.

Violation of Legal Rights

Harrison, the City, and the Mayor knew exactly what they were doing when they huddled and decided to attack the opposition Christian groups who spoke out against the ERO. The Mayor, herself, went public with an infamous Tweet immediately after it became wide-spread knowledge via the national press that *Harrison* had subpoenaed the records of Christian pastors, especially including their sermons. She has been quoted as saying that any pastor who opposes her homosexual agenda from the pulpit has become “fair game”. Apparently it did not matter to the Mayor, or the City or *Harrison* that the pastors had an absolute right to take an active role in raising public awareness about the ERO. In fact, the scheme these culprits concocted was specifically designed to trample all over the legal rights held by the pastors under our federal and state constitutions, federal and state criminal and civil statutes, and under the common law of Texas – all in violation of Rule 4.04 TDRPC.

Acting more like a mob or a street gang than elected government officials and professional attorneys, *Harrison*, the City, and the Mayor (as the chief executive for the City of Houston), violated the protections guaranteed to the pastors under the First Amendments of the U.S. Constitution (acting through the 14th Amendment), including freedom of speech, freedom of religion, freedom of assembly and association, freedom to petition for redress of grievances; The Texas Constitution, Section 6, *Freedom of Worship*⁴; and Section 8, *Freedom of Speech*⁵; Title 18, U.S.C., Section 241, *Conspiracy Against Rights*⁶; Title 18, U.S.C., Section 242, *Deprivation*

⁴ Texas Constitution, Sec. 6. FREEDOM OF WORSHIP. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship....”

⁵ Texas Constitution, Sec. 8. FREEDOM OF SPEECH. Every person shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever be passed curtailing the liberty of speech or of the press....”

⁶ Title 18, U.S.C., Section 241, *Conspiracy Against Rights*. This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same).

*of Rights Under Color of Law*⁷: Title 42, U.S.C. Section 1983, *Civil Action for Deprivation of Civil Rights*⁸: and common law civil actions, such as *Abuse of Process*.

Harrison violated his Oath of Office.

Every lawyer in Texas is required to take an oath of office before they are granted the privilege of practicing law in this state, even those who never attended a law school in Texas, such as *Harrison*.

I do (swear or) affirm that I will support the Constitution of the United States, and of this State; that I will honestly demean myself in the practice of the law, and will discharge my duties to my clients to the best of my ability (so help me God).

Harrison swore to support the constitutions of the U.S and Texas. However, on behalf of the government, he viscously attacked Texas citizens who were merely trying to exercise their most fundamental and sacred liberties, guaranteed by both our federal and state constitutions. The First Amendment to the U.S. Constitution guarantees freedoms concerning religion, expression, assembly, and the right to petition. Acting through the 14th Amendment to the U.S. Constitution, it forbids state government action (which includes the Mayor, the City, and its battery of lawyers) that restricts an individual's religious practices. It also guarantees freedom of expression by prohibiting state governments from restricting the rights of individuals to speak freely (or punishing them if they try to do so). It also guarantees the right of citizens to assemble peaceably and to petition their government. The Texas Bill of Rights contains similar protections for freedom of worship, freedom of speech, and the right of assembly and to petition government for the redress of grievances.

Harrison violated Rule 8.04.

Lawyers are strictly prohibited from violating the Rules or knowingly assisting or inducing another to do so, or to do so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship. Lawyers are strictly prohibited from engaging in conduct involving dishonesty, fraud, deceit or misrepresentation. Lawyers are strictly prohibited from violating any other laws of this state relating to the professional conduct of lawyers and to the practice of law.

⁷ Title 18, U.S.C., Section 242, *Deprivation of Rights Under Color of Law*. This statute makes it a crime for any person acting under color of law, statute, ordinance, regulation, or custom to willfully deprive or cause to be deprived from any person those rights, privileges, or immunities secured or protected by the Constitution and laws of the U.S. The scope of this statute specifically includes, in addition to law enforcement officials, individuals such as Mayors, Council persons, Judges, Nursing Home Proprietors, Security Guards, etc., persons who are bound by laws, statutes ordinances, or customs.

⁸ Title 42, U.S.C., Section 1983. "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, ...".

Harrison violated Rule 5.08

A lawyer is strictly prohibited from using his privilege to practice law in Texas to single out and attack Christians or heterosexuals by words or deeds as part of an adjudicatory proceeding.

“A lawyer shall not willfully, in connection with an adjudicatory proceeding, ... manifest, by words or conduct, bias, or prejudice based on race, color, national origin, religion, disability, age, sex, or sexual orientation towards any person involved in that proceeding in any capacity.”

It is the absolute pinnacle of irony that Mayor Parker, the City of Houston, and all the lawyers claiming to represent them are guilty of a flagrant violation of the precise type of discrimination they pretend to abhor in the so-called Equal Rights Ordinance they champion. The *sine-quo-non* of that ordinance is that people who think differently should not be singled out and treated disparately by others. Yet, that is precisely what the offensive Subpoenas in this matter are all about. *Harrison* singled out those who disagreed with his client’s radical, anti-social, anti-equality, anti-American, anti-Christian, and quite frankly, stupid and illogical⁹ “*brave new world*” ordinance. According to the facts of the case, it appears that anyone who actively opposes the *new-order* homosexual agenda, no matter how long-standing, wide-spread, or heart-felt that religious belief might be, must be punished for their beliefs – especially if they are Christians. In that regard, it is conspicuous that not one Muslim, or one Islamic Mosque, or a single Imam was subjected to the ire of the sexual-revolution vigilante lawyers in this matter – just Christians. It is wide-spread common knowledge that Islam has no tolerance whatsoever for homosexuality. The sentence is death. Surely out of 55,000 signatures on the petition, at least one Muslim signed up to repeal the Mayor’s social experiment.

Harrison violated Rule 3.01

Lawyers are strictly prohibited from using their law license to engage in an action the lawyer knows, or should know, is frivolous, unjustified, or objectively unreasonable.

Harrison violated Rule 3.02

Lawyers are strictly prohibited from taking actions in a lawsuit just to increase to costs or burdens on others in the litigation.

Harrison violated Rule 8.04.

Lawyers are strictly prohibited from engaging in criminal activity that reflects on their honesty or trustworthiness, or engaging in dishonesty, fraud, deceit or misrepresentation, or engaging in (or assisting others to engage in) activity that violates the rules of ethics.

Harrison violated Rule 3.04.

Lawyers are strictly prohibited from asking irrelevant, immaterial questions that are merely intended to degrade a witness, or to take any action intended solely to disrupt the proceeding,

⁹ No one can explain to any degree of satisfaction how, for example, letting homosexual little boys urinate in the presence of heterosexual little girls is a giant step forward for a so-called enlightened society

Harrison violated Rule 4.01.

A lawyer has an absolute duty to tell a third party on whom discovery has been served that the discovery is sought by his client as a political weapon and has no legitimate legal basis, and the entire discovery action is actually illegal and unconstitutional.

SOMETIMES, A LAWYER MUST JUST SAY, “NO”!

A lawyer should never become so invested in the philosophical battle between the parties that he becomes nothing more than just another member of a criminal gang led by his client. When a client wants to take actions that are illegal, subversive, unethical or inconsistent with a lawyer’s greater obligation to society, a lawyer has a sacred obligation to convince the client to abandon that course of conduct, and if unable to do so, an ethical lawyer must withdraw from the representation. The tired excuse that, “I was just following orders” has never insulated lawyers, soldiers, police officers, or government officials from personal responsibility for their own misconduct.

Harrison violated Rule 7.06

Lawyers have an affirmative duty to walk away from a representation when the client is violating the law or engaged in a wrongful course of action. *Harrison* knew, or clearly should have known, that the Mayor’s retaliation plan was illegal, immoral, and unethical. Rather than walk away, *Harrison* put on the gang colors and led the attack.

Harrison violated Rule 2.01, 1.02, 1.03, 1.12 and 1.15 .

In advising or otherwise representing a client, a lawyer shall exercise independent professional judgment and render candid advice. When representing a government organization as a client, a lawyer has a duty to make sure his client understands that attacking citizens who are exercising their lawful right to dissent is illegal, immoral and unethical and that the lawyer cannot participate in that sort of misconduct. A lawyer has an ethical duty to try to stop anyone in that organization from doing anything illegal, or anything that could expose the organization to injury or liability. A lawyer has a duty to withdraw from a representation if the client has used the lawyer to engage in a crime or insists that the lawyer engage in or assist the client in criminal or fraudulent actions. A lawyer must withdraw from a representation when the client insists on pursuing an objective the lawyer considers repugnant or imprudent, or with which the lawyer has a fundamental disagreement.

Under Rule 5.01, Harrison can’t blame associates at his firm.

A lawyer who is a Partner or supervisor of an associate lawyer is responsible for that lawyer’s misconduct if the supervisor orders, encourages, or knowingly permits the conduct, or fails to take effective remedial action.

Under Rule 5.02, Harrison can’t blame Senior Partners.

A lawyer who is acting under the supervision of another person is still bound by these rules.

Harrison violated Rule 8.03.

If *Harrison* tries to blame everything on an associate or a Senior partner, then he is in violation of Rule 8.03. A lawyer having knowledge that another lawyer has committed a violation of applicable rules of professional conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, shall inform the appropriate disciplinary authority.

THE PROPER RESPONSE OF THE DISCIPLINARY COMMITTEE

The punishment should fit the crime. The Texas State Bar needs to make a statement that will be heard loud and clear by the entire Bar membership. But, in this case, the Bar has a broader duty to ensure the message is also heard by the citizens of Houston and every concerned citizen all across this country who felt personally threatened when they learned of the unethical attack Harrison launched against the Christian Pastors. The world knows the Pastors were simply trying to pursue the dictates of their religious faith, and to exercise their constitutional right to speak out against intolerance by organizing their neighbors in a peaceful and lawful attempt to redress legitimate grievances against the policies of the local government. *Harrison* tried to silence their voices by abusing the law license he was given by the State of Texas. Taking that license away will make a positive, long lasting impression on any other Texas lawyer who might be tempted to abuse the privilege granted to him by the people of Texas and the Texas State Bar.

If you have copies of letters or other documents you believe are relevant to your grievance, please attach. Do not send originals, as they will not be returned. Additionally, please do not use staples, post-it notes, or binding.

PLEASE NOTE: A FILE WITH “ZIP” DOCUMENTS WAS PREVIOUSLY SUBMITTED TO YOU VIA YOUR ONLINE COMPLAINT FORM. THE INFORMATION BELOW REFERS TO THE SAME DOCUMENTS.

<https://www.dropbox.com/s/8mo7i0aelsqtyso/RECORD%20-%20TxSct%20Mandamus%20File.zip?dl=0>

This is a link to a condensed “zip” file. The file contains the official “Record” (documents) filed with the Texas Supreme Court in Cause No. 14-0667; *Woodfill v. Parker*; Writ of Mandamus. All of these documents support this Complaint. Alternatively, the same documents are available directly from Texas Supreme Court.

<http://www.search.txcourts.gov/Case.aspx?cn=14-0667&coa=cossup#sthash.kcp5hakj.dpuf>

This URL will connect you to “Case Information” for Cause No. 14-0667; *Woodfil v. Parker*. There is a chart called “Case Events”. There is an entry on that chart with the following information:

08/26/2014	“Case Record Filed”	Mandamus Record filed on behalf of Jared Woodfill, et al.	PDF/17.06 MB
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Click on “PDF/17.06 MB”. That will take you to the official Record filed with the Texas Supreme Court in Cause No. 14-0667; *Woodfill v. Parker*; *Writ of Mandamus*. All of the documents in that file support this Complaint.

Include the names, addresses, and telephone number of all persons who know something about your grievance.

The incident involved in this complaint has been reported extensively through every form of media around the world for more than two months. It would be impossible to identify everyone who has knowledge about this grievance. For example, if you make an internet inquiry using any form of the description for the underlying incident, such as; "Mayor Subpoenas Sermons", you will get millions of online articles in response.

If you check the online archive files for any of the national news media; such as Fox, ABC, CBS, NBC, you will find numerous stories concerning the "Subpoena for Sermons", etc.

I can provide more specific information if necessary.

Also, please be advised that a copy of your grievance will be forwarded to the attorney named in your grievance.

HOW DID YOU LEARN ABOUT THE STATE BAR OF TEXAS' ATTORNEY GRIEVANCE PROCESS?

I am a retired Texas lawyer and a member of the Texas State Bar.

ATTORNEY-CLIENT PRIVILEGE WAIVER

~~I hereby expressly waive any attorney-client privilege as to the attorney, the subject of this grievance, and authorize such attorney to reveal any information in the professional relationship to the Office of Chief Disciplinary Counsel of the State Bar of Texas.~~
NOT APPLICABLE – THIS IS NOT MY LAWYER

I understand that the Office of Chief Disciplinary Counsel maintains as confidential the processing of Grievances.

Signature: /S/ John D. Stone Date: 11/3/2014

**TO ENSURE PROMPT ATTENTION, THE GRIEVANCE SHOULD BE MAILED TO:
THE OFFICE OF CHIEF DISCIPLINARY COUNSEL
P.O. Box 13287
Austin, Texas 78711**

FAX TO (512) 427-4169