

BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY THE SUPREME COURT OF TEXAS

IN THE MATTER OF
CAROLYN BARNES
STATE BAR CARD NO. 01761550

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CAUSE NO 52457

FILED

April 7, 2017



Board of Disciplinary Appeals

MOTION TO DISMISS AND/OR TRANSFER
TO A COURT OF COMPETENT JURISDICTION

TO THE BOARD OF DISCIPLINARY APPEALS:

Now comes, Carolyn Barnes, Respondent, who previously filed her response, special exceptions, and objections and supplemental verified response, special exceptions, and objections to the attempt by JUDITH GRES DEBERRY to continue acting pursuant to an illegal combination in restraint of trade within a criminal cabal with the intent to infringe upon, interfere with, threaten, and willfully destroy Respondent's free expression and speech rights; economic, religious, and association freedom; right to earn a livelihood and provide for her family; and enjoyment of the benefit of her intellectual property rights. In support hereof, Respondent will show as follows:

OBJECTION TO JURISDICTION

1. The Board of Disciplinary Appeals, (hereinafter referred to as "BODA"), has no jurisdiction over this matter or over Respondent. Yet, due to the same partisan politics that caused the gross disfranchisement of Respondent on February 28, 2011 and at all times thereafter by the STATE BAR OF TEXAS acting in a fascist, dictatorial, and oppressive fashion due to its unconstitutional monopoly power, BODA completely ignored Respondent's pleadings, just as DOUG SHAVER and JEFF ROSE has done for the past seven years, with the aid and assistance of the STATE BAR OF TEXAS.

2. The State Bar Act and the Government Code enacted by the Legislature provides that a licensed attorney in this State cannot be disbarred without due process. The Government Code specifically provides that Barnes can only be disbarred in a court of competent jurisdiction, which they designate as the District Court of Williamson County, Texas. Barnes is entitled to a jury trial and the full panoply of the due process rights. The enactments and statutes of this State do not permit motions for summary disbarment, as the judiciary has practiced and imposed against Respondent since February 28, 2011. Respondent has been illegally and continuously disbarred in a summary and vicious fashion ever since February 28, 2011, without due process, jurisdiction, or standing, as a result of a monopoly combination in restraint of trade within the judicial branch in violation of Respondent's fundamental rights protected by the Texas bill of rights and statutory law, the U.S. Const. amends. I, IV, VIII, and XIV, and international treaties and conventions signed by the United States of America.

3. The procedure established by the Legislature requires that Respondent be provided the full panoply of substantive and procedural due process rights in a District Court, including a jury trial. Only a District Court in Williamson County has jurisdiction to try a case of disbarment against Respondent.¹ The judiciary/judicial branch² has acted

¹ Govt. Code Sec. 81.077. DISBARMENT PROCEEDINGS. (a) The supreme court may not adopt or promulgate any rule abrogating the right of trial by jury of an accused attorney in a disbarment action in the county of the residence of the accused attorney.

² These terms are used interchangeably to include the Supreme Court of Texas, Third Court of Appeals, Court of Criminal Appeals, 368th Judicial District Court, the District Courts of Williamson and Travis Counties and other counties recruited by members of the monopoly union, and all the deceptive layers created by the Supreme Court of Texas in an effort to conceal its violation of the Texas Constitution, such as the State Bar of Texas, SBOT-OCDC, Commission for Lawyer Discipline, and BODA—these are all just cloaks created by the Supreme Court of Texas and they are wholly owned subsidiaries of the Supreme Court of Texas to conceal its usurpations, interloping, and formation of monopoly power in restraint of trade and in violation of the separation of powers. Hereinafter Barnes will refer to the SUPREME COURT OF TEXAS as the entity that subsumes and controls the STATE BAR OF TEXAS, OFFICE OF CHIEF DISCIPLINARY COUNSEL (OCDC), COMMISSION FOR LAWYER DISCIPLINE, BOARD OF

illegally, unlawfully, and unconstitutionally by engaging in summary disbarments without due process and a jury trial.

4. The judiciary first summarily disbarred Respondent on February 28, 2011 and was acting pursuant to an illegal combination in restraint of trade, criminal conspiracy, and collusion to obstruct justice and willfully violate the fundamental rights of Respondent and the laws of this State and country, including international treaties and conventions signed by the United States.³ The SUPREME COURT OF TEXAS merely seeks to summarily enter an order finalizing the oppression it has imposed on Barnes since February 28, 2011 and to cover-up and conceal its illegal, unethical, unlawful, and unconstitutional habits, practices, policies, and procedures to deprive those who are targeted by this malicious monopoly union acting in concert with local political machinery to summarily disfranchise and disbar an opponent or outspoken critic. This oppressive tyranny is an abuse of power and official oppression because it is designed to deprive the target of all fundamental rights at every stage of the summary proceeding in fabricated Star Chambers filled with political cronies.

5. This pattern of oppression and tyranny has been routinely exhibited by this monopoly union for the thirty-year period in which Respondent has been coerced into membership and forced to pay excessive dues in order to access and exercise her intellectual property rights, practice her deeply held religious beliefs, and secure her economic freedom through her right to earn a livelihood and support her family.

DISCIPLINARY APPEALS, THIRD COURT OF APPEALS, and DISTRICT COURTS OF THIS STATE, including its prosecutors, deputies, and quasi-judicial recruits.

³ Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention Against Torture, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of Persons with Disabilities, the Declaration on the Rights of Disabled Persons and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

6. Monopolies have no standing in Texas courts as they are unconstitutional *per se*. Petitioner and BODA are acting on behalf of a monopoly union acting in restraint of free trade and infringing upon Respondent's economic and religious freedoms without due process or equal protection under the law. The monopoly has clearly acted for the exclusive, private, and political benefit of a handful of its select and privileges members in restraint of trade and with anti-competitive motives against a targeted member in retaliation against her for the exercise of fundamental rights protected by the 1st, 4th, and 14th amendments to the United States Constitution and the Universal Declaration of Human Rights and other international law.

7. The SUPREME COURT OF TEXAS has no delegated authority or inherent discretion to ignore the Government Code and Texas Constitution in entering the requested motion for summary judgment in a disbarment proceeding to deprive Barnes of due process and a jury trial, as has been the consistent habit, practice, custom, policy, and procedure of the SUPREME COURT OF TEXAS wielding its monopoly power and partisan political machinery in an oppressive totalitarian fashion for the past seven years.

BARNES IS ENTITLED TO A DISMISSAL OF THESE DISBARMENT PROCEEDINGS OR TO A TRANSFER OF THE PROCEEDINGS TO A PROPER COURT OF LAW IN A DISTRICT COURT IN WILLIAMSON COUNTY FOR A JURY TRIAL AND FULL PANOPLY OF DUE PROCESS RIGHTS.

OBJECTION TO UNCONSTITUTIONAL DELEGATION OF REGULATORY
AUTHORITY IN VIOLATION OF SEPARATION OF POWERS
AND LACK OF STANDING BY MONOPOLY UNION

8. The State Bar Act of 1939 and all subsequent efforts by the Legislative branch to abdicate its regulatory role and transfer it or delegate it to the judicial branch is unconstitutional *per se* because it violates Tex. Const. Art. II, § 1. This broad and unfettered delegation of power is a violation of the separation of powers, which has resulted in the unconstitutional disfranchisement of Respondent by members of the unconstitutional monopoly union created, maintained, and financed by the SUPREME COURT OF TEXAS from the extorted funds obtained and utilized in restraint of trade and in an anti-competitive restriction on speech, expression, association, and economic and religious freedoms. The SUPREME COURT OF TEXAS through usurpation and overreaching has created a State religion with its judicial members as the head of the religion and the SBOT-OCDC, COMMISSION FOR LAWYER DISCIPLINE, and BOARD OF DISCIPLINARY APPEALS as the strong-arm enforcers to target, punish, ostracize, and banish those who do not strictly adhere to the authoritarian dogma and follow the established rituals. No tyrant can tolerate anyone who is not a YES MAN. Everyone must follow lock step or be terminated through malicious prosecution, wrongful internment, treacherous torture, fraudulent conviction, and summary disbarment. The entire process is performed in summary fashion without any semblance of due process behind a cloak of secrecy maintained by fraudulent layers of deception. The SUPREME COURT OF TEXAS has even created its own fourth branch of government illegally and unconstitutionally to perform services for profit to give the façade a veneer of juridical legitimacy.

9. No matter how many deceptive layers the SUPREME COURT OF TEXAS attempts to layer over its unconstitutional monopoly and partisan political machinery, it is still rotten to the core. It is still an illegal and unconstitutional monopoly coercing membership on the people in a monopoly union and extorting funds to promote political agendas to maintain its usurped power and interloping control.

10. Monopolies are unconstitutional *per se*. The State Bar is an unconstitutional monopoly and cannot be recognized as a legal entity in this State. The State Bar and its OCDC have no legal standing in this State. The State Bar of Texas and the OCDC cannot bring or maintain an action in this State as monopolies are not recognized under the law and not allowed to operate within the State of Texas. The anti-competitive activities of this monopoly within the State are oppressive restraints on free trade and infringe upon Respondent's economic and religious freedoms, right to earn a livelihood, and freedom of expression through advocacy, associations, and activism.

11. Coerced membership in a monopoly union in a right to work State is unconstitutional *per se* especially when it infringes upon economic freedom and right to earn a livelihood, and interferes with a person's right to practice their deeply held religious beliefs and express their individual personality, thoughts, ideas, or redress their grievances in a court of law.

12. Coerced extraction or extortion of funds from persons forcing them to support and finance causes and advance policies contrary to their deeply held religious beliefs is unconstitutional *per se*.

13. The SUPREME COURT OF TEXAS has acted willfully, intentionally, knowingly, deliberately, and maliciously through its various agents, representatives,

employees, and attorneys to violate all of Barnes fundamental rights that are protected as “forever inviolate” by the Texas Constitution, as “inalienable” by the Declaration of Independence, by the 1st, 2nd, 4th, 5th, 6th, 8th, and 14th amendments to the United States Constitution, and by international treaties, declarations, conventions, and covenants signed by the United States of America.

14. The SUPREME COURT OF TEXAS has acted illegally, ultra vires, unlawfully, and unconstitutionally in summarily disbarring Barnes without any due process or jurisdiction on February 28, 2011 and the superficial act of oppression in summarily suspending Barnes when her license to practice law had been unconstitutionally impaired and nullified since February 28, 2011 was another gross miscarriage of justice undertaken in summary fashion in a corrupt Star Chamber with Barnes in abstentia. Barnes has not ever been afforded any due process rights in the infringement, impairment, confiscation, abrogation, nullification, or suspension of her license and the SUPREME COURT OF TEXAS continues to act ultra vires and outside the law by continuing this criminal subterfuge of summary proceedings without ever affording Barnes any legitimate due process. This is a court that has corrupted itself to the very core and is no longer acting as a legal court system that was designed and intended by the people of this State. These are illegal and unconstitutional proceedings and it is no wonder that the majority of members who have been targeted for this extinction do not participate in the charlatan ruse. Some of the most unethical licensed attorneys have been Barnes’ opponents. Certainly, Barnes has not ever wanted to be a member of this illegal monopoly, but even more so now, she stands prepared to present her case to a jury proving the illegality of this criminal cabal and to establish her right to practice her profession, her deeply held religious beliefs, and

utilize her intellectual property rights without being forced to be a member of this fascist organization. Barnes has a fundamental right to free speech, advocacy, association, activism, to utilize her intellectual property rights, and practice her deeply held religious beliefs free from State interference, monopoly suppression, totalitarian oppression, and political tyranny.

BARNES IS ENTITLED TO A DISMISSAL OF THESE DISBARMENT PROCEEDINGS BECAUSE THE STATE BAR OF TEXAS IS AN UNCONSTITUTIONAL MONOPOLY UNION IN A RIGHT TO WORK STATE AND HAS NO STANDING OR LEGAL CAPACITY IN TEXAS AS A MATTER OF CONSTITUTIONAL LAW.

OBJECTION TO CHARADE OF DISHONESTY
THAT UNDERMINES THE INTEGRITY OF THE COURTS

15. The SUPREME COURT OF TEXAS has created a web of deception knowing that its members were not honestly demeaning themselves in the practice of law and knowing that it was violating the delegation of authority contained in the Texas Constitution and Government Code; and knowing it was undermining the republican form of government and robbing the people of their fundamental rights. The SUPREME COURT OF TEXAS has unconstitutionally created a monopoly on the courts, which has obstructed the inherent right of all people to freely access and be heard in a court of law. The courts were created by the people for the people. However, the SUPREME COURT OF TEXAS has usurped all executive and legislative power and consolidated it within various layers of cloaking devices to conceal the monopoly power amassed over the courts through the “regulation” of the “practice of law” and “practice before the courts.”

16. This monopoly power has elevated the license of its members over and above the rights of the people and to the denigration of the rights of the free people. The people’s rights are routinely usurped and transferred over to the licensees of the monopoly for

destruction, waiver, and forfeiture. The rights of the people have been treated as a license in these monopolized courts and those forever inviolate rights are routinely confiscated and disposed of in the very branch that the people entrusted to protect them. These monopolized actions, where the people are forced to be escorted and “represented” by an agent of the monopoly in order to access their courts and be heard, are forms of tyranny and oppression because the people are disfranchised without due process, fully informed consent, and any recourse. The license of the monopoly union members now has greater freedoms, liberties, rights, privileges, protections, and immunities than the fundamental rights of the people in the courts. The SUPREME COURT OF TEXAS has usurped the fundamental rights of the people in and to their own courts, and confiscated those fundamental rights and redistributed them to its monopoly union members to tyrannize and oppress the people of this State. The SUPREME COURT OF TEXAS has set up an illegal system of racketeering for the profit and advancement of their members to the detriment of the people of Texas.

17. The union members are engaged in racketeering for profit and the monopoly allows the union members to extinguish the rights of the people as if the union member were the principal. Yet, the courts still bar and punish the people for the misconduct, negligence, willful neglect, dishonesty, incompetence, and slothfulness of their union members. The accused has a court appointed attorney thrust on them who is woefully incompetent, lazy, unskilled, and only coerces plea bargains and “cuts deals” with the prosecution—a paid State agent in every sense of the word. Then, when the accused is wrongfully convicted, the SUPREME COURT OF TEXAS allows the abatement of his appeals and suspension of *habeas corpus* and has designed a system where it is all

rubber-stamped and shoved under the rug be blaming the accused for the inherent shortcomings designed into the system. The discriminatory impact of the willful design is fascist. The conviction machinery operates only against those who are financially disadvantage or who have been targeted for summary extermination by the SUPREME COURT OF TEXAS and its monopoly union and political machinery. Barnes was not indigent, but a court appointed attorney was forced on her, not to protect her rights, but to confiscate, waive, and forfeit her fundamental rights. A judgment secured by fraud, a violation of fundamental rights, and signed by a person with no oath of office is a legal nullity *per se* as a matter of law. A fraud on the court conveys no jurisdiction and a monopoly has no standing to commit this fraud on the court.

18. The monopoly union with its mechanized political machinery has even established a “vexatious litigant” system which only applies to those who are not escorted and “represented” by a union member when they access the courts. The “vexatious litigant” trap is sprung by members of this monopoly union on those who are not represented or escorted through the courts in an *ex post facto* manner to summarily impose a civil death sentence. The monopoly has unconstitutionally restricted the number of times that an unrepresented or unescorted person can access the courts. A represented and escorted person is provided a blanket of special privileges and immunities for supporting the monopoly union and paying for access to the courts, while others are treated in a disparate manner with discriminatory impact to favor the monopoly union and its members. A represented or escorted person can file hundreds of vexatious litigations each year and never have the civil death sentence imposed, which is proof that the intent is not to rid the courts of frivolous lawsuits, but to purge the courts of the

people and coerce them to either use the monopoly union members or risk losing their forever inviolate rights. So, the machination is not concerned with vexatious litigation; it is designed only to unilaterally punish those who are not supporting and paying the monopoly union machinery. The people who access the courts under their own forever inviolate fundamental right are limited to only five perceived losses within a seven year period. Essentially, they are limited to less than one case a year because the monopolized courts favor the monopoly union members over the people they were intended to serve. The derogatory term “pro se” is slapped on the people to denigrate and disfranchise them. A person labeled “pro se” is subjected to degrading, demeaning, harassing, and ill-treatment in the monopolized courts of this State. Monopoly union members are able to merely accuse a “pro se” of “losing” five cases over a seven year period, and based on the mere ipse dixit of the union member and without any evidentiary hearing, testimony, or admissible evidence, the monopolized courts will ban the “pro se” from the courts for life, which essentially disfranchises the people and repeals the bill of rights and all statutory and legal protections under the law—they are outlawed in violation of the bill of rights and the judicial branch has unconstitutionally suspended the laws of this State. The vexatious litigant statute is unconstitutional *per se* and it is being used to punish, oppress, and disfranchise the people of this State by the unconstitutional monopoly.

19. Both the court appointed attorney system and the vexatious litigant statute shows the clear pattern of bigotry, oppression, misogyny, and abuse from intolerance by the SUPREME COURT OF TEXAS and its political machinery and exposes how it has deliberately designed a system to systematically suppress and disfranchise the people of Texas and deprive them of due process based on financial status, which is a willful

system established to deny equal rights, protection, and treatment under the law and due process to the people of this State. An entirely separate set of rules and procedures apply to the wealthy and favored union members within the political machinery of the SUPREME COURT OF TEXAS.

20. Respondent will show the jury that when she filed a declaratory judgment action in State court challenging the constitutionality of the vexatious litigant statute and the court appointed attorney charade, the monopoly union and political machinery then used the vexatious litigant statute to summarily impose the civil death sentence on Barnes based upon further false, fraudulent, and dishonest accusations by monopoly union members without a jury trial or evidentiary hearing, and these same abusive tyrants blocked her right to appeal. These summary proceedings are based on the mere ipse dixit of preferred union members with special privileges, status, protections, and immunities conferred on them because they strictly observe the rituals and kow-tow to the established dogma. The monopoly will not tolerate any member speaking out against its monopolization of the courts and oppression of the people through arbitrary and capricious abuse of monopoly power. On YES MEN allowed before the courts.

21. The State Bar of Texas (the Texas Bar) is a monopolized agency of the monopolized judiciary under the administrative control of the SUPREME COURT OF TEXAS. State Bar Act, Texas Government Code §81.011 et seq. The SUPREME COURT OF TEXAS is a dictatorship over its agencies because it appoints and controls all members in power and takes out all members who do not kowtow and comply with the party line.

22. The Commission for Lawyer Discipline is a monopolized committee of the monopolized State Bar. State Bar Act, Govt Code Section 81.071 and Section 81.076. The SUPREME COURT OF TEXAS is a dictatorship over its committees because it assigns and appoints and controls all members.

23. The state bar is a public corporation and an administrative agency of the judicial department of government.⁴ A monopoly corporation cannot conduct business in Texas and it is an unconstitutional act of the judicial department to form and operate a monopoly corporation in this State under its protective arm as an administrative agency. It is an act of deception for the monopolized hybrid State Bar corporation-administrative agency to set up the OCDC to use oppressive strong-arm tactics against the forced membership, and then form a committee to act as a “client” of the OCDC to carry out the racketeering practices under the guise of juridical licensing.

24. There can be no judicial licensing in this State because it creates a monopoly on the courts and infringes upon the people’s free and unfettered access to their courts and undermines the integrity, fairness, and equality of the people’s courts. This deceptive subterfuge allowed JUDITH GRES DEBERRY to harass, oppressive, and abuse Respondent and to serve as the complainant, investigator, and prosecutor in a series of groundless, frivolous, and dishonest accusations made against Respondent acting in tandem with JOHN BRADLEY and ROBERT MCCABE and other licensed male competitors beginning in May 2010. The monopoly power and political machinery allowed JOHN BRADLEY, ROBERT MCCABE, and DOUG SHAVER to oppress and disfranchise Barnes without any semblance of due process, summarily breaching the \$50,000 surety bail bond contract, illegally holding her in solitary confinement with NO

⁴ Govt. Code Sec. 81.011. GENERAL POWERS. (a).

BAIL pretrial, and summarily interning and torturing her in violation of state, federal, and international law.

25. In an exercise of arbitrary and capricious power that far exceeded her capabilities, JUDITH GRES DEBERRY worked with a series of unethical and dishonest licensed attorneys and did not care one bit about the lack of fairness, honesty or truth in their concerted accusations, did not conduct a good faith investigation, refused to speak with any of Barnes' witnesses to ascertain the truth, and maliciously pursued a course of action as a private henchmen for select members of the State Bar monopoly who were granted special privileges, protections, and immunities. The State Bar OCDC has at all relevant times acted as a private enforcement arm for this criminal cabal and for these private interests motivated by politics, malice, and misogyny. JUDITH GRES DEBERRY utilized funds that were coercively extorted from members to advance these private interests of this monopolized criminal cartel.

26. Every willful act by JUDITH GRES DEBERRY and every negligent act of the COMMISSION FOR LAWYER DISCIPLINE, and/or the State Bar OCDC, and/or the BODA is directly attributable to the SUPREME COURT OF TEXAS, who ignored Barnes' written request in October 2010 to appoint a fair and impartial judge to preside over the clear retaliatory frame-up and malicious prosecution. Because the SUPREME COURT OF TEXAS was already involved in the criminal cabal since May 2010, they refused to take effective remedial and corrective action and allowed the prosecutors to set up a Star Chamber with a puppet with no oath of office and allowed the prosecutors to select the "defense counsel" that was forced on Barnes in an unconstitutional fashion. The godfather in charge of this racketeering ring in restraint of free trade is the

SUPREME COURT OF TEXAS and they have no delegated authority or inherent power to enter a motion for summary judgment in a purported disbarment proceeding.

27. At the hearing on April 3, 2017—another hearing set *ex parte* without consultation, conference, or consideration of Respondent—BODA informed Barnes for the first time that the Supreme Court of Texas had enacted a rule requiring Respondent to file a verified denial of the willful and intentional acts of deception by JUDITH GRES DEBERRY, SBOT-OCDC, and the Commission for Lawyer Discipline. It is doubtful that the Commission for Lawyer Discipline authorized JUDITH GRES DEBERRY's latest acts because she has acted like a dictatorial tyrant who has allowed the slightest hint of power to fill her head with delusions of grandeur. The passage of such a repressive rule is further evidence of the intent of the SUPREME COURT OF TEXAS to undermine this constitutional republic and establish their totalitarian, dictatorial, monopoly power in this State. The attempt to set up a deceptive and fundamentally flawed system to summarily disbar an attorney and to erect dictatorial, tyrannical, and oppressive punishment meted out in summary fashion without due process and outside the legitimate parameters of the due course of law is a nullity because it violates fundamental law. The passage of these repressive rules by an unlawful and unconstitutional monopoly is intended to willfully override, repeal, or infringe upon the Texas Constitution and United States Constitution. The SUPREME COURT OF TEXAS has set up a juridical monopoly and usurped the powers of the legislative and executive branches through layers of deception and disguise and created despotism unrivalled by Antonio Lopez de Santa Anna.

28. The judicial branch has engaged in criminal conduct because it willfully delegated to, approved of, and protected JUDITH GRES DEBERRY, JOHN BRADLEY, ROBERT MCCABE, TRAVIS MCDONALD, DOUG SHAVER, ALAN SCHREIBER, DEE HOBBS, DALE RYE, JOSH RENO, GEOFFREY PURYEAR, JEFF ROSE, BOB PEMBERTON, DAVID PURYEAR, CINDY OLSON BOURLAND, and the members of the COMMISSION FOR LAWYER DISCIPLINE, BODA, STATE BAR OCDC, LINDA ACEVEDA, and the SUPREME COURT OF TEXAS. This same juridical monopoly had its lawyers pay the illegal and unconstitutional bribe to the false accuser to frame Respondent and then had its lawyers act unethically to block, conceal, and cover-up the crime of paying a bribe from misappropriated State funds and tampering with the witnesses. This same juridical monopoly used its retained private-sector charlatans to frame Respondent as a lunatic in order to deprive her of all fundamental rights protected by the Texas Constitution, United States Constitution, and international treaties and covenants signed by the United States.

29. The Supreme Court of Texas, the Third Court of Appeals, the SBOT-OCDC, and various members of the State Bar acted in concert to willfully violate the Texas Health & Safety Code, Title 7, Subtitle C; Tex. Const. Art. I, §§ 3, 3a, 6, 8, 9, 10, 11, 12, 13, 14, 15, 15-a, 16, 19, 20, 23, 26, 27, 28, 29, and 31; Tex. Const. Art. II, § 1; Tex. Const. Art. XVI, § 1; U.S. Const. amends. I, IV, V, VI, VIII, and XIV; 18 U.S.C. §§ 241, 242; 42 U.S.C. §§ 1983, 1985. The attorneys for the Supreme Court of Texas and the Third Court of Appeals, who paid the bribe from misappropriated State funds and concealed the crime, who falsely accused and framed Barnes for additional punishment post-conviction to conceal criminal activity by the courts, also failed and refused to performed their duty

under law to prosecute the crimes committed in violation of Tex. Health & Safety Code, Title 7, Subtitle C as requested by Respondent in 2014.

30. The Supreme Court of Texas, the Third Court of Appeals, and the SBOT-OCDC (knowledge imputed to Commission for Lawyer Discipline and BODA) all knew that Respondent's fundamental rights protected by the Texas Constitution, United States Constitution, and international law were being trampled by a cabal of licensed attorneys with misogynous malice in retaliation against Barnes for the exercise of fundamental rights protected by the 1st amendment, Tex. Const., international covenants, and the Tex. Religious Freedom Restoration Act.

31. The delegation of overly broad powers to the State Bar and the establishment of the State Bar as a monopoly public corporation and administrative agency of the Texas Supreme Court with the willful extension of the definition of "moral turpitude" from its historical context and intended meaning is unconstitutional *per se*. As shown in this case, this monopoly power undermines free trade, fair business practices, and is anti-competitive in all its acts to coerce membership, coerce conformity to dictated norms of behavior, coerce compliance with expected speech, and coerce cooperation with the ideas, dogma, and beliefs expounded by the tyrannical, oppressive, dictatorial, patriarchal, special, privileged, immunized self-proclaimed wielders of this usurped monopoly power. All of the members of this monopoly union who advanced upon, assaulted, disfranchised, and framed Barnes as a criminal and lunatic in order to marginalize, suppress, oppress, and ostracize her were granted special privileges, protections, and immunities. The juridical monopoly allowed this prosecutorial cabal to summarily censor, impose disfranchisement, and inflict punishment on Respondent through a series of significant

frauds on the court, illegal conduct, and dishonest manipulation, without any semblance of due process in violation of the Constitution and laws of this State, Nation, and international community.

32. The SUPREME COURT OF TEXAS was well-aware of the criminal conduct and constitutional violations because JUDITH GRES DEBERRY and the SBOT-OCDC were actively involved from the inception, but the Supreme Court of Texas, and all its various and sundry subterfuges, proceeded nevertheless with a conscious disregard and deliberate indifference towards the rights, safety, and welfare of Respondent, her children, and her clients.

33. The SUPREME COURT OF TEXAS acted for purely political reasons when it chose to overthrow the rule of law and the legitimate government of this State, which is a constitutional republic with only three branches of government and a separation of powers between those three branches. The monopoly members of the SUPREME COURT OF TEXAS violated their respective oaths of office to “preserve, protect, and defend the Constitution and laws of the United States and of this State.” This juridical monopoly is actively undermining the Constitution and laws of the United States and this State.

34. The SUPREME COURT OF TEXAS sent a congratulatory email to the prosecutors knowing that the conviction was obtained by criminal means, fraud on the courts, and acts of moral turpitude *per se*. The conviction was obtained because the Supreme Court of Texas failed and refused to appoint an honest judge with an oath of office; failed and refused to allow Respondent equal rights under the law to an expedited appeal; failed and refused to hear the petition for writ of *habeas corpus*, failed and

refused to protect Respondent's right to a fair and speedy trial, failed and refused to allow Respondent access to her funds to pay her retained attorneys or access effective assistance of counsel, failed and refused to grant Respondent her right to call witnesses and confront aggravated perjury and fabricated "evidence," failed and refused to allow Respondent to preserve and present her own defense, and failed and refused to allow Respondent to be heard in a timely, meaningful, and reasonable manner in both the trial and appellate courts. The SUPREME COURT OF TEXAS congratulated itself and its criminal cabal for the rank violation of international law and the obstinate obstruction of justice and suspension of *habeas corpus* and the repeal of the bill of rights on an *ad hoc* basis. JUDITH GRES DEBERRY, the SBOT-OCDC, the Commission for Lawyer Discipline, acting on behalf of the SUPREME COURT OF TEXAS, before BODA, another incantation of the SUPREME COURT OF TEXAS, has falsely alleged that the conviction is final when it is not. On April 3, 2017, in an effort to support this summary practiced based on mere *ipse dixit*, BODA informed Respondent that she only had 10 days to file a verified denial of this false claim. This is a denial of the due course of law, deprivation of due process, and denigration of equal rights, protections, and treatment under the law. The SUPREME COURT OF TEXAS, in an act of intentional and willful defiance of the Constitution of the United States and Texas has arbitrarily and capriciously, with a punitive and oppressive intent, significantly shorten the traditional and usual time period for responding to false claims filed against a person in the courts of this State. There can only be one reason for these oppressive rules. The SUPREME COURT OF TEXAS knows that it is acting ultra vires and that it cannot summarily disbar anyone in this manner, so they have set up a deceptive subterfuge and pretend that

the target “waived” fundamental rights. Rights are “forever inviolate” for a reason—to keep them out of the groping grip and corrupt clutches of an overreaching oppressor and treacherous tyrant. The SUPREME COURT OF TEXAS is actively undermining the Texas Constitution and willfully violating its oath of office. These are acts of sedition.

35. The State Bar Act of 1939 was enacted under a false pretense of a perceived “emergency” and at all times, the State Bar Act was an unconstitutional delegation of broad, unfettered regulatory power to the Texas Supreme Court, which violated Tex. Const. Art. II, § 1. There was no “emergency” that warranted the expedited passage and truncated public notice of this act in violation of the Texas Constitution, which has undermined this republic and irreparably harmed the people of this State. The unconstitutionality of this broad and unfettered grant of regulatory power by the Legislature and the usurpation and overreaching by the judicial branch to broaden that grant of power far beyond the original grant is unconstitutional and against the principles of this republic. The SUPREME COURT OF TEXAS has devolved into an unconstitutional void of all-consuming power, official oppression, and dictatorial tyranny. In its current configuration and manner of operating the SUPREME COURT OF TEXAS is unconstitutional *per se* as a matter of law.

BARNES IS ENTITLED TO A DISMISSAL OF THESE DISBARMENT PROCEEDINGS FOR ALL THE REASONS STATED HEREIN BECAUSE THE STATE BAR OF TEXAS IS THE PRODUCT OF OVERREACHING AND AN IMBALANCE OF POWER DUE TO THE USURPATION OF POWER BY THE SUPREME COURT OF TEXAS AND ITS EFFORTS TO CONCEAL THE UNCONSTITUTIONAL MONOPOLY AND POLITICAL POWER IT HAS AMASSED AGAINST THE PEOPLE OF TEXAS. BARNES IS ENTITLED TO A JURY TRIAL AND THE FULL PANOPLY OF DUE PROCESS RIGHTS BECAUSE THE DUE COURSE OF LAW AND ALL THESE RIGHTS ARE FUNDAMENTAL AND GUARANTEED AS FOREVER INVIOLE IN THIS STATE; YET, THE MONOPOLY UNION AND POLITICAL POWER OF THE SUPREME COURT OF TEXAS HAS REPEALED THE TEXAS CONSTITUTION

AND UNDERMINED THE CONSTITUTIONAL REPUBLIC AS A MATTER OF LAW. THE SUPREME COURT OF TEXAS AND ALL ITS VARIOUS SUNDRY COURTS, AGENCIES, DEPARTMENTS, COMMITTEES, BOARDS, OFFICES, AND OTHER MUTATIONS ARE ACTING *ULTRA VIRES* AND OUTSIDE THE LEGAL PARAMETERS OF THE CONSTITUTIONAL LAW.

RELIEF REQUESTED

Respondent, Carolyn Barnes, request that BODA refrain from taking any further action in this matter and direct the SBOT-OCDC to either cease and desist as they are an illegal monopoly in violation of the Texas Bill of Rights; or, alternatively, direct the Legislature or appropriate authority to file an action in the District Court of Williamson County if someone thinks they can prove these frivolous and groundless accusations by JUDITH GRES DEBERRY. *See* Case No. 12-0966 filed in the Texas Supreme Court in 2012. *See* also Cases No. 12-0960, 12-0962, 12-0963, 12-0964, and 12-1216 on file in the Texas Supreme Court. Respondent will show the jury over seven years of harassment, official oppression, abuse of power, totalitarian exercise of monopoly power, and frivolous barratry by JUDITH GRES DEBERRY on behalf of the SUPREME COURT OF TEXAS and its judicial branch. Respondent has steadfastly made the judicial branch aware of the collusion and violation of rights and steadfastly requested a fair and impartial tribunal, to no avail. The judicial branch had allowed JUDITH GRES DEBERRY to continue to carry out her malicious part of the conspiracy. The judicial branch knows that JUDITH GRES DEBERRY, and by extension the SUPREME COURT OF TEXAS, has been involved with this criminal cabal since May 2010 and she has aided, abetted, and assisted the criminal conduct by licensed attorneys with impunity. Further, Respondent, Carolyn Barnes, requests that this tribunal conduct a court of inquiry or appoint a fair and impartial master to conduct evidentiary hearings and enter findings of fact and

conclusions of law. This tribunal has a constitutionally mandated duty to form a court of inquiry, appoint a special master, and conduct a full and thorough investigation into the corrupt practices employed by JUDITH GRES DEBERRY in this case. Respondent will show this tribunal, a jury in the District Court, and a special master or judge the evidence to prove the truth of the conspiracy, collusion, and combination in restraint of trade with the malicious anti-competitive motive to harm, injure, and damage a competitor and other despicable crimes involving moral turpitude, dishonesty, deceit, and fraud on the court. Respondent is entitled under the law to a jury trial to determine the facts in dispute and for a jury to determine if Respondent is the one guilty of crimes involving moral turpitude or if it is her contentious criminal accusers who are guilty of crimes involving moral turpitude *per se*, including immoral, vile, and evil acts and malicious conduct in restraint of free trade with anti-competitive, discriminatory, and misogynous motives. Conduct that undermines the Texas Bill of Rights, the constitutional republic, and the rule of law are *malum in se*. Respondent is entitled to a jury trial and declaration of her rights and duties under the law, as well as the rights, duties, and responsibilities of the Supreme Court of Texas, BODA, Commission on Lawyer Discipline, State Bar of Texas, SBOT-OCDC, Linda Acevedo, Judith Gres DeBerry, and all the licensed attorneys who abused their positions of power, using the political power of the local REPUBLICAN PARTY OF TEXAS, to engage in acts of official oppression, unfair competition, restraint of trade, malicious prosecution, illegal internment, aggravated kidnapping, breach of contract, false imprisonment, burglary, theft, aggravated perjury, bribery, barratry, retaliation, malicious abuse of process, suborning aggravated perjury, tampering with witnesses, tampering with evidence, tampering with government documents, willfully

framing an innocent person, defamation, disfranchisement, tortious interference with familial relations, tortious interference with contractual obligations, intentional infliction of emotional distress and mental anguish, and torture in captivity with misogynous malice. Respondent is further entitled to a declaratory judgment and prospective injunctive relief based on the finding of a jury that the State Bar of Texas is an unconstitutional monopoly union and that Respondent should not be forced to be a member of an organization and pay extorted funds to an organization that is not in alignment with her moral values and that acts contrary to her deeply held religious beliefs. Respondent has a fundamental right to economic and religious freedom; to earn a livelihood; to utilize her intellectual property rights as she so desires; to be free from interference and oppression by a monopoly union acting in restraint of free trade with anti-competitive motives; to be left alone; to support and parent her children and care for her family unit free of tyranny; and to equal rights, treatment and protection under the rule of law. The SUPREME COURT OF TEXAS knows that the judgment and sentence, the fraudulent document presented by JUDITH GRES DEBERRY in support of her motion for summary judgment is the result of fraud on the court, signed by a person who had no oath of office, and was obtained illegally, unconstitutionally, and unlawfully. Respondent is entitled to discovery, a jury trial, and a declaratory judgment based on all the facts set forth herein as found following a jury trial with the full panoply of rights extended to Respondent to prove the truth. Following a jury trial and factual determinations, Respondent is also entitled to a prospective injunctive relief against the SUPREME COURT OF TEXAS, STATE BAR OF TEXAS, SBOT-OCDC, BOARD OF DISCIPLINARY APPEALS, COMMISSION ON LAWYER DISCIPLINE, LINDA

ACEVEDO, and JUDITH GRES DEBERRY barring them from continuing to subject Respondent to unequal treatment under the law and to enjoin them from siding with the criminal elements within their membership—as they have done 100% of the time—in oppressing minority members for doing nothing more than expressing their deeply held religious beliefs, personalities, thoughts, ideas, and other expressions of beliefs in the form of advocacy, associations, and activism. It is a moral imperative that Respondent be freed from the tyranny and oppression of this unconstitutional monopoly union and that Respondent be allowed her fundamental right to economic freedom, religious freedom, right to earn a livelihood, right to free speech, and freedom from tyranny, oppression, torture, and internment in retaliation for the free exercise of fundamental rights protected by the First, Fourth, Eighth, and Fourteenth Amendments to the United States Constitution. Respondent is entitled to a declaration of rights from the jury with respect to the protections afforded by the Texas Bill of Rights and separation of powers. Respondent is also entitled to prospective injunctive relief against all Petitioners and counter-respondents enjoining them from infringing upon, eroding, abrogating, or interfering with these fundamental rights reserved to the people as “forever inviolate” in the Texas bill of rights. Respondent, Carolyn Barnes, is entitled to a jury trial, discovery, and an opportunity to be heard in the district court of the county of her residence and she hereby insists upon that right and stands on that right. Respondent, Carolyn Barnes is also entitled to a fair and impartial investigation by a regulatory body responsible for the fair administration of justice in this State and a court of inquiry so that no other minority lawyer has to suffer this official oppression and tyranny ever again. These assaults are capable of repetition, but always escape review because co-conspirators like Jeff Rose

will always abate the appeals, suspend *habeas corpus*, and moot the appeals, while the SUPREME COURT OF TEXAS will retain attorneys to manipulate the courts and obstruct the appeal and refuse to docket a Petition for Review when it is timely filed. This is clear obstruction of justice by the judicial branch. Respondent is entitled to declaratory and injunctive relief to protect her fundamental rights that she has been deprived of for the past seven years. Barnes is entitled to recover from all the parties named herein, jointly and severally, for any and all monetary damages recoverable under law for all the losses, injuries, and costs incurred by Barnes as a direct and proximate result of the evil perpetrated on her by this criminal cabal of licensed attorneys and unethical competitors and their political cronies who acted to aid, abet, assist, and advance the criminal conspiracy and to deprive Barnes of fundamental rights. Barnes is entitled to the full measure of the damages sustained, whether special or exemplary, whether actual or consequential, together with the highest rate of pre-judgment and post-judgment interest allowed by law. Barnes is further entitled to recover exemplary damages because all of these parties were aware of the significant injuries, damages, losses, and costs being inflicted on Barnes in violation of the laws and Constitutions of the United States and this State, yet, they all proceeded nevertheless with a conscious disregard and deliberate indifference to the rights, safety, and welfare of Barnes, her children, and her clients. Barnes has a fundamental right not to be targeted and framed for a crime she did not commit or framed for lunacy to bolster the fabricated crime; but, more importantly, she had a fundamental right not to be betrayed by the judicial system who placed local party politics over the rules of law and the SBOT-OCDC, the unconstitutional monopoly that Barnes was forced to join and support, who then used her funds to collude with JOHN

BRADLEY and his political cronies, including RICK PERRY and the attorneys who represented his fellow Republicans on the appellate courts, who paid the bribe to secure the sole evidence against Barnes. The actions of the SBOT-OCDC and the racketeering by the local Republican Party of Texas were pure evil in intent and design, and these acts were crimes involving moral turpitude *per se*. Respondent hereby demands her right to a jury trial to prove the truth and to obtain the declaratory judgment, prospective injunction, and damages. In that regard, Respondent requests that this Court either dismiss these proceedings or transfer them to a District Court in Williamson County, Texas so that Barnes may have the full panoply of rights. Respondent requests such other and further relief to which she may show herself justly entitled, whether at law or in equity.

BARNES IS ENTITLED TO A DISMISSAL OF THESE DISBARMENT PROCEEDINGS OR TO A TRANSFER OF THE PROCEEDINGS TO A PROPER COURT OF LAW IN A DISTRICT COURT IN WILLIAMSON COUNTY FOR A JURY TRIAL AND FULL PANOPLY OF DUE PROCESS RIGHTS.

BARNES IS ENTITLED TO A DISMISSAL OF THESE DISBARMENT PROCEEDINGS BECAUSE THE STATE BAR OF TEXAS IS AN UNCONSTITUTIONAL MONOPOLY UNION IN A RIGHT TO WORK STATE AND HAS NO STANDING OR LEGAL CAPACITY IN TEXAS AS A MATTER OF CONSTITUTIONAL LAW.

BARNES IS ENTITLED TO A DISMISSAL OF THESE DISBARMENT PROCEEDINGS FOR ALL THE REASONS STATED HEREIN BECAUSE THE STATE BAR OF TEXAS IS THE PRODUCT OF OVERREACHING AND AN IMBALANCE OF POWER DUE TO THE USURPATION OF POWER BY THE SUPREME COURT OF TEXAS AND ITS EFFORTS TO CONCEAL THE UNCONSTITUTIONAL MONOPOLY AND POLITICAL POWER IT HAS AMASSED AGAINST THE PEOPLE OF TEXAS. BARNES IS ENTITLED TO A JURY TRIAL AND THE FULL PANOPLY OF DUE PROCESS RIGHTS BECAUSE THE DUE COURSE OF LAW AND ALL THESE RIGHTS ARE FUNDAMENTAL AND GUARANTEED AS FOREVER INVIOLEATE IN THIS STATE; YET, THE MONOPOLY UNION AND POLITICAL POWER OF THE SUPREME COURT OF TEXAS HAS REPEALED THE TEXAS CONSTITUTION AND UNDERMINED THE CONSTITUTIONAL REPUBLIC AS A MATTER OF LAW. THE SUPREME COURT OF TEXAS AND ALL ITS VARIOUS SUNDRY

COURTS, AGENCIES, DEPARTMENTS, COMMITTEES, BOARDS, OFFICES, AND OTHER MUTATIONS ARE ACTING *ULTRA VIRES* AND OUTSIDE THE LEGAL PARAMETERS OF THE CONSTITUTIONAL LAW. THE CURRENT CONFIGURATION AND OPERATION OF THE SUPREME COURT OF TEXAS AND ITS VARIOUS SUNDRY INCANTATIONS IS UNCONSTITUTIONAL.

Respectfully submitted,

Carolyn Barnes, J.D., Ph.D.
419 Indian Trail
Leander, Texas 78641
(512) 817-8014
Barnes.legalguidance@gmail.com

By: _____/s/ Carolyn Barnes
Carolyn Barnes, J.D., Ph.D.

Respondent, Barnes, Defendant demands a trial by jury pursuant to TEX. R. CIV. P. 216.

VERIFICATION AND JURAT

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

Pursuant to Texas Civil Practices and Remedies Code Sec. 132.001, I, Carolyn Barnes, do hereby swear and affirm that the facts stated above are true and correct based on personal knowledge. I aver that

“My name is Carolyn Barnes, by date of birth is January 12, 1957, and my address is 419 Indian Trail, Leander, Texas 78641 in the United States of America. I declare under penalty of perjury that the foregoing is true and correct.

“Without discovery, it is impossible to present the defenses and counterclaims in this case.

“The SUPREME COURT OF TEXAS knows that BODA has no jurisdiction over a disbarment proceeding that has been filed as a “motion” for summary judgment to summarily enter an order of disbarment. Disbarments cannot be obtained by summary judgment and the SUPREME COURT OF TEXAS has no authority to repeal or override the clear dictates of the Legislature. The SUPREME COURT OF TEXAS has no inherent discretion or delegated authority to ignore the will of the people of Texas as that will has been expressed in the Constitution and laws enacted by the Legislature. The SUPREME COURT OF TEXAS has no power or delegated authority to suspend the laws of this State as it has consistently done for the past seven years in this matter alone.

“I am entitled to be tried in a District Court in Williamson County, Texas and it is an act of sedition for the SUPREME COURT OF TEXAS to fail and refuse to dismiss this action due to the lack of jurisdiction and standing or transfer the case to the proper tribunal for a jury trial and full panoply of rights. The SUPREME COURT OF TEXAS knows that it is operating an illegal and unconstitutional monopoly union in a right to work State, which monopoly union has no standing in a court of law, and that it has commandeered the machinery of the local REPUBLICAN PARTY OF TEXAS to abrogate my fundamental rights, and is now acting *ultra vires* in operating through an illegal criminal cabal, which has no jurisdiction to grant a motion for summary judgment in a purported disbarment proceeding.

“The SUPREME COURT OF TEXAS also knows that the monopoly union it has established, controlled, and operated in this State is illegal, unconstitutional, and unlawful. That monopoly union has no standing to conduct business in this State and any act of the Legislature to the contrary is null and void per se because it is against the Constitution of Texas to transfer and delegate such broad legislative and regulatory powers to the judicial branch and unconstitutional to confer legal capacity or legal status on an unconstitutional monopoly. Monopolies are against the public policy of this State as a matter of law.

Monopolies have no standing and no legal capacity to bring an action or conduct business in this State.

“I am entitled to a jury trial and due process, which the SUPREME COURT OF TEXAS has consistently deprived me of due to local political partisanship, deep-seated bigotry, malicious misogyny, and extreme intolerance towards those who differ in their thoughts, ideas, beliefs, and religious practices. The SUPREME COURT OF TEXAS has steadfastly suppressed, silenced, and subjugated me with respect to the practice of my deeply held religious beliefs in direct violation of the Texas Constitution and Texas Religious Freedom Restoration Act, Chapter 110 of the Tex. Civ. Prac. & Rem. Code. The SUPREME COURT OF TEXAS has suspended *habeas corpus*, suspended the rule of law, suspended all appellate rights and willfully and methodically deprived me of all semblance of due process and equal treatment under the law for seven years and continuing unabated. The current actions of the SUPREME COURT OF TEXAS are *ultra vires* and a violation of the Texas Constitution and the State Bar Act, Gov’t Code. These *ultra vires* and illegal acts have undermined and suspended the rule of law and infringed upon my fundamental rights guaranteed as forever inviolate in the Texas Constitution. These acts of sedition are *ultra vires* and legal nullities *per se*. The SUPREME COURT OF TEXAS has no discretion and must dismiss this summary proceeding or transfer it to a court of proper jurisdiction.

“The contract sued upon has no consideration, the consideration has failed, or the contract is unenforceable because one of the parties cannot conduct business in this State and has no legal standing or existence. Monopolies are unconstitutional *per se* in Texas. Texas is also a right to work State. The State Bar of Texas is an illegal monopoly engaged in racketeering, deceptive trade practice, restraint of trade, and with anti-competitive practices that promote bigotry, misogyny, and political cronyism. The State Bar of Texas has set up an oppressive, repressive, and suppressive enforcement arm, the SBOT-OCDC, that is used as a private police force swayed by local party politics granting special privileges, and immunities to licensed attorneys who work for the State, while targeting and oppressing those who do not kow-tow, comply, conform, and cooperate with these corrupt practices. The State Bar of Texas purports to be a public corporation and an administrative agency of the Supreme Court of Texas. The Supreme Court of Texas is forbidden by the Texas Constitution from establishing monopolies, discriminating and granting special privileges, protections, and immunities to licensed attorneys who are state employees, including prosecutors and political cronies appointed to the judiciary. The wrongful conviction that was secured by fraud, dishonesty, deceit, bribery, barratry, suborning perjury, and other high crimes and felonies involving moral turpitude *per se* is not final and it is just another in a long line of gross misrepresentations of material fact and law made by JUDITH GRES DEBERRY in advancing, aiding, abetting, and assisting in the criminal conspiracy to “get rid of [Barnes] and take away her bar card.” The attorneys employed by the Supreme Court of Texas and who have represented and acted on behalf of the Supreme Court of Texas and the Third Court of Appeals over the course of this criminal conspiracy and obstructed justice for seven years are despicable and are not engaging in conduct becoming an officer of the court and are not acting in fulfillment of the attorney’s oath of office—they have repeatedly committed

malicious crimes and willfully concealed the evidence of their criminal and collusive conduct. The only crimes of moral turpitude per se that have been committed in this matter have been those committed by the members of this criminal cabal. They conspired and colluded to willfully, knowingly, deliberately, intentionally, and maliciously violate the Constitutional, statutory, and common law rights belonging to Barnes. They tortiously interfered with Barnes' familial relations, business and social contracts, and religious practices. Any duty Barnes may have owed to the licensed attorneys who continue to pursue her without just cause and based on fraud, dishonesty, and moral turpitude has long ago dissipated when these licensed attorneys and monopoly organizations breached their moral duty to society, to the people of Texas, and to Barnes. Barnes has an absolute fundamental right to practice her profession and engage in her religious practices free of the interference, oppression, and abuse by and from the Supreme Court of Texas and all its sundry layers of monopoly fraud. Barnes has a fundamental right to be left alone, to economic and religious freedom, and to earn a livelihood free from monopolistic dictatorial tyranny. All parties know that the judgment of conviction was secured by fraud and criminal conduct, signed by a licensed attorney who had no oath of office, entered dishonesty in violation of Barnes common law and statutory right of allocution, is unsupported by law and truthful facts, and is the result of willful violations of the rule of law and fundamental rights protected by the Texas Constitution and statutes, the United States Constitution and statutes, and international treaties, conventions, and covenants signed by the United States. All parties also know that they cannot summarily disbar Barnes and must file a lawsuit in the District Court of Williamson County and afford Barnes the full panoply of rights, including the right to a jury trial, discovery, the right to call witnesses, right to present evidence, the right to confront evidence, the right to cross-examine witnesses, and the right to expose the illegality, unconstitutionality, and anti-competitive monopoly practices of the State Bar of Texas and the corruption and criminal conduct within the State Bar of Texas Office of the Chief Disciplinary Counsel and its fraudulent "client" the Commission on Lawyer Discipline—another morphing of the Supreme Court of Texas, and the denial of due process in the Board of Disciplinary Appeals—also an alter ego of the Supreme Court of Texas. The Supreme Court of Texas has created an unconstitutional, oppressive, anti-competitive monopoly and Barnes should not be coerced to join and financially support a monopoly that engages in oppressive, totalitarian, dictatorial, and repressive fashion with unchecked bigotry and misogyny. The State Bar of Texas cannot be a public corporation operating a monopoly as an agency for the Supreme Court of Texas because monopolies cannot incorporate or practice, conduct business, or have standing in the courts of this State. The State Bar of Texas has no legal capacity and no standing and no right to recover in the capacity in which they are suing. Barnes pleads fraud, failure of consideration, illegality, duress, estoppel, waiver, statute of frauds, laches, and collateral estoppel. The State Bar already elected to have Barnes suspended pending appeal rather than waiting until the judgment was final. They are not now entitled to any summary disbarment and must bring suit, if at all, in the Williamson County District Court and provide Barnes with a fair and impartial tribunal, if any there be found, and fair jury trial, which cannot be had without a fair and impartial tribunal free from political cronyism and control by the Supreme Court of Texas or any of its sundry subterfuges, including membership in the same local Republican Party and SBOT.

“BODA is acting dishonestly and illegally without any jurisdiction for an alleged party that they have favored with *ex parte* contacts and settings in order to disadvantage Barnes and further deprive her of equal treatment under the law and due process, as has been their habit, practice, custom, policy, and procedure for the three decades that Barnes has been forced to participate in order to earn a livelihood and exercise her fundamental rights, religious beliefs, and intellectual property rights. Even now, the SUPREME COURT OF TEXAS impairs Barnes’ fundamental rights and asserts an illegal and unconstitutional lien or ownership interest in and to Barnes’ rights that infringe upon Barnes’ intellectual property rights, religious beliefs, vested property interests, and fundamental rights. This is an oppressive, dictatorial, fascist regime that is against the public policy of this State and antithetical to a constitutional republic.

“Barnes has read and reviewed the foregoing statements of fact and she has personal knowledge of the statements of fact and such statements are true and correct.

“FURTHER, this Affiant sayeth not.”

Executed this 7th day of April, 2017.

_____/s/ Carolyn Barnes_____
Carolyn Barnes, J.D., Ph.D.

CERTIFICATE OF SERVICE

I hereby certify by my signature above that I have served a true and correct copy of the above and foregoing document on all counsel of record via electronic mail in accordance with the requirements of the Texas Rules of Civil Procedure, Rule 21a on this the 7th day of April 2017.