

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

IN THE MATTER OF §
G. MICHAEL COOPER, III § NO:
58355
State Bar of Texas Card No. 04775600 §



FILED

AUG 30 2019

Board of Disciplinary
Appeals

10:08 p.m.

RESPONDENT'S MOTION TO RECONSIDER AND FOR A NEW

TRIAL

Comes Now, the RESPONDENT, pro se, and files this, the
Respondent's Motion to Reconsider and For a New Trial, and
respectfully request that this Honorable Court enter an order:

- a.) Reconsider the hearing and judgement in this
matter,
- b.) Vacate the judgement in this matter,
- c.) Grant the Respondent a new trial in this matter.

For the reasons, that the Respondent did not receive a fair
trial in that:

1. The in testimony at the hearing and written
answers, the Respondent disproved each allegation of the Rule to

Show Cause and the Petitioner did not produce any evidence to support the Rule to Show Cause.

2. The Petitioner only introduced documents as proof of the allegations against the Respondent and that documentary evidence was inadmissible in that the documents were not probative and constitutionally and statutorily inadmissible as evidence and controverted by un-refuted testimonial evidence by the Respondent at the trial of the proceedings.

3. The Findings of Fact by the Board of Disciplinary Appeals are false and not supported by the record.

a. **Finding of Fact (1).** The Respondent was authorized to practice law in the State of Texas at the time of the hearing.

b. **Finding of Fact (2). Count I.** The Respondent disproved the allegations in Count I of the Rule to Show Cause, point **(2) paragraph 1** of this Court's **Findings of Fact** in each and every particular by competent testimony; and no testimony and no evidence to the contrary was offered by the Petitioner.

c. **Finding of Fact (2). Count II.** The Respondent disproved the allegations in Count II of the Rule to Show Cause, point **(2) paragraph 2** of this Court's **Findings of Fact** in each and every particular by competent testimony; and no testimony and no evidence to the contrary was offered by the Petitioner.

d. **Finding of Fact (3).** Whereas a document was introduced into the hearing purporting an Illinois Judgment, the Respondent proved that the Illinois judgment was fraudulently obtained; and no testimony and no evidence to the contrary was offered by the Petitioner.

e. **Finding of Fact (8).** The Respondent denied committing the acts alleged in the Illinois judgment and the Petitioner did not offer evidence or prove that the persons were one and the same, although the Respondent accepted service of the Rule to Show Cause.

f. **Conclusion of Law (1)** Conclusion of Law (1) is not appropriate and not supported by the evidence in that the Respondent proved by pretrial that the Texas Rule to show cause was not timely filed.

Conclusion of Law (2) Conclusion of Law (2) is not appropriate and not supported by the evidence in that

the Respondent's proof is the only proof in the record and the Respondent's proof is uncontroverted.

WHEREFORE, the RESPONDENT prays and respectfully request that:

- a). this Honorable Court grant this motion , and enter an order vacating the judgement, and
- b). without waiving the foregoing, the Respondent request that a new trial be granted, and
- c). For such other and further relief to which the RESPONDENT may be entitled and that is right and just.

Respectfully submitted,
G. Michael Cooper, III

/S/ 

G. Michael Cooper, III
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing
Respondent's Motion to Reconsider and For a New Trial, was
served:

To: Amanda M. Kates

Date: Friday, August 30, 2019

By: Email: Amanda.kates@texasbar.com

Respectfully submitted,
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/S/ 

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Friday, August 30, 2019

Ms. Christine McKeeman
Board of Disciplinary Appeals
Supreme Court of Texas
P.O. Box 12426
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Re: Respondent's Motion to Reconsider and For a New Trial

Greetings:

Please file the attached document in your usual manner and return a file-marked copy to me. We also request that you bring the filing of this document to the attention of the Court, also in your usual manner.

A true and correct copy of the same has been sent to the opposing counsel by email to the listed address.

Thank you for your assistance in this matter and please do not hesitate to contact me if you have any questions.

Respectfully submitted,
G. Michael Cooper, III

/s/ 

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