



F I L E D

Oct 24 2024

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

THE BOARD of DISCIPLINARY APPEALS  
*Appointed by the Supreme Court of Texas*

IN THE MATTER OF §  
JAMES MAYER HARRIS, JR. § CAUSE NO. 69950  
STATE BAR CARD NO. 24071746 §

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**PETITIONER’S MOTION TO STRIKE  
RESPONDENT’S RESPONSE BRIEF TO PETITIONER’S BRIEF  
IN SUPPORT OF COMPULSORY DISCIPLINE**

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Petitioner, the Commission for Lawyer Discipline (“CFLD”), by and through the Office of the Chief Disciplinary Counsel of the State Bar of Texas, submits this Motion to Strike Respondent’s Response Brief to Petitioner’s Brief in Support of Compulsory Discipline. In support, Petitioner would show the Board of Disciplinary Appeals the following:

1. This compulsory discipline matter is set to be heard by the Board on Friday, October 25, 2024.
2. Rule 1.09(c) of the Board’s Internal Procedural Rules provides that, “[i]n any disciplinary proceeding before BODA, except with leave, all trial briefs and memoranda must be filed with the BODA Clerk no later than ten days before the day of the hearing.”
3. On October 15, 2024, CFLD filed Petitioner’s Brief in Support of Compulsory Discipline (“Petitioner’s Brief”).
4. At 2:23 p.m. on October 24, 2024, Respondent filed Respondent’s Response Brief to Petitioner’s Brief in Support of Compulsory Discipline (“Respondent’s Brief”).

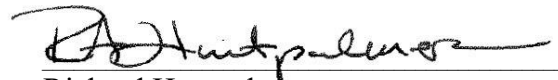
5. Respondent filed his Response Brief less than twenty-four hours before the start of the hearing, without obtaining leave as is required under Rule 1.09(c). In addition, Respondent now asserts new legal theories challenging the Board's subject matter jurisdiction and the scope of its review. While Respondent may present these arguments at the hearing tomorrow, urging them in a trial brief violating Rule 1.09(c) is both improper and a waste of the Board's time and resources.

6. For the foregoing reasons, Petitioner moves the Board to strike Respondent's Brief from the record.

Respectfully submitted,

**Seana Willing**  
Chief Disciplinary Counsel

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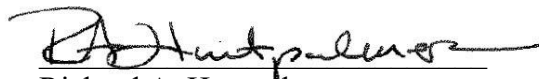


Richard Huntpalmer  
State Bar Card No. 24097857

**ATTORNEYS FOR PETITIONER**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24th day of October 2024, a true and correct copy of the above document was served on Respondent through his counsel of record, Robert E. Valdez via email at [revaldez@valdeztrevino.com](mailto:revaldez@valdeztrevino.com).

A handwritten signature in black ink, appearing to read "Richard A. Huntpalmer", written over a horizontal line.

Richard A. Huntpalmer