



FILED

Oct 15 2024

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

BEFORE 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. 09065800 §

PETITIONER'S BRIEF IN SUPPORT OF COMPULSORY DISCIPLINE

Petitioner, the Commission for Lawyer Discipline (“CFLD”), by and through the Office of the Chief Disciplinary Counsel of the State Bar of Texas, submits its Brief in Support of the Commission for Lawyer Discipline’s Petition for Compulsory Discipline.

I. INTRODUCTION

Respondent was tried for the murder of his adult stepson, Donald Boumans, using his Ruger 9mm pistol. After a mistrial, a plea agreement was reached in lieu of retrying the case. *See generally*, Respondent’s Answer. Therefore, this proceeding is predicated on an Order of Deferred Adjudication in Cause Number CR02235, styled *The State of Texas vs. James Mayer Harris, Jr.*, in the 424th Judicial District Court of Blanco County, Texas.

Per the agreement, Respondent pled guilty to Aggravated Assault Date/Family/House w/Weapon (hereafter “Aggravated Assault of a Family Member”), a First-Degree Felony in violation of Texas Penal Code 22.02(b)(1). *See Petitioner’s Ex. 2*. Because Respondent’s victim was his stepson, the Order includes an “affirmative finding that [Respondent’s] offense involved family violence, as defined by Section 71.004, [Texas] Family Code.” *Id.* Respondent was placed on ten years Deferred Adjudication and, *inter alia*, ordered to pay restitution in the amount of \$6,500.00 to Crime Victims Compensation. *Id.*

Respondent was served with the Petition for Compulsory Discipline, Notice of Hearing, and Exhibits 1 - 3 via personal service on September 13, 2024. Respondent filed his Answer on September 27, 2024. In his Answer, Respondent denies that he pled guilty to a Serious Crime as defined by Rule 1.06 (GG) of the Texas Rules of Disciplinary Procedure because his crime is not one of moral turpitude *per se* under Texas law. *See* Resp. Answer at 1 (citing *Turton v. State Bar of Texas*, 775 S.W.2d 712, 715 (Tex. App.—San Antonio 1989, writ denied). Alternatively, Respondent argues, if the Board finds that suspending Respondent’s license is appropriate under Rule 8.06, Respondent asks that the Board probate his suspension in consideration of the factors enumerated in *In re Filippov*, BODA Case No. 30611, *aff’d*, 04-0151 (Tex. June 18, 2004).

A hearing on this matter before the Board of Disciplinary Appeals (the “Board”) is set for October 25, 2024.

II. ARGUMENTS AND AUTHORITIES

A. The statutory framework of Respondent’s conviction.

By agreeing to a plea deal, Respondent waived his right to be charged by an indictment of a Grand Jury. *See Petitioner’s Ex. 5*. Therefore, the formal charging instrument in his case is the Information, which describes the particulars of Respondent’s offense under Tex. Penal Code 22.02(b)(1) as follows:

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS

I, Wiley B. McAfee, District Attorney for Burnet County, Texas, come on behalf of the State of Texas, and present in and to the 424th District Court of Blanco County, Texas, that JAMES MAYER HARRIS, JR, hereinafter referred to as Defendant, on or about the 28th day of August, 2021, and before the presentment of this information, in the County of Blanco and the State of Texas, **did then and there intentionally or knowingly cause serious bodily injury, which was the death of DONALD BOUMANS by shooting DONALD BOUMANS, and the Defendant did then and there use or exhibit a deadly weapon, to-wit: a firearm, during the commission of said assault, and the said DONALD BOUMANS was**

a member of the Defendant's family, as described by Section 71.003 or 71.005 or 71.0021(b) of the Texas Family Code.

Petitioner's Ex. 1 (emphasis added).

Section 71.003 of the Texas Family Code defines “family” to include “individuals related by consanguinity or affinity, as determined under Sections 573.022 and 573.024, Government Code....” Because Respondent’s victim, Donald Boumans, was his stepson, their family relationship is determined under Section 573.024(a)(2), which provides that two individuals are related to each other by affinity if the spouse of one of the individuals is related by consanguinity to the other individual. Mr. Boumans was related by consanguinity to Respondent’s spouse as her descendent. *See* Section 573.022(a)(1) (providing that two individuals are related by consanguinity if one is a descendent of the other).

Consistent with Respondent’s offense, the Order of Deferred Adjudication includes a “special finding” which states, “The Court enters an affirmative finding that Defendant’s offense involved family violence, as defined by Section 71.004, Family Code.” *Petitioners Ex. 2*. Section 71.004(1) defines “family violence” to include:

an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself

(emphasis added). As discussed below, under this statutory framework, Respondent’s offense, particularly as supported by the Court’s special finding of family violence, constitutes a Serious Crime under Rule 1.06 (GG) of the Tex. Disciplinary Procedure Rules and warrants his disbarment.

B. Respondent's conviction is a Serious Crime under Texas Rule of Disciplinary Procedure 1.06 (GG) and he is subject to Compulsory Discipline.

Compulsory discipline is appropriate when an attorney licensed to practice law in Texas has been convicted of an Intentional Crime or has been placed on probation for an Intentional Crime with or without an adjudication of guilt. *See* Tex. Rules Disciplinary P. R. 8.01. An "Intentional Crime includes any Serious Crime that requires proof of knowledge or intent as an essential element." Tex. Rules Disciplinary P. R. 1.06(V). Respondent does not contest that his crime is one requiring knowledge or intent as an essential element. Indeed, the Information explicitly states that he "intentionally and knowingly" caused serious bodily injury to Mr. Boumans, which resulted in his death. Rather, Respondent argues his crime is not a Serious Crime because it is not one of moral turpitude *per se* under Texas law.

Rule 1.06 (GG) defines a Serious Crime as "barratry; *any felony involving moral turpitude*; any misdemeanor involving theft, embezzlement, or fraudulent or reckless misappropriation of money or other property; or any attempt, conspiracy, or solicitation of another to commit any of the foregoing crimes" (*emphasis added*). Respondent's conviction for Aggravated Assault of a Family Member under Tex. Penal Code 22.02(b)(1) meets the definition of Serious Crime because the offense is a first-degree felony involving moral turpitude.

The determination of whether a particular crime involves moral turpitude is a question of law. *Duncan v. Bd. of Disciplinary Appeals*, 898 S.W.2d 759 at 761. Texas courts have repeatedly held that a crime of moral turpitude is one that involves dishonesty, fraud, deceit, misrepresentation, **deliberate violence**, or that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects. *Matter of G.M.P.*, 909 S.W.2d 198, 208 (Tex. App.—Houston [14th Dist.] 1995, no writ) (citing *Duncan v. Bd. of Disciplinary Appeals*,

898 S.W.2d 759 at 761) and *In re Humphreys*, 880 S.W.2d 402, 407 (Tex.), *cert. denied*, 513 U.S. 964, 115 S.Ct. 427, 130 L.Ed.2d 340 (1994) (*emphasis added*).

Respondent correctly notes that Texas courts have declined to articulate an inflexible rule that aggravated assault by a lawyer upon another human being is, *per se*, a felony involving moral turpitude within the meaning of Texas Rules of Disciplinary Procedure. *See* Respondent's Answer at 1 (citing *Turton v. State Bar of Texas*, 775 S.W.2d 712, 715 (Tex. App.—San Antonio 1989, writ denied). Likewise, while our courts hold even misdemeanor aggravated assaults by a man against a woman to be crimes of moral turpitude, *see e.g. Hardeman v. State*, 868 S.W.2d 404, 407 (Tex. App.—Austin 1993, pet. granted), or assaults against minor children, *see Esquivel v. State*, No. 03-15-00439-CR, 2016 WL 1691969, at *5 (Tex. App.—Austin Apr. 21, 2016, no pet.), the same is not true when a man commits aggravated assault on another man, *see e.g., Valdez v. State*, 450 S.W.2d 624, 625 (Tex. Crim. App. 1970) (listing cases). But this case presents the Board with unique considerations. First, Respondent killed Mr. Boumans. Second, Mr. Bourmans was his stepson.

Crimes of family violence affect unique human relationships essential to the functioning of our society. Our Legislature has expressly condemned family violence:

“Family violence is a serious danger and threat to society and its members. Victims of family violence are entitled to the maximum protection from harm or abuse or the threat of harm or abuse as is permitted by law.”

Tex. Code Crim. Pro. Ann. art. 5.01. “In that vein, the Legislature has formulated multiple procedures and guidelines for the pro-active prevention of family violence.” *Ludwig v. State*, 969 S.W.2d 22, 29 (Tex. App.—Fort Worth 1998, pet. ref'd) (collecting statutes concerning policing, reports of child abuse, and protection orders). One such procedure is present here: the elevation of aggravated assault as a misdemeanor offense to a first-degree felony where, as here, a deadly

weapon is used to kill a family member. Tex. Pen. Code Ann. § 22.02(b)(1). The statutory framework underpinning Respondent's offense shows that Texas law holds out family violence crimes as particularly dangerous and harmful to society, especially those resulting in death through gun violence. For all these reasons, Respondent's crime is an Intentional Crime and a Serious Crime that warrants his disbarment.

C. Respondent is subject to disbarment.

Rule 8.05 of the Texas Rules of Procedural Discipline states that “[w]hen an attorney has been convicted of an Intentional Crime, and that conviction has become final, or the attorney has accepted probation with or without an adjudication of guilt for an Intentional Crime, the attorney *shall be disbarred* unless the Board of Disciplinary Appeals, under Rule 8.06, suspends his or her license to practice law. Tex. Rules Disciplinary P. R. 8.05. Rule 8.06 further states that “[i]f an attorney's sentence upon conviction of a Serious Crime is fully probated, or if an attorney receives probation through deferred adjudication in connection with a Serious Crime, the attorney's license to practice law shall be suspended during the term of probation. If an attorney is suspended during the term of probation, the suspension shall be conditioned upon the attorney's satisfactorily completing the terms of probation. If probation is revoked, the attorney shall be disbarred. An early termination of probation does not result in reinstatement until the entire probationary period, as originally assessed, has expired. Tex. Rules Disciplinary P. R. 8.05.

Because Respondent received probation through deferred adjudication, he is potentially eligible for this Board to grant a suspension rather than disbar him. Respondent would have the Board go a step further and fully probate any suspension. The Board has discretion to disbar or suspend when an attorney has been convicted of an intentional crime and receives a fully-probated sentence. *In re Caballero*, 272 S.W.3d 595 (Tex. 2008). Despite the mitigating factors Respondent

presents in his Answer, the fact remains that Respondent's purposeful and intentional actions resulted in the death of his stepson. While Texas courts have been reluctant to characterize violence between adult men as acts of moral turpitude, this Board's decision should reflect the Texas Legislature's recognition that family violence presents a unique danger and threat to society and its members, especially where, as here, a family member is killed through gun violence.¹

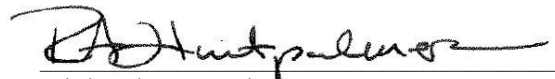
III. Conclusion

As shown, Respondent pleaded guilty to a first-degree felony of Aggravated Assault of a Family Member. Respondent's conviction is final, and both a Serious and Intentional Crime subject to Compulsory Discipline. Accordingly, Petitioner asks that Respondent be disbarred.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Richard Huntpalmer
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
P.O. Box 12487, Capitol Station
Austin, Texas 78711-2487
Telephone: 512.427.1350
Facsimile: 512.427.4253
Email: richard.huntpalmer@texasbar.com




Richard Huntpalmer
State Bar Card No. 24097857

ATTORNEYS FOR PETITIONER

¹ *Accord, Turton v. State Bar of Texas*, 775 S.W.2d 712, 715 (Tex. App.—San Antonio 1989, writ denied) (J. Biery, in dissent, arguing, “There is a reason that the ministry, medicine and the law are three great and learned professions: their common purpose is to help other human beings in the spiritual, physical and secular aspects of their lives. How is the committing of extreme violence upon the body of another person consistent with the goal of the legal profession to help, not hurt? ... If we would continue to lay claim to the title “great and learned profession,” and if we would lay claim to being the legitimate professional descendants of Madison, Lincoln, Holmes, Hand and Cardozo, then we must require of ourselves the strictest standards which are consistent with the helping purpose of the legal profession”).

CERTIFICATE OF SERVICE

I hereby certify that on the 15th 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.


Richard A. Huntpalmer

CAUSE # CR02235

THE STATE OF TEXAS

IN THE DISTRICT COURT OF

VS.

BLANCO COUNTY, TEXAS

JAMES MAYER HARRIS, JR

33rd/424th JUDICIAL DISTRICT

INFORMATION

INFORMATION: AGG ASSAULT DATE/FAMILY/HOUSE W/WEAPON
PENAL CODE: 22.02 (b)(1)
DEGREE OF FELONY: FIRST DEGREE FELONY
OFFENSE CODE: 13150007
CONTROL # DA-21-01073 TRN#9306312687 D001

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS

I, Wiley B. McAfee, District Attorney for Burnet County, Texas, come on behalf of the State of Texas, and present in and to the 424th District Court of Blanco County, Texas, that JAMES MAYER HARRIS, JR, hereinafter referred to as Defendant, on or about the 28th day of August, 2021, and before the presentment of this information, in the County of Blanco and the State of Texas, did then and there intentionally or knowingly cause serious bodily injury, which was the death of DONALD BOUMANS by shooting DONALD BOUMANS, and the Defendant did then and there use or exhibit a deadly weapon, to-wit: a firearm, during the commission of said assault, and the said DONALD BOUMANS was a member of the Defendant's family, as described by Section 71.003 or 71.005 or 71.0021(b) of the Texas Family Code.

AGAINST THE PEACE AND DIGNITY OF THE STATE

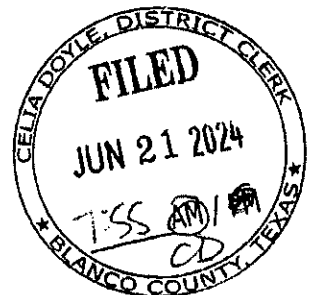

Wiley B. McAfee

District Attorney

33rd/424th Judicial Districts



10/2



STATE OF TEXAS
COUNTY OF BLANCO
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL IN MY CUSTODY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE
DATE July 30 AD, 20 14



CELIA DOYLE
DISTRICT CLERK OF BLANCO COUNTY
BY Mary Madison Crowson DEPUTY
MARY MADISON CROWSON
THIS STAMP IS PRINTED IN RED

7092

Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. The Court admonished Defendant. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of the plea. The Court received the plea and entered it of record. Having heard the evidence submitted, the Court FINDS that such evidence substantiates Defendant's guilt. However, the Court FINDS that it is in the best interest of society and Defendant to defer proceedings without entering an adjudication of guilt and to place Defendant on deferred adjudication community supervision.

Therefore, the Court ORDERS no judgment entered at this time. The Court further ORDERS Defendant placed on deferred adjudication community supervision for the period of time indicated above as long as Defendant abides by the conditions of the deferred adjudication community supervision.

The Court FINDS that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc.

The Court ORDERS Defendant to pay the fines, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

The document setting forth the conditions of deferred adjudication community supervision is attached and incorporated herein by this reference.

Fines Imposed Include (check each fine and enter each amount as pronounced by the court):

- General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ _____ (not to exceed \$10,000)
- Child Abuse Prevention Fine (Art. 102.0186, Code Crim. Proc.) \$ **100.00** (\$100)
- EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) \$ **100.00** (\$100)
- Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) \$ **100.00** (\$100)
- Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) \$ **50.00** (\$50)
- State Traffic Fine (§ 542.4031, Transp. Code) \$ **50.00** (\$50)
- Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ **50.00** (not to exceed \$50)
- Repayment of Reward Fine (Art. 37.073/42.152, Code Crim. Proc.) \$ _____ (To Be Determined by the Court)
- Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ **50.00** (not to exceed \$50)

Furthermore, the following special findings or orders apply:

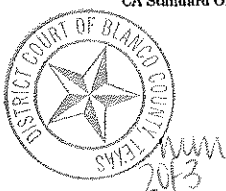
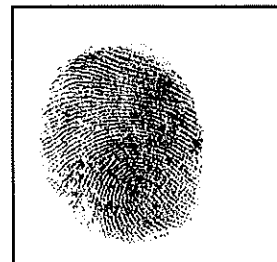
THE COURT ENTERS AN AFFIRMATIVE FINDING THAT DEFENDANT'S OFFENSE INVOLVED FAMILY VIOLENCE, AS DEFINED BY SECTION 71.004, FAMILY CODE.

REIMBURSE \$6,500.00 TO CRIME VICTIM'S COMPENSATION; PO BOX 12548, AUSTIN, TEXAS 78711; REFERENCE #:VC22016197

Date Judgment Entered: 06/21/2024


X
EVAN STUBBS
JUDGE PRESIDING

Thumbprint



STATE OF TEXAS
COUNTY OF BLANCO
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL IN MY CUSTODY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE
DATE July 30 AD, 20 24



CELIA DOYLE
DISTRICT CLERK OF BLANCO COUNTY
BY Mary Madison Crowson DEPUTY
MARY MADISON CROWSON
THIS STAMP IS PRINTED IN RED

30f3

**TERMS AND CONDITIONS OF PROBATION
OF**

JAMES HARRIS JR.

CAUSE NO. ~~2229~~ 2235

COURT: 33rd/424th JUDICIAL DISTRICT COURT OF BLANCO COUNTY, TEXAS

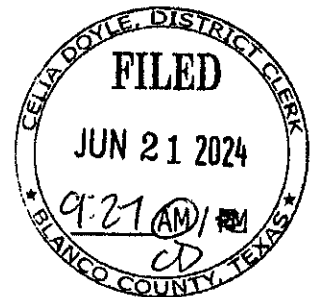
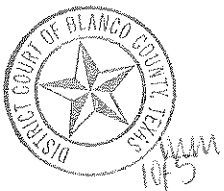
DATE PROBATION GRANTED: JUNE 21, 2024

LENGTH OF PROBATION: TEN (10) YEARS DEFERRED ADJUDICATION

OFFENSE: AGGRAVATED ASSAULT W/SBI TO FAMILY MEMBER DEGREE: F1

During your probation, you are **ORDERED** to comply with and abide by the following terms and conditions of probation:

1. Commit no offense against the laws of this State, or any other State of the United States.
2. Completely abstain from the use and/or possession of all narcotics, habit forming drugs, alcoholic beverages and controlled substances.
3. Avoid places of disreputable or harmful character including, but not limited to, places where alcoholic beverages are sold, served or delivered, except bonafide eating establishments.
4. Report in person immediately to the Probation Officer of the Community Supervision and Corrections Department of BLANCO County, Texas, and thereafter report at such other times and in such manner as directed by the Court or the Probation Officer.
5. Permit the Probation Officer to visit you at your home, place of employment, or elsewhere, as directed by the Probation Officer. You shall consent to search of your person, residence or any vehicle which you operate, occupy or possess at any time by any Community Supervision and Corrections Department Supervision Officer, without prior notice or search warrant, to determine if you are in compliance with the Conditions of Community Supervision. Any contraband found to be in your possession will be subject to confiscation.
6. Inform the Community Supervision Officer within 5 days of any charge or accusation of violating the law made against you or any contact with law enforcement officers pertaining to violations of the law.



7. Do not purchase, manufacture, transport, repair, sell or possess a firearm or other illegal weapon as defined in Sec. 46.01, Texas Penal Code.
8. Remain within the limits of BLANCO/BEXAR COUNTY unless given permission by the Probation Officer to leave such limits.
9. Support all dependents you now have or that you may acquire during the probation period, which includes, but is not limited to, payment of all court ordered child support.
10. Obtain permission prior to any change of address or employment from the Community Supervision Officer. Contact information must include a valid address and phone number.
11. Submit yourself to urine, hair follicle or other form of testing by your Community Supervision Officer for detection of controlled substances, dangerous drugs, marijuana or alcohol and pay a fee of \$50.00 annually for urine testing. Fees for all other forms of testing will be paid at the time the sample is taken. Submit to hair follicle testing, every 180 days for a term of two years, as directed by the Community Supervision Officer.
12. Participate and work, without compensation, ten hours per month in a community service restitution program or task as directed by the Community Supervision Officer for a total of 750 hours.
13. Pay the following amounts to and through the Community Supervision and Corrections Department:
 - a. Court costs in the amount of \$ 290.00 at the rate of: \$ 15.00 per month beginning JULY 21, 2024.
 - b. Probation fee of \$ 60.00 each month during your probation period beginning JULY 21, 2024.
 - c. Crime Stoppers fee to the BLANCO Crime Stoppers Program in the amount of \$ 50.00 at the rate of: \$ 5.00 per month beginning JULY 21, 2024.
 - d. Restitution/Reparation in the amount of \$ 6,500.00 at the rate of: \$ 60.00 per month beginning JULY 21, 2024.
 - e. Fine in the amount of \$ 0 at the rate of \$ 0 per month beginning JULY 21, 2024.
 - f. Court appointed attorney fees/ Court reimbursement in the amount of \$ 15.00 at the rate of: \$ 15.00 per month beginning JULY 21, 2024.
 - g. Pay a reimbursement fee of \$ 0 to _____ at the rate of \$ 10.00 beginning JULY 21, 2024.
14. Do not communicate with or make any contact with Hunter Gillespie, Debra Dupont, Ted Boumans, or Virginia Boumans.



15. Work faithfully at suitable employment.
16. Do not avail yourself to any law enforcement agency as a confidential informant, without prior written approval from your Probation Officer.
17. _____ Defendant shall abide by the following curfew regulations:
 - (1) Be in your place of residence no later than 10:00 p.m. each night and leave no earlier than 6:00 a.m. the following morning;
 - (2) Employment which interferes with curfew, if approved by the Supervision Officer, shall be an exception to the curfew. In such case, you shall be allowed to leave home during the curfew to report directly to work and you shall be allowed to leave work during your curfew to return directly to your home;
 - (3) For permission to stay out later or leave earlier than your curfew for any other reason, you shall first secure written permission from you Supervision Officer.
18. Attend and complete a Drug/Alcohol evaluation as directed by the Community Supervision Officer and abide by any referrals made and pay the costs of same.
19. _____ Attend self-help support groups a minimum of 2 per week while on probation and provide verification of attendance to the Community Supervision Officer.
20. _____ Attend and successfully complete the 15 hour Drug Education class of the Supervising Probation Office within 90 days from date of this order and pay the established fee for said classes.
21. _____ Attend and successfully complete the 12 hour Texas DWI Education Class of the Supervising Probation Office within 180 days from this date of this order and pay the established fee for said classes.
22. Attend and successfully complete the Cognitive Skills Training Program of the Supervising Probation Office, if directed by the Community Supervision Officer within one year of this date of this order and pay cost of the same.
23. _____ Attend and successfully complete a Victim Impact panel as directed by the Community Supervision Officer within one year of this date and pay costs of same.
24. Defendant shall submit a buccal swab DNA sample to the Community Supervision Officer in charge of their case.
25. Abide by the rules and regulations of the 33rd/424th Judicial Districts Community Supervision and Corrections Department.
26. Agree to waive extradition to the State of Texas from any State in the United States or any other place and agree to return to Texas if directed by the Community Supervision Officer or the Court.



27. The terms and conditions of community supervision can be modified at anytime during the term of supervision by the Court.

Comply with the further terms and conditions set out in the attached:

- SO Supplement/Specialized Sex Offender Caseload
- DC Supplement
- Alcohol Related Offense Supplement

You are hereby advised that this court shall determine the terms and conditions of your probation and may, at any time during the period of probation, alter or modify such terms and conditions. The Court has the authority at any time during the period of probation to revoke your probation for violation of any of the terms and conditions of probation.

Signed this date: 06-21-, 2024.




JUDGE PRESIDING

I hereby acknowledge that I have received a copy of the terms and conditions of probation, including any terms and conditions set out in any Supplements.

Right thumb





PROBATIONER
6-21-24
DATE



MMJ
4/15

STATE OF TEXAS
COUNTY OF BLANCO
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL IN MY CUSTODY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE
DATE July 30 AD, 20 14



CELIA DOYLE
DISTRICT CLERK OF BLANCO COUNTY
BY Mary Madison Crowson DEPUTY
MARY MADISON CROWSON
THIS STAMP IS PRINTED IN RED

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AFFIDAVIT

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Richard A. Huntpalmer, Petitioner's attorney of record, who, being by me duly sworn, deposed as follows:

"My name is Richard A. Huntpalmer. I am over the age of 18 years, of sound mind, capable of making this affidavit, and state the following:

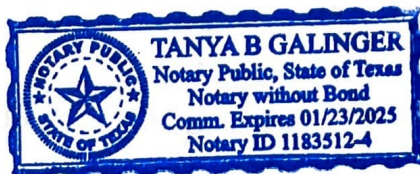
Based upon information and belief, James Mayer Harris, Jr., whose Texas Bar Card Number is 09065800, is licensed as an attorney and counselor at law in the State of Texas. Based upon information and belief James Mayer Harris, Jr., named as Respondent in the Petition for Compulsory Discipline filed with the Board of Disciplinary Appeals is one and the same person as the James Mayer Harris, Jr. who is the subject of the following matters:


Order of Deferred Adjudication filed June 21, 2024, in Cause Number CR02235, styled *The State of Texas v. James Mayer Harris, Jr.*, In the 33rd/424th Judicial District of Blanco County, Texas, wherein Respondent pleaded guilty to Agg Assault Date/Family/House w/Weapon, a First Degree Felony, in violation of Texas Penal Code, §22.02(b)(1). Respondent was placed on ten (10) years Deferred Adjudication; Waive the Right to Appeal and Any Motions for New Trial; Pay Court Costs and Reimbursement Fees; Pay Restitution; Deadly Weapon and Family Violence Finding; Forfeiture of Ruger 9MM (Serial Number 317-83637). Respondent was further ordered to pay restitution in the amount of \$6,500.00, court costs in the amount of \$290.00, and a reimbursement fee in the amount of \$15.00, along with other terms and conditions.

FURTHER Affiant saith not.


Richard A. Huntpalmer

SWORN AND SUBSCRIBED before me on the 26th day of August, 2024.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



The Supreme Court of Texas

CHIEF JUSTICE
NATHAN L. HECHT

JUSTICES
DEBRA H. LEHRMANN
JEFFREY S. BOYD
JOHN P. DEVINE
JAMES D. BLACKLOCK
J. BRETT BUSBY
JANE N. BLAND
REBECA A. HUDDLE
EVAN A. YOUNG

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
BLAKE A. HAWTHORNE

GENERAL COUNSEL
NINA HESS HSU

EXECUTIVE ASSISTANT
NADINE SCHNEIDER

I, Blake A. Hawthorne, Clerk of the Supreme Court of Texas, as custodian of the roll of attorneys for the State of Texas, do hereby certify that upon searching the records in my custody, find said records show James Mayer Harris, Jr. (State Bar of Texas Bar #09065800) was licensed to practice as an attorney and counselor at law in the State of Texas on May 27, 1983.

As of this date, James Mayer Harris, Jr. is currently authorized to practice as an attorney and counselor at law in the State of Texas. Please note that license status is subject to change at any time.

IN TESTIMONY WHEREOF, witness my hand and the

SEAL OF THE SUPREME COURT OF TEXAS
at the city of Austin,
this the 9th day of October, 2024.

A handwritten signature in black ink that reads "Blake A. Hawthorne".

Blake A. Hawthorne
Clerk of the Supreme Court



STATE OF TEXAS
COUNTY OF BLANCO
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL IN MY CUSTODY.
GIVEN UNDER MY HAND AND SEAL OF OFFICE
DATE July 30 AD, 2024



CELIA DOYLE
DISTRICT CLERK OF BLANCO COUNTY
BY Mary Madison Crowson DEPUTY
MARY MADISON CROWSON
THIS STAMP IS PRINTED IN RED

20f2

CAUSE NO. CR02235

THE STATE OF TEXAS § IN THE DISTRICT COURT OF
V. § BLANCO COUNTY, TEXAS
JAMES MAYER HARRIS, JR § 33rd / 424th JUDICIAL DISTRICT

ORDER APPROVING WAIVER OF INDICTMENT

WHEREAS it appears to the Court that the defendant is mentally competent and understands the right not to be charged with a felony offense except on the return of an indictment by a grand jury, and WHEREAS it further appears that the defendant knowingly and voluntarily gave up and abandoned his/her right to be charged by indictment for the offense of AGG ASSAULT DATE/FAMILY/HOUSE W/WEAPON in this cause and consents and agrees to be charged by information, the defendant's waiver of indictment in this cause, is approved.

Signed this the 21ST day of June, 2024.



JUDGE PRESIDING
33rd / 424th DISTRICT COURT
BURNET COUNTY, TEXAS

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