



F I L E D

Jan 07 2025

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

THE BOARD OF DISCIPLINARY APPEALS
SUPREME COURT OF TEXAS

IN THE MATTER OF SIDNEY §
KATHERINE POWELL § CASE NO. 69537
STATE BAR NO. 16209700 §

**SIDNEY POWELL’S SUPPLEMENT TO HER
SUPPLEMENTAL ANSWER AND BRIEF IN SUPPORT**

TO: THE BOARD OF DISCIPLINARY APPEALS:

Sidney Katherine Powell, files her Supplement to her Brief in Support of her Answer to the Petition filed by the Bar as follows:

1. The compulsory discipline procedure only applies “[w]hen 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.” TEX.R. DISCIPLINARY P. 8.01. An intentional crime is “(1) any Serious Crime that requires proof of knowledge or intent as an essential element or (2) any crime involving misapplication of money or other property held as a fiduciary.” *Id.* at 1.06(T). *In re Caballero*, 272 S.W.3d 595, 597–98 (Tex. 2008). “ ‘Serious crime’ means 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.” Tex.R. Disciplinary P. 1.06(Z). *Id.* at n. 2.

2. Compulsory discipline procedure does not apply to Ms. Powell – there was no barratry; there was no felony involving moral turpitude; and there was no 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.

3. This case should have never been filed by the Bar and should have been dismissed by the

Bar when Ms. Powell her Rule 91a Motion to Dismiss.

4. Ms. Powell respectfully re-urges BODA to dismiss this case under her Rule 91a Motion to Dismiss or enter judgment denying the Bar's claims in the Petition, with prejudice, award her costs, attorney's fees, and such other and further relief as she may be entitled to in law or in equity.

Respectfully submitted,
HOLMES LAWYER, PLLC

By: /s/ Robert H. Holmes
Robert H. Holmes
State Bar No. 09908400
19 St. Laurent Place
Dallas, Texas 75225
Telephone: 214-384-3182
Email: rholmes@swbell.net

COUNSEL FOR MS. POWELL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been delivered, by email to BODA and the Bar on January 7, 2025.

/s/ Robert H. Holmes
Robert H. Holmes