

No. 73113



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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**

MARTIN S. WOZNIAK

STATE BAR OF TEXAS CARD NO. 22013550,

APPELLANT

V.

COMMISSION FOR LAWYER DISCIPLINE,

APPELLEE

*On Appeal from an Evidentiary Panel
For the State Bar of Texas District 7
No. 202400162 [SBOT]*

**APPELLEE'S RESPONSE TO APPELLANT'S EMERGENCY MOTION FOR STAY OF
SUSPENSION PENDING APPEAL AND MOTION FOR RECONSIDERATION DUE TO
INVOLUNTARY MEDICAL ABSENCE**

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No. 73113

**Before the Board of Disciplinary Appeals
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STATE BAR OF TEXAS CARD NO. 22013550,
APPELLANT

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INVOLUNTARY MEDICAL ABSENCE**

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Appellee, the Commission for Lawyer Discipline (the “Commission”), files this Response to Appellant, Martin S. Wozniak’s (“Wozniak”), Emergency Motion for Stay of Suspension Pending Appeal and Motion for Reconsideration due to Involuntary Medical Absence (the “2nd Stay Motion”). The Commission asks the Board to deny Wozniak’s 2nd Stay Motion in all respects.

I.

On March 31, 2026, an Evidentiary Panel for the State Bar of Texas District 7 Grievance Committee entered a Judgment of Partially Probated Suspension against Wozniak in *Commission for Lawyer Discipline v. Martin S. Wozniak*, Case No. 202400162 (the “Judgment”). [Exh. A]. In relevant part, the Panel’s Judgment:

- (1) found that Wozniak was in default as to his liability for Professional Misconduct for violation of TDRPC 8.04(a)(7), as he failed to timely file a responsive pleading; and,
- (2) imposed an 18-month, partially probated suspension, with 6 months to be served as an active suspension beginning on April 1, 2026, and ending on September 30, 2026, subject to Wozniak’s timely compliance with certain terms and conditions thereof.

-- [Id.].¹

Additional terms of Wozniak’s active suspension required his providing notification of same to current clients, opposing counsel, and relevant courts, on or before April 15, 2026, amongst other things. [Id.].

On April 30, 2026, Wozniak filed his motion for new trial. [Exh. D].² On May 26, 2026, the Commission filed its response to Wozniak’s motion for new trial, which the Panel’s clerk e-mailed to Wozniak with notice that a hearing on his motion for new trial was set for Zoom on June 8, 2026, at 11:00 a.m. [Exh. E].

¹ The Panel apparently also issued: (i) an Order on Motion for Entry of Default Judgment on April 3, 2026; and (ii) a First Amended Order on Motion for Entry of Default Judgment on April 14, 2026. [Exhs. B & C, respectively]. Neither such order purported to amend, correct, or otherwise modify the sanction issued by the Panel in any way. [Id.]. It is unclear what substantive effect such “orders” had, if any, given the prior-issued Judgment.

² Wozniak filed his notice of appeal with the Board on May 15, 2026.

On June 2, 2026, the Panel’s clerk sent the parties Zoom link information for the hearing set for June 8th. [Exh. F]. Later that day, Wozniak filed his first Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal with the Panel (the “1st Stay Motion”). [Exh. G].

On June 4, 2026, the Commission filed its response to Wozniak’s 1st Stay Motion, which the Panel’s clerk e-mailed to Wozniak with notice that the 1st Stay Motion would also be heard at the June 8th setting. [Exh. H]. Thereafter, Wozniak filed his Verified Emergency Motion for Continuance of Hearing on Motion for New Trial. [Exh I]. And on June 5, 2026, the Commission filed its response to Wozniak’s motion for continuance, which the Panel’s clerk also e-mailed to Wozniak. [Exh. J]. The Commission’s response to Wozniak’s motion for continuance noted that such motion did not provide any medical documentation in support of its allegations. [Id.]. It appears the June 8th hearing proceeded, without Wozniak – and the Panel issued orders denying each of Wozniak’s motion for continuance, his motion for new trial, and the 1st Stay Motion. *See* 2nd Stay Motion; [Exhs. K, L, and M, respectively].

II.

Wozniak now asks **the Board** to stay his suspension via his 2nd Stay Motion. The 2nd Stay Motion cites no legal authority supporting Wozniak’s request for the Board’s issuance of a stay of the Judgment. The Board should deny Wozniak’s request because Texas Rule of Disciplinary Procedure 2.24 provides the procedure

whereby a respondent attorney may seek a stay of an evidentiary panel's judgment of suspension by requesting such from the evidentiary panel, and it does not provide for review of such determination. TEX. RULES DISCIPLINARY P.R. 2.24. In relevant part, TRDP 2.24 provides:

No Supersedeas: ...[T]he Respondent may within thirty days from entry of judgment petition the Evidentiary Panel to stay a judgment of suspension. The Respondent carries the burden of proof by preponderance of the evidence to establish by competent evidence that the Respondent's continued practice of law does not pose a continuing threat to the welfare of Respondent's clients or to the public. An order of suspension must be stayed during the pendency of any appeals therefrom if the Evidentiary Panel finds that the Respondent has met that burden of proof...

-- TEX. RULES DISCIPLINARY P.R. 2.24 (emphasis added).

Wozniak's 1st Stay Motion was filed on June 2nd, ***sixty-three days*** after the Panel issued the Judgment and so, ***untimely by over a month***. ID. Wozniak's 2nd Stay Motion was filed with the Board on July 8th, ***an additional thirty-plus days overdue***, even assuming TRDP 2.24 applied. ID.

Further, neither the 1st Stay Motion **nor** the 2nd Stay Motion sets forth facts or law that would support the grant of a stay under the rules. Neither motion even alleges that Wozniak's "continued practice of law does not pose a continuing threat to the welfare of Respondent's clients or to the public." The closest that ***either*** motion comes to addressing this foundational requirement of TRDP 2.24 are Wozniak's conclusory assertions that he "does not present a threat to client funds,

public safety, or the integrity of pending matters warranting emergency enforcement before completion of the review process,” and/or that failure to issue a stay “will result in immediate, catastrophic, and irreparable harm to Respondent’s active clients...” But these conclusory assertions present nothing that would support issuance of a stay under the rules and instead, essentially seek to invert the burden established by TRDP 2.24.

Finally, the findings of misconduct set forth in the judgment, standing alone, provide substantial support for the conclusion that Wozniak’s continued practice of law would pose a threat to the welfare of his clients or the public. The Panel found that Wozniak failed to comply with a *prior* disciplinary judgment by failing to pay restitution to a client, along with attorney’s fees and expenses incurred by the State Bar in pursuit of *that* disciplinary judgment. [Exh. A]. Further, the Commission’s response to Wozniak’s 1st Stay Motion pointed out Wozniak’s ongoing failures to even comply with terms of the current Judgment. [Exh. H]. Even if the TRDPs contemplated the potential issuance of a stay by the Board in such circumstances, Wozniak’s has failed to rebut the presumption that his practice of law will pose a continuing threat to his clients and/or the public. See e.g., *Wade v. Comm’n for Lawyer Discipline*, 961 S.W.2d 366, 373 (Tex.App. – Houston [1st Dist.] 1997, no writ) (discussing prior TRDP 3.14 (now TRDP 3.13), the district court equivalent to current TRDP 2.24).

CONCLUSION AND PRAYER

For the foregoing reasons, the Commission prays that the Board deny Wozniak's 2nd Stay Motion in all respects.

RESPECTFULLY SUBMITTED,

SEANA WILLING
CHIEF DISCIPLINARY COUNSEL

ROYCE LEMOINE
DEPUTY COUNSEL FOR ADMINISTRATION

MICHAEL G. GRAHAM
APPELLATE COUNSEL

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MICHAEL G. GRAHAM
STATE BAR CARD NO. 24113581
ATTORNEY FOR APPELLEE

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing Appellee's Response to Appellant's Emergency Motion for Stay of Suspension Pending Appeal and Motion for Reconsideration Due to Involuntary Medical Absence has been served on Appellant, Martin S. Wozniak, by email to mswozniak@sbcglobal.net and wozniak640@gmail.com on the 15th day of July, 2026.

A handwritten signature in black ink, appearing to read "Michael G. Graham", with a long horizontal flourish extending to the right.

MICHAEL G. GRAHAM
APPELLATE COUNSEL
STATE BAR OF TEXAS

Exh. A

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

JUDGMENT OF PARTIALLY PROBATED SUSPENSION

Parties and Appearance

On March 23, 2026, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline (“Commission”), appeared by and through its attorney of record and announced ready. Respondent, **MARTIN S. WOZNIAK** (“Respondent”), Texas Bar Number **22013550**, appeared.

Jurisdiction and Venue

The Evidentiary Panel 7-3, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Default

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure. Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

Professional Misconduct

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true,

finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the allegations as deemed true, the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Tarrant County, Texas.
3. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.
4. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
5. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
6. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00).
8. Respondent owes restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00), which shall be paid directly to the Client Security Fund of the State Bar of Texas as reimbursement for funds disbursed to Carolyn Rice.
9. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00).

10. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00).

Conclusions of Law

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 8.04(a)(7).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Partially Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of eighteen (18) months, beginning April 1, 2026 and ending September 30, 2027. Respondent shall be actively suspended from the practice of law for a period of six (6) months beginning April 1, 2026 and ending September 30, 2026. The twelve (12) month period of probated suspension shall begin on October 1, 2026 and shall end on September 30, 2027. If Respondent complies with all of the following terms and conditions timely, the twelve (12) month period of probated suspension shall begin on October 1, 2026, and shall end on September 30, 2027:

1. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

2. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
3. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
4. Pursuant to the prior Judgment, Respondent was ordered to pay restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00). Restitution shall be made payable to the Client Security Fund of the State Bar of Texas, as reimbursement for funds previously disbursed to Carolyn Rice. The restitution payment shall be due and payable on or before September 30, 2026. Respondent shall remit payment by certified check, cashier's check, or money order made payable to the Client Security Fund and shall forward the payment to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).
5. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Should Respondent fail to comply with all of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until September 30, 2027, whichever occurs first.

Terms of Active Suspension

It is further **ORDERED** that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services for others; accepting any fee directly or

indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, or before April 15, 2026, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before April 15, 2026, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If it is Respondent's assertion that at the time of suspension he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of suspension, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further **ORDERED** Respondent shall, on or before April 15, 2026, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before April 15, 2026, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court. If it is Respondent's assertion that at the time of suspension he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

It is further **ORDERED** that, on or before April 15, 2026, Respondent shall surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

Terms of Probation

It is further **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.

5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Restitution, Attorney's Fees and Expenses

It is further **ORDERED** pursuant to the prior Judgment, Respondent was ordered to pay restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00). Restitution shall be made payable to the Client Security Fund of the State Bar of Texas, as reimbursement for funds previously disbursed to Carolyn Rice. The restitution payment shall be due and payable on or before September 30, 2026. Respondent shall remit payment by certified check, cashier's check, or money order made payable to the Client Security Fund and shall forward the payment to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).

It is further **ORDERED** pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding

in the amount of Two Thousand Eight Hundred Ninety-Five and No/100 Dollars (\$2,895.00). Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the State Bar of Texas in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid attorney's fees ordered from the previous judgment in the amount of \$3,177.00, the direct expenses in the amount of \$580.00, restitution in the amount of \$2,500.00 to the Client Security Fund of the State Bar of Texas and attorney's fees and direct expenses in this disciplinary proceeding in the amount of \$2,895.00.

Publication

This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 31st day of March, 2026.

**EVIDENTIARY PANEL 7-3
DISTRICT NO. 7
STATE BAR OF TEXAS**

Michael R. Kurmes

Michael Kurmes
District 7-3 Presiding Member

Exh. B

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

ORDER ON MOTION FOR ENTRY OF DEFAULT JUDGMENT

Came on to be heard on March 23, 2026 the Commission for Lawyer Discipline’s (the “Commission”) Motion for Entry of Default Judgment (the “Motion”) against Respondent Martin S. Wozniak, Texas State Bar No. 22013550 (“Respondent” or “Wozniak”). Upon consideration of the Motion, the Notice of Default, documents submitted therewith, the arguments of counsel, and the file in this case, the Panel FINDS that

- (i) Respondent was served with the Evidentiary Petition and Request for Disclosure (the “Evidentiary Petition”), Motion for Substituted Service of Process, and Order on Petitioner's Motion for Substituted Service of Process consistent with the Panel’s Order on Petitioner's Motion for Substituted Service of Process;
- (ii) The substituted service considered by and effectuated under the Order was intended to provide and did provide Respondent reasonably effective notice of this proceeding and a reasonable time to appear and answer;
- (iii) Respondent did not appear or file an answer or other responsive pleading;
- (iv) Respondent has defaulted pursuant to Texas Rule of Disciplinary Procedure 2.17; and
- (v) the Motion should be and therefore hereby GRANTED.

It is therefore

ORDERED that the Motion is GRANTED; it is further

ORDERED that all facts alleged in the Evidentiary Petition field against Respondent shall be and are automatically deemed and taken as true, including:

1. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.
2. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
3. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
4. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
5. Although Respondent failed to acknowledge receipt of the Complaint in the instant case, on September 13, 2024, he filed a classification appeal with the Board of Disciplinary Appeals (BODA), indicating his awareness of the pending matter. Respondent was notified twice regarding BODA's affirmation of the classification yet has failed to respond to the Complaint or contact the Office of Chief Disciplinary Counsel (CDC). On May 22, 2025, the CDC filed an Evidentiary Petition and Request for Disclosure. On October 16, 2025, the CDC filed a Motion for Substituted Service of Process, which was granted on the same day. Respondent was served copies of the aforementioned pleadings on October 24, 2025, and his Answer to the Petition was due on November 17, 2025. As of the drafting of this proposed order, Respondent has not filed an Answer, provided a timely response, or asserted any privilege or any other legal ground for failing to do so.
6. Respondent's professional misconduct violated Texas Disciplinary Rules of Professional Conduct 8.04(a)(7) and 8.04(a)(8).

So Ordered.

Signed: April 3, 2026

Michael R. Kurmes

Evidentiary Panel Chair

Exh. C

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

**FIRST AMENDED ORDER ON MOTION FOR ENTRY OF DEFAULT JUDGMENT
(AS TO PARAGRAPH 6 ONLY)**

Came on to be heard on March 23, 2026 the Commission for Lawyer Discipline’s (the “Commission”) Motion for Entry of Default Judgment (the “Motion”) against Respondent Martin S. Wozniak, Texas State Bar No. 22013550 (“Respondent” or “Wozniak”). Upon consideration of the Motion, the Notice of Default, documents submitted therewith, the arguments of counsel, and the file in this case, the Panel FINDS that

- (i) Respondent was served with the Evidentiary Petition and Request for Disclosure (the “Evidentiary Petition”), Motion for Substituted Service of Process, and Order on Petitioner's Motion for Substituted Service of Process consistent with the Panel’s Order on Petitioner's Motion for Substituted Service of Process;
- (ii) The substituted service considered by and effectuated under the Order was intended to provide and did provide Respondent reasonably effective notice of this proceeding and a reasonable time to appear and answer;
- (iii) Respondent did not appear or file an answer or other responsive pleading;
- (iv) Respondent has defaulted pursuant to Texas Rule of Disciplinary Procedure 2.17; and
- (v) the Motion should be and therefore hereby GRANTED.

It is therefore

ORDERED that the Motion is GRANTED; it is further

ORDERED that all facts alleged in the Evidentiary Petition field against Respondent shall be and are automatically deemed and taken as true, including:

1. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.
2. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
3. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
4. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
5. Although Respondent failed to acknowledge receipt of the Complaint in the instant case, on September 13, 2024, he filed a classification appeal with the Board of Disciplinary Appeals (BODA), indicating his awareness of the pending matter. Respondent was notified twice regarding BODA's affirmation of the classification yet has failed to respond to the Complaint or contact the Office of Chief Disciplinary Counsel (CDC). On May 22, 2025, the CDC filed an Evidentiary Petition and Request for Disclosure. On October 16, 2025, the CDC filed a Motion for Substituted Service of Process, which was granted on the same day. Respondent was served copies of the aforementioned pleadings on October 24, 2025, and his Answer to the Petition was due on November 17, 2025. As of the drafting of this proposed order, Respondent has not filed an Answer, provided a timely response, or asserted any privilege or any other legal ground for failing to do so.
6. Respondent's professional misconduct violated Texas Disciplinary Rules of Professional Conduct 8.04(a)(7).

So Ordered.

Signed: 04/14/2026

Michael R. Kurmes

Evidentiary Panel Chair

Exh. D

From: [Sara Tat](#)
To: [Brittany Paynton](#)
Subject: FW: Motion New Trial Case No. 202400162
Date: Friday, May 1, 2026 8:22:44 AM
Attachments: [Motion_NewTrial.pdf](#)

From: Martin Wozniak <mswozniak@sbcglobal.net>
Sent: Thursday, April 30, 2026 17:50
To: Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: Motion New Trial Case No. 202400162

You don't often get email from mswozniak@sbcglobal.net. [Learn why this is important](#)

Please file.

April 30, 2026

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS



Dallas Office

Chief Disciplinary Counsel

COMMISSION FOR LAWYER DISCIPLINE §
Petitioner, §
§
VS. §
§
MARTIN S WOZNIAK, §
Respondent. §

Case No. 202400162

RESPONDENT'S VERIFIED MOTION FOR NEW TRIAL

TO THE HONORABLE EVIDENTIARY PANEL:

Respondent files this Verified Motion for New Trial and respectfully shows:

I. CASE BACKGROUND.

1. Answer efiled: March 20, 2026
2. Answer, prior to hearing, file marked: March 23, 2026
3. Hearing date: March 23, 2026.
4. Respondent appeared at hearing.
5. Default was granted despite answer and appearance.
6. First Judgment signed: March 31, 2026.
7. Amended Judgment signed April 14, 2026.

II. ARGUMENT

- A. Default after answer is reversible error.
- B. Failure to hear evidence on liability is structural error.
- C. Proceeding directly to sanction violates due process.
- D. Respondent did not act with conscious indifference.
- E. Respondent has meritorious defenses.

F. No prejudice will result from new hearing.

H. Findings of Fact upon which this judgment is based are disputed by the undisputed record.

These errors require reversal and vacatur.

III. PRAYER

Respondent requests the Panel vacate the judgment and grant a full new hearing.

Respectfully submitted,

/S/ MARTIN S. WOZNIAK

State Bar No. 22013550

430 Hickory Creek

Sadler, TX 76264

(817) 705-5154

wozniak640@gmail.com

mswozniak@sbcglobal.net

DECLARATION

“My name is Martin Wozniak. I am capable of making this verification. I have read the forgoing motion and the facts stated in it are within my personal knowledge and are true and correct and supported by the record. I declare under penalty of perjury the foregoing is true and correct.

Executed in Tarrant County, State of Texas, on the 30th day of April, 2026.

/S/ MARTIN S. WOZNIAK

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 30th day of April 2026.

/S/ MARTIN S. WOZNIAK

Exh. E

From: [Brittany Paynton](#)
To: [Martin Wozniak](#)
Cc: [Sara Tat](#)
Subject: RE: Motion New Trial Case No. 202400162
Date: Tuesday, May 26, 2026 1:14:30 PM
Attachments: [2026-05-26 File Marked Response to R's Motion for New Trial.pdf](#)

Dear Mr. Wozniak,

Attached please find the Commission's Response to your Motion for New Trial.

Please also note that the hearing on this Motion has been set via zoom on June 8, 2026, at 11:00 a.m. A zoom link will be sent to you a week prior.

Thank you,

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Friday, May 1, 2026 9:33 AM
To: Martin Wozniak <mwozniak@sbcglobal.net>
Cc: Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: RE: Motion New Trial Case No. 202400162

Mr. Wozniak,

Attached please find a file-marked copy of your Motion.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Martin Wozniak <mswozniak@sbcglobal.net>

Sent: Thursday, April 30, 2026 17:50

To: Sara Tat <Sara.Tat@TEXASBAR.COM>

Subject: Motion New Trial Case No. 202400162

You don't often get email from mswozniak@sbcglobal.net. [Learn why this is important](#)

Please file.



Dallas Office
Chief Disciplinary Counsel

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner** §
§
§

V. §

**MARTIN S. WOZNIAK,
Respondent** §
§
§

CASE NO. 202400162

PETITIONER'S RESPONSE TO MOTION FOR NEW TRIAL

The Commission for Lawyer Discipline ("Commission") files its Response to Respondent's Verified Motion for New Trial ("Motion") filed by Respondent Martin S. Wozniak ("Respondent") and respectfully states as follows:

BACKGROUND

1. On May 22, 2025, the Commission filed its Evidentiary Petition and Request for Disclosure (the "Evidentiary Petition").¹
2. On October 16, 2025, because the Commission's attempts to serve Respondent with the Evidentiary Petition at multiple addresses were unsuccessful, the Commission filed the Petitioner's Motion for Substituted Service of Process ("Motion for Substituted Service").²
3. On the same day, the Order Granting Motion for Substituted Service³ was signed, allowing the Commission to serve Respondent at his e-mail address: mswozniak@sbcglobal.net.

¹ Exhibit 1.

² Exhibit 2.

³ Exhibit 3.

4. On October 24, 2025, Respondent was served⁴ the 1) Evidentiary Petition and Request for Disclosure, 2) Petitioner's Motion for Substituted Process, and 3) Order Granting Petitioner's Motion for Substituted Process.
5. Respondent did not file a timely Answer or any other responsive pleading.
6. On January 7, 2026, the Commission filed its Motion for Entry of Default Judgment⁵ as well as its Notice of Default Hearing,⁶ scheduling the Default Hearing for March 23, 2026.
7. On March 20, 2026, the Friday preceding the scheduled Default Hearing, Respondent e-mailed his Original Answer and Motion for Continuance⁷ to Undersigned Counsel.
8. On March 23, 2026, Respondent appeared⁸ for the Default Hearing, and the Panel Chair denied Respondent's Motion for Continuance. The Default Hearing proceeded.
9. On April 3, 2026, the Grievance Panel entered its Order on Motion for Entry of Default Judgment.⁹
10. On April 14, 2026, a First Amended Order on Motion for Entry of Default Judgment¹⁰ was entered, correcting the rule of which Respondent was found in violation in Paragraph 6.
11. On April 30, 2026, Respondent filed his Motion.

ARGUMENT

12. This matter is governed by the Texas Rules of Disciplinary Procedure.¹¹

⁴ Exhibit 4, Affidavit of Service dated October 24, 2025.

⁵ Exhibit 5.

⁶ Exhibit 6.

⁷ Exhibit 7.

⁸ The Default Hearing was held via Zoom video conference. Respondent was present via telephone, but he was did not appear via video.

⁹ Exhibit 8.

¹⁰ Exhibit 9.

¹¹ "These rules establish the procedures to be used in the professional disciplinary and disability system for attorneys in the State of Texas." Tex. R. Disc. P. 1.02.

13. Pursuant to Texas Rule of Disciplinary Procedure Rule 2.17B, “[a] responsive pleading either admitting or denying each specific allegation of Professional Misconduct **must** be filed by or on behalf of the Respondent no later than 5:00 p.m. on the first Monday following the expiration of twenty days after service of the Evidentiary Petition.” (Emphasis added).
14. Respondent's deadline to answer the Evidentiary Petition expired on November 17, 2025. His Answer was not filed until March 20, 2026, more than four (4) months past the timeline permitted by the rules.
15. Pursuant to Rule 2.17C, “[a] failure to file an answer within the time permitted constitutes a default, and all facts alleged in the Evidentiary Petition **shall** be taken as true for the purposes of the Disciplinary Proceeding. Upon a showing of default, the Evidentiary Panel **shall** enter an order of default with a finding of Professional Misconduct and **shall** conduct a hearing to determine the Sanctions to be imposed. (Emphasis added).
16. Once a respondent fails to timely file an answer, a hearing on the default may be set at any time with at least ten days’ notice, and the respondent is not entitled to notice of the default hearing.¹² It should be noted that the Commission did serve Respondent with the Notice of Default Hearing on January 7, 2026.¹³
17. As outlined by the disciplinary rules, the Evidentiary Panel properly proceeded with the Default Hearing on March 23, 2026. The Panel found the Commission to have made a showing of default, found Respondent to have committed Professional Misconduct, and held a hearing regarding sanctions.¹⁴

¹² Tex. R. Disc. P. 2.17O.

¹³ Exhibit 10, e-mail to Respondent with Motion for Default Judgment and Notice of Default Hearing.

¹⁴ The Evidentiary Panel’s findings are outlined in Exhibit 9, the First Amended Order on Motion for Default Judgment.

18. Any motion for new hearing or motion to modify the judgment must comport with the provisions of the applicable Texas Rules of Civil Procedure pertaining to motions for new trial or to motions to modify judgments. Tex. R. Disc. P. 2.21.
19. New trials may be granted and judgment set aside for good cause on such terms as the court shall direct. Tex. R. Civ. P. 320.
20. Motions for new trial are to be specific and general claims are not to be considered. Tex. R. Civ. P. 322.
21. In order to set aside a default judgment, *Craddock v. Sunshine Bus Lines, Inc.* requires that:
- i. Respondent establish that his failure to file a timely answer was not intentional or the result of conscious indifference but was due to a mistake or an accident;
 - ii. Respondent set up a meritorious defense in the motion for new trial; **and**
 - iii. Respondent establish that granting of the motion will occasion no delay or otherwise work injury to the petitioner.¹⁵ (Emphasis added).
22. Respondent's Motion fails to satisfy the conditions required to set aside a default judgment as most, if not all, if his claims are general and not specific.
- i. Respondent's failure to regularly check his e-mail, on which he has previously and exclusively communicated with the Commission, was either intentional or a display of conscious indifference. Additionally, he has not claimed that his failure to file a timely answer was by mistake or accident.
 - ii. Respondent's mere statement that he "has meritorious defenses" is insufficient. He has not alleged any facts supported by affidavits or other evidence that meets a prima facie claim to any defenses for his failure to pay restitution and attorneys'

¹⁵ 133 S.W.2d 124, 126 (1939).

fees and expenses as ordered by the Judgment of Private Reprimand in *Commission for Lawyer Discipline v. Martin S. Wozniak*, Case Number 202002593. See *Ivy v. Carrell*, 407 S.W.2d 212, 214 (Tex. 1966). A new hearing on his non-compliance would not lead to a different result.

- iii. Respondent simply states that “no prejudice will result from a new hearing.” However, the Commission has an interest in efficiently disposing of cases and holds an obligation to the profession and to the public to do so. This matter was scheduled well in advance and was duly presented to the Panel at hearing. Thereafter, the Panel found professional misconduct, entered a default judgment, and imposed a sanction. To grant a new hearing at this juncture and upon no specific legal bases asserted by Respondent would impose undue delay and injury to the Commission.

CONCLUSION AND PRAYER FOR RELIEF

The Evidentiary Panel properly granted the Commission’s request for a Default Judgment. Respondent was properly served, and he failed to timely respond. Respondent has not met his burden in his request for a new trial. Therefore, the Default Judgment should remain in effect.

WHEREFORE, the Commission asks that the Panel deny Respondent’s Motion.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Sara Tat
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas

4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
Telephone: (972) 383-2900
Facsimile: (972) 383-2935
E-Mail: sara.tat@texasbar.com

/s/ Sara Tat
Sara Tat
State Bar No. 24082020

ATTORNEYS FOR THE COMMISSION

CERTIFICATE OF SERVICE

This is to certify that on May 26, 2026 a true and correct copy of the foregoing has been sent to Martin S. Wozniak, via e-mail to mswozniak@sbcglobal.net and wozniak640@gmail.com.

/s/ Sara Tat
Sara Tat



Dallas Office
Chief Disciplinary Counsel

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
 EVIDENTIARY PANEL 7-3
 STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
 DISCIPLINE,
 Petitioner**

§

§

§

§

v.

§

§

**MARTIN S. WOZNIAK,
 Respondent**

§

§

CASE NO. 202400162

EVIDENTIARY PETITION AND REQUEST FOR DISCLOSURE

COMES NOW, the Commission for Lawyer Discipline (Petitioner), and would respectfully show the following:

I. Parties

Petitioner is a committee of the State Bar of Texas. **MARTIN S. WOZNIAK**, (Respondent), State Bar No. **22013550**, is an attorney licensed to practice law in the State of Texas. Respondent may be served with process at 1901 Central Drive, Suite 600, Bedford, Texas 76021, or wherever he may be found.

II. Jurisdiction & Venue

This Disciplinary Proceeding is brought pursuant to the State Bar Act, Tex. Gov't Code Ann., §§ 81.001–81.156; the Texas Disciplinary Rules of Professional Conduct; and the Texas Rules of Disciplinary Procedure. The complaint that forms the basis of this Disciplinary Proceeding was initiated by the State Bar of Texas on or after June 1, 2018. Venue is proper in Tarrant County, Texas, pursuant to Rule 2.11(C) of the Texas Rules of Disciplinary Procedure, because Tarrant County is the county of Respondent's principal place of practice.

EXHIBIT

1

III. Professional Misconduct

The acts and omissions of Respondent as alleged below, constitute professional misconduct.

IV. Factual Allegations

On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent, in case number 202002593, *Commission for Lawyer Discipline v. Martin S. Wozniak*, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas. Pursuant to the judgment, Respondent was ordered to pay restitution of \$2,500, made payable to Complainant, Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.

Pursuant to the judgment, Respondent was ordered to pay attorney's fees of \$3,177 and direct expenses of \$580, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.

Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses. Respondent failed to comply with the terms of the judgment.

V. Disciplinary Rules of Professional Conduct

The conduct described above is in violation of the following rule of the Texas Disciplinary Rules of Professional Conduct:

8.04(a)(7): A lawyer shall not violate any disciplinary or disability order or judgment.

VI. Complaint

The complaint that forms the basis of the cause of action set forth above was initiated by the State Bar of Texas – Dallas on or about December 27, 2023.

VII. Prayer

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that a judgment of professional misconduct be entered against Respondent and that this Evidentiary Panel impose an appropriate sanction against Respondent as warranted by the facts. Petitioner further prays to recover all reasonable and necessary attorney's fees and all costs associated with this proceeding. Petitioner further prays for such other and additional relief, general or specific, at law or in equity, to which it may show itself entitled.

VIII. Request for Disclosure

Pursuant to Rule 2.17(D) of the Texas Rules of Disciplinary Procedure, Petitioner requests that Respondent disclose, **within fifty (50) days of the service of this request**, the following information or material:

1. The correct name of the parties.
2. The factual bases of Respondent's claims or defenses.
3. The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with this disciplinary proceeding.
4. For any testifying expert, the expert's name, address, and telephone number; subject matter on which the expert will testify, and the general substance of the expert's mental impressions and opinions and a brief summary of the basis of them.
5. Any witness statements.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Deborah L. Borio
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
Telephone: (972) 383-2900
Facsimile: (972) 383-2978
E-Mail: Deborah.Borio@texasbar.com

/s/ Deborah L. Borio/s/

Deborah L. Borio
State Bar No. 24109330

ATTORNEYS FOR PETITIONER

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**



**Dallas Office
Chief Disciplinary Counsel**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

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V.

CASE NO. 202400162

**MARTIN S. WOZNIAK,
Respondent**

PETITIONER'S MOTION FOR SUBSTITUTED SERVICE OF PROCESS

Petitioner, the Commission for Lawyer Discipline ("Petitioner"), asks the Panel to authorize substituted service on Martin S. Wozniak ("Respondent") for Petitioner's Evidentiary Petition and Request for Disclosure, and, in support thereof, would respectfully show the following:

1. Respondent's usual place of business is 1901 Central Drive, Suite 600, Bedford, Texas 76021. Respondent lists this address as his primary practice location with the State Bar of Texas. Exhibit 1. This address is also in Respondent's letterhead atop his response to the complaint in this matter. Exhibit 2.
2. Respondent has electronically filed documents in a Grayson County case as recently as June 27, 2025. Exhibit 3. Those items also list his business address to be 1901 Central Drive, Suite 600, Bedford, Texas 76021, Respondent's usual place of business and primary practice location. *Id.*
3. Personal service attempt on Respondent on September 4, 2025 at 1901 Central Drive, Suite 600, Bedford, Texas 76021 was unsuccessful, as shown in the attached affidavit of Dawn Sheree Chapman. Exhibit 4. Ms. Chapman indicated that Suite 600 is the management company of the building, and the person who answered stated that

Respondent “is semi-retired and does not have an office space [t]here anymore.” *Id.*

It does not appear that service at this address will be reasonably effective to give Respondent notice of this suit.

4. Respondent’s home address is 4544 Hickory Meadows Lane, Fort Worth, Texas 76244. Personal service attempt on Respondent on September 4, 2025 at this address was also unsuccessful, as shown in the attached affidavit of Dawn Sheree Chapman. *Id.* Ms. Chapman indicated that “[t]he resident of this home stated that [Respondent] has not lived [t]here in 4 or 5 years.” It does not appear that service at this address will be reasonably effective to give Respondent notice of this suit.
5. Additional research provided that Respondent may potentially be found at 430 Hickory Creek Drive, Sadler, Texas 76264 and/or at 724 Weddle Drive, Grapevine, Texas 76051.
6. Personal service attempts at 430 Hickory Creek Drive, Sadler, Texas 76264 on September 12, 18, and 20, 2025 were unsuccessful. Exhibit 5. There was not a residence or a house, only a mailbox with the word “vacant.” *Id.* The process server left a business card on the mailbox on September 12, 2025, and the card was still there on September 18 and 20, 2025. *Id.* It does not appear that service at this address will be reasonably effective to give Respondent notice of this suit.
7. Personal service attempt on September 10, 2025 at 724 Weddle Drive, Grapevine, Texas 76051 was unsuccessful. Exhibit 6. The process server left notice and was later notified by phone that Respondent had not lived there in 20 years. *Id.* It does not appear that service at this address will be reasonably effective to give Respondent notice of this suit.

8. Investigator Rick Schulte with the Office of the Chief Disciplinary Counsel left a voicemail for Respondent as recent as October 8, 2025 at telephone number 214-417-0520. Exhibit 7 (redacted). This is the same telephone number listed on Respondent's state bar page as well as documents he filed in the aforementioned Grayson County matter. See Exhibits 1 and 3. As of the drafting of this Motion, Respondent has not responded to the voicemail.
9. Correspondence with the Office of the Chief Disciplinary Counsel in the instant case shows that Respondent uses mswozniak@sbcglobal.net as his email address. Exhibit 8 (redacted). Documents Respondent filed in the aforementioned Grayson County matter also list this email address. Exhibit 3.
10. As shown in Exhibits 2 and 7, Respondent is aware of the pending matter.
11. Pursuant to the Texas Rules of Disciplinary Procedure and the Texas Rule of Civil Procedure 106(b)(2), Petitioner requests this Evidentiary Panel grant its Motion for Substituted Service and order Respondent be served with true and correct copies of the following documents via e-mail to mswozniak@sbcglobal.net, which will be reasonably effective to give Respondent notice:
 - a. Letter to Respondent, dated May 22, 2025, enclosing: a) Order Assigning Evidentiary Panel dated April 2, 2025, b) list of District 7 panel members, and c) Petitioner's Evidentiary Petition and Request for Disclosure e-filed on May 22, 2025 and
 - b. This Motion.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Sara Tat
Trial Attorney

Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Farmers Branch, TX 75244
Tel: 972-383-2911
Fax: 972-383-2978
E-mail: sara.tat@texasbar.com

/s/ Sara Tat
Sara Tat
State Bar No. 24082020

ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Petitioner's Motion for Substituted Service of Process has been sent on October 16, 2025 as follows:

Martin S. Wozniak
via Email
mswozniak@sbcglobal.net

Martin S. Wozniak
via Certified Mail No. 9589 0710 5270 1529 4312 04
Return Receipt Requested
1901 Central Drive, Suite 600, Bedford, Texas 76021

Martin S. Wozniak
via First Class U.S. Mail
1901 Central Drive, Suite 600, Bedford, Texas 76021

/s/ Sara Tat
Sara Tat

EXHIBIT 1



MR. MARTIN S. WOZNIAK

● Eligible to Practice in Texas

Bar Card Number: 22013550

TX License Date: 02/20/1986

Primary Practice Location: Bedford , Texas

1901 Central Drive
Bedford, TX 76021

CONTACT INFORMATION

Tel: 214-417-0520 📞

Practice Areas: None Reported By Attorney

Statutory Profile Last Certified On: 02/28/2020

PRACTICE INFORMATION

Firm: None Reported By Attorney

Firm Size: 2 to 5

Occupation: Private Law Practice

Practice Areas: None Reported By Attorney

Services Provided:

Deaf/Hard of Hearing Translation: Not Specified

ADA accessible client service: Not Specified

Language translation: Not Specified

Fee Options Provided: ?

None Reported By Attorney

Please note: Not all payment options are available for all cases, and any payment arrangement must be agreed upon by the attorney and his/her client. The State Bar of Texas is not responsible for payment arrangements between an attorney and his/her client.

COURTS OF ADMITTANCE

Federal:

Fifth Circuit Court of Appeals

Seventh Circuit Court of Appeals

Texas Northern District Court

Texas Western District Court

Other Courts:

None Reported By Attorney

Other States Licensed:

None Reported By Attorney

Please note: This information is self reported by Texas attorneys. Current license or admittance status can only be certified by the appropriate court or licensing entity.

EXHIBIT 2

MARTIN S. WOZNIAK

Attorney & Counselor

1901 Central Drive, Suite 600

Bedford, Texas 76021

Direct Dial (214) 417-0520

December 13, 2024

RICKSCHULTE@TEXASBAR.COM

Mr. Rick Schulte

Investigator State Bar of Texas

4201 Spring Valley Road, Suite 400

Dallas, TX 75244

Re: 23-10530 Carolyn Rice

Dear Mr. Schulte:

Current Status

I am currently 73 years old and for all practical purposes retired. I currently enjoy Emeritus status with the State Bar. I have practiced for 47 years without a blemish or claim except for this anomaly. I have over the years performed my share of pro bono work. The matter with Carolyn Rose is not one of them.

Background

In the present case, service of process on the Carolyn Rice's step children in Maine, Missouri, and Florida was not accomplished because Carolyn Rice failed to provide a valid address for her children which duty and responsibility was a condition of my employment.

General Denial

Wozniak generally denies all allegations of Professional Misconduct.

Other Defenses

As between Wozniak and Rice there exists a mutuality of mature related debts. Under common law, mutuality of debts can lawfully be deducted from a debt owed by one party to the other party. Offset is an equitable right of one party to deduct a debt owed to them from a debt they owe to the other party. Offset can be an affirmative defense or counterclaim. Rice is indebted to Wozniak for disclosed fees and expenses in an amount far greater than any debt claim Rice could possibly have against Wozniak. The offsetting debt is mature and remains unpaid. It can also be noted that there is no allegation or finding of unconscionable fees. Pleading further if further pleading is necessary Wozniak pleads the inability to pay.

As between the State Bar of Texas and Wozniak, The State Bar of Texas has violated the Disciplinary Rules of Professional Conduct, it is here alleged that the State Bar of Texas has committed professional misconduct by publishing to third parties details and information concerning

Rick Schulte
December 13, 2024

this and other matters deemed by the Disciplinary Rules to be CONFIDENTIAL. The State Bar of Texas has a legal duty to maintain the confidentiality of this matter. Respondent has not waived confidentiality. The State Bar of Texas breached its duty by publishing through the Office of the Chief Disciplinary Counsel the details of this matter to third parties who are totally unrelated to this matter. By engaging in this conduct the State Bar of Texas has caused irreparable harm to Wozniak for which it is liable. Wozniak here invokes the common law right of offset. Offset is both an affirmative defense and counterclaim. Pleading further if further pleading is necessary Wozniak pleads the inability to pay the arbitrary award of fees and costs.

Conclusion

There exist both legal and equitable defenses to the payment of any awards or cost assessments in this matter. As outlined above there is the common law right of offset. Exercising the common law right of offset cannot be held to be professional misconduct. There is also in fact the inability to pay. The only presently available income to Wozniak are exempt social security benefits. I have three non-elective surgeries scheduled pending payment of my deductible. I don't have the funds available to pay my health insurance deductibles. Which corroborates that I don't have the ability to pay \$6,257 and the State Bar of Texas was informed of that fact. It was true then and it remains true today. Not having surplus cash to pay an arbitrary award when there is no allegation or finding of unconscionable fees is not professional misconduct. The rules of Professional Conduct do not employ a means test for the practice of law.

If there is additional information that would be of benefit, please advise.

Regards,

/S/Martin S. Wozniak

EXHIBIT 3

MARTIN S. WOZNIAK
ATTORNEY & COUNSELOR
1901 Central Dr., Suite 600
Bedford, TX 76021
Direct Dial (214) 417-0520

June 27, 2025

VIA E-File

Kelly Ashmore
Grayson County District Clerk
100 W. Houston Street
Sherman, TX 75090

RE: No. CV-23-0700, DAVIDSON v. NATHALIE R DEVOIR and
FREDERICK C DEVOIR

Dear Clerk of the District Court:

In accordance with court authorization, please issue a citation for publication in a newspaper of general circulation and the state's public information internet website for the following party:

Defendant NATHALIE R DEVOIR, 10387 McKinney Bridge Rd., Pilot Point, Texas 76258;

Thank you for your assistance.

Regards,
/S/ Martin S. Wozniak

No. CV 23-0700

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
VS.	§	59 th JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

MOTION FOR CITATION BY PUBLICATION

1. Plaintiff, BARBARA DAVIDSON, asks the court to authorize substitute service by publication on defendant, NATHALIE R DEVOIR.

2. Defendant's published usual place of abode is 10387 McKinney Bridge Rd., Pilot Point, Texas 76258.

3. The record reflects that Plaintiff has diligently attempted to serve Defendant on 18 occasions by personal delivery, but has not been successful as evidenced by the citation return filed of record herein by the Denton County Constable.

4. Constable Inman has personally spoken with NATHALIE R DEVOIR'S father who has appeared and answered in this matter. The father of NATHALIE R DEVOIR refused to disclose any information concerning the whereabouts of NATHALIE R DEVOIR when asked.

5. Plaintiff asks the court to authorize Plaintiff to serve Defendant NATHALIE R DEVOIR by citation by publication as allowed by the Texas Rules of Civil Procedure, which will be reasonably effective to give Defendant notice of this suit given in no small part to the fact that her father has been served and answered this suit through insurance defense counsel after dodging service himself for an extended period of time. The same insurance defense counsel will represent Defendant NATHALIE R DEVOIR.

6. Plaintiff incorporates Constable Inman's filed return by this reference. Plaintiff asks the Court to grant this Motion for Citation by Publication.

Respectfully submitted,

/s/Martin S. Wozniak
1901 Central Drive, Suite 600
Bedford, TX 76021

(214) 417-0520
mswozniak@sbcglobal.net
State Bar No. 22013550
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 19th day of June 2025.

/S/ MARTIN S. WOZNIAK

No. CV 23-0700

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
VS.	§	59 th JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

MOTION FOR SUBSTITUTE SERVICE OF PROCESS

1. Plaintiff, BARBARA DAVIDSON, asks the court to authorize substitute service on defendant, FREDERICK C DEVOIR.

2. Defendant's usual place of abode is 10387 McKinney Bridge Rd., Pilot Point, Texas 76258.

3. Plaintiff attempted to serve defendant on six occasions by *personal delivery*, but has not been successful.

4. Plaintiff asks the court to authorize plaintiff to serve defendant by leaving a true copy of the citation and the attached petition with anyone more than sixteen years of age at 10387 McKinney Bridge Rd., Pilot Point, Texas 76258, and if unsuccessful by leaving a true copy of the citation and the attached petition to the residence premises by placing it through a door mail chute or securely affix the citation and the attached petition to the front door or main entrance to the premises, which is reasonably effective to give defendant notice of the suit.

5. Plaintiff attaches an affidavit with proposed order to this motion as Exhibit A to verify the attempts at service and incorporates it by reference.

Respectfully submitted,

/s/Martin S. Wozniak
1901 Central Drive, Suite 600
Bedford, TX 76021
(214) 417-0520
mswozniak@sbcglobal.net
State Bar No. 22013550
ATTORNEY FOR PLAINTIFF

Denton County Constable, Pct. 5

Doug Boydston

1400 FM 424, Suite 164
Cross Roads, TX 76227-7284
940-349-3480

Cause Number: **CV-23-0700**

Court Date:

Barbara Davidson

vs.

Nathalie R Devoir and Frederick C Devoir

OFFICER'S SWORN REQUEST FOR ALTERNATIVE SERVICE UNDER RULE 106

TO THE HONORABLE JUDGE OF the 59th Judicial District, County of Grayson, State of Texas. Before me, the undersigned authority, this day personally appeared Jeff J Inman, to me well known and who after being by me duly sworn, did depose and say:

"A Law Enforcement Officer, Jeff J Inman, Deputy Constable of Precinct 5 of Denton County, Texas, May 5, 2025, was assigned the above listed citation for service. A Law Enforcement Officer made numerous attempts, at various times of the day to serve the Defendant at the below listed address. A Law Enforcement Officer also left a card or door hanger with my office phone number and address requesting that the Defendant contact this office for an appointment. I believe further attempts for personal service would prove impractical, and I therefore respectfully request permission from the Court to use alternative service under the provisions of Rule 106, Texas Rules of Civil Procedure. It is my opinion that the Defendant is evading personal service of said citation."

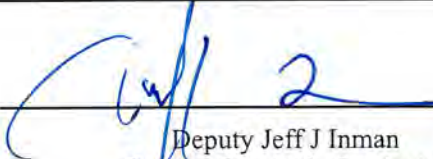
SERVICE ADDRESS: **10387 McKinney Bridge Rd Pilot Point TX 76258**

PERSON TO SERVE: **Frederick C Devoir**

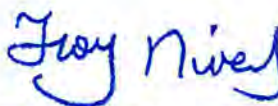
LISTING OF ATTEMPTS

DATE	TIME	REMARKS
05/09/2025	02:50 PM	I spoke with Attorney Martin Wozniak 214-417-0520. I told him a have enough information to get a rule 106 for Frederick. He said he would let me know. He said he would try and find out where Natalie is going to school.
05/09/2025	02:40 PM	I tried Frederick by ph. 423-892-3589, 479-927-2904 with no sucess.
05/09/2025	10:40 AM	No contact at this residence. DH still on the fence.
05/08/2025	05:10 PM	Gate locked no contact at this residence. A blk Dodge pickup was in the driveway. I was unable to read the tag. I left a door hanger on the gate.
05/06/2025	01:15 PM	No contact DH still in mailbox.
05/05/2025	10:05 AM	No contact at this residence. Gate closed LDH in mail box. Mail in mailbox comes back to Frederick Devoir.

Other information for the court;


Deputy Jeff J Inman
Deputy Constable Precinct 5
Denton County, Texas

Subscribed and sworn to, before me, May 9, 2025



Notary Public

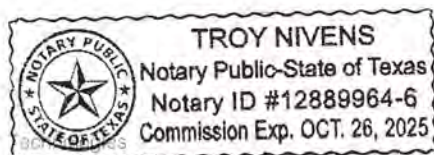


EXHIBIT 4

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE

§

§

Petitioner

§

VS.

§

CASE NO. 202400162

§

MARTIN S. WOZNAK

§

Respondent

§

DECLARATION OF DUE DILIGENCE

On this day personally appeared **Dawn Sheree Chapman** who, being by me duly sworn, deposed and said:

"The following came to hand on **Sep 2, 2025, 2:32 pm**,

**LETTER IN RE: 202400162, ORDER ASSIGNING EVIDENTIARY PANEL , EVIDENTIARY PETITION AND
REQUEST FOR DISCLOSURE,**

For delivery to MARTIN S. WOZNAK

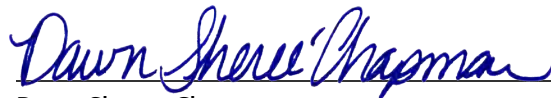
1) Unsuccessful Attempt: Sep 4, 2025, 11:42 am CDT at 4544 Hickory Meadows Lane , Fort Worth, TX 76244

The resident of this home stated that Martin has not lived here in 4 or 5 years.

2) Unsuccessful Attempt: Sep 4, 2025, 1:08 pm CDT at 1901 Central Drive SUITE 600, Bedford, TX 76021

I am here to serve Martin, and the suite 600 is the management company of the building. The lady stated that he is semi-retired and does not have an office space here anymore.

I am a person over eighteen (18) years of age and I am competent to make this declaration. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



Dawn Sheree Chapman

Certification Number: PSC17593

Certification Expiration: 11/30/2025

BEFORE ME, a Notary Public, on this day personally appeared **Dawn Sheree Chapman**, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON 10/3/2025


Notary Public, State of Texas

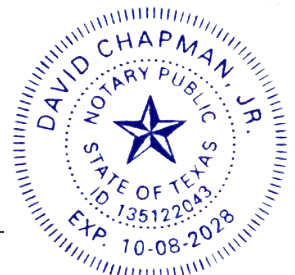


EXHIBIT 5

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE

Petitioner

VS.

MARTIN S. WOZNAK

Respondent

§
§
§
§
§
§

CASE NO. 202400162

DECLARATION OF DUE DILIGENCE

On this day personally appeared JANICE ROBERTSON who, being by me duly sworn, deposed and said:

"The following came to hand on 9/11/2024 at 5:15 pm,

LETTER IN RE: 202400162, ORDER ASSIGNING EVIDENTIARY PANEL , EVIDENTIARY PETITION AND REQUEST FOR
DISCLOSURE,

For delivery to MARTIN S. WOZNAK

1) Unsuccessful Attempt: Sep 12, 2025, 4:31 pm CDT at Home: 430 Hickory Creek Dr Sadler, TX 76264

There was a house at 418, 422 and 438 but no residence or house at 430. I couldn't get anyone at any of the residences to ask about this individual. There was a mailbox for 430 so I put my card on the mailbox even though there was a piece of paper on the mailbox that said "Vacant."

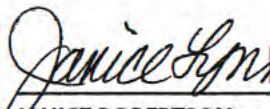
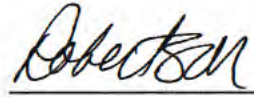
2) Unsuccessful Attempt: Sep 18, 2025, 4:00 pm CDT at Home: 430 Hickory Creek Dr Sadler, TX 76264

Notice I previously left is still on the mailbox. Still says "vacant" on the mailbox.

3) Unsuccessful Attempt: Sep 20, 2025, 6:50 pm CDT at Home: 430 Hickory Creek Dr, Sadler, TX 76264

Notice was still on the mailbox marked "vacant"

I am a person over eighteen (18) years of age and I am competent to make this declaration. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."

JANICE ROBERTSON

Certification Number: 11577

Certification Expiration: 07/31/2026

BEFORE ME, a Notary Public, on this day personally appeared **JANICE ROBERTSON**, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON 10/2/25



Notary Public, State of Texas

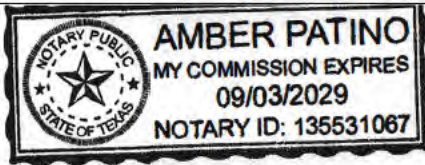


EXHIBIT 6

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE

§

§

Petitioner

§

VS.

§

CASE NO. 202400162

§

MARTIN S. WOZNIAK

§

Respondent

§

DECLARATION OF DUE DILIGENCE

On this day personally appeared CALEB HALE who, being by me duly sworn, deposed and said:

"The following came to hand on 9/2/2025 AT 2:32 PM,

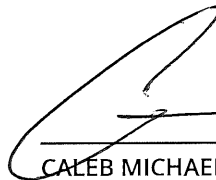
LETTER IN RE: 202400162, ORDER ASSIGNING EVIDENTIARY PANEL , EVIDENTIARY PETITION AND REQUEST FOR
DISCLOSURE,

For delivery to MARTIN S. WOZNIAK

1) Unsuccessful Attempt: Sep 10, 2025, 9:49 am CDT at Home: 724 Weddle Drive, Grapevine, TX 76051

No answer at the door or on the RING doorbell. Lights are off inside. No movement seen or heard. Notice left. 2 cars present. WMK1690 registered to Curtis Heptner and JPW8406 registered to Wayne Douglas Findley Jr. I received a call from (817)480-5133 saying that Martin Wozniak hasn't lived at 724 Weddle Dr in 20 years

I am a person over eighteen (18) years of age and I am competent to make this declaration. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



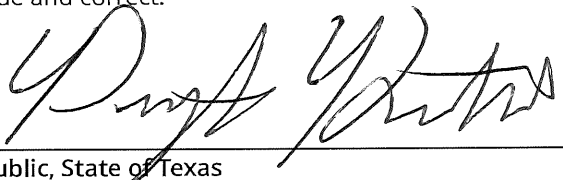
CALEB MICHAEL HALE

Certification Number: 23513

Certification Expiration: 11/30/2025

BEFORE ME, a Notary Public, on this day personally appeared CALEB MICHAEL HALE, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON 10-3-2025



Notary Public, State of Texas

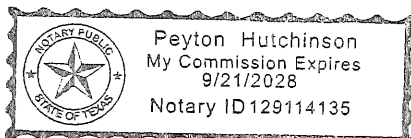


EXHIBIT 7

-  [Redacted] Outgoing
-  [Redacted] Forwarded to voicemail
-  +1 214-417-0520 (External) Outgoing
-  [Redacted] Incoming
-  [Redacted] Outgoing
-  [Redacted] Outgoing
-  [Redacted] Outgoing

Tuesday 5m 2s

Thursday 14s

Wednesday 35s

Wednesday 1m 40s

Wednesday

Wednesday

Wednesday



+1 214-417-0520 (External)



Wednesday, October 8, 2025

-  Outgoing 9:10 AM
Made by you
-  Call ended 9:11 AM
- Total call time 35s

EXHIBIT 8

E [REDACTED]

From: Martin Wozniak <mswozniak@sbcglobal.net>

Sent: Monday, December 16, 2024 11:52 PM

To: Rick Schulte <Rick.Schulte@TEXASBAR.COM>

Subject: Re: SBOT 202400162 SBOT v Wozniak [REDACTED]

You don't often get email from mswozniak@sbcglobal.net. [Learn why this is important](#)

Mr. Schulte,

[REDACTED]

Martin

On Friday, December 13, 2024 at 05:37:22 PM CST, Rick Schulte <rick.schulte@texasbar.com> wrote:

Good Evening, Mr. Wozniak,

[REDACTED]

[REDACTED]

[REDACTED]

Rick Schulte

Rick Schulte, Investigator

Office of the Chief Disciplinary Counsel

State Bar of Texas

4201 Spring Valley Road

Suite 400

Dallas, TX 75244

RICK.SCHULTE@TEXASBAR.COM



**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER	§	
DISCIPLINE,	§	
Petitioner	§	
	§	
V.	§	CASE NO. 202400162
	§	
MARTIN S. WOZNIAK,	§	
Respondent	§	

**ORDER GRANTING PETITIONER’S MOTION
FOR SUBSTITUTED SERVICE OF PROCESS**

After considering the Commission for Lawyer Discipline’s (“Petitioner”) Motion for Substituted Service of Process and the supporting affidavits, the Evidentiary Panel finds Petitioner’s attempts to serve Martin S. Wozniak (“Respondent”) have been unsuccessful and the substituted service requested in Petitioner’s motion will be reasonably effective to give Respondent notice in this matter.

The Evidentiary Panel hereby **GRANTS** the Petitioner’s Motion for Substituted Service of Process. Respondent may be served with true and correct copies of the following documents by e-mail to mswozniak@sbcglobal.net, which will be reasonably effective to give Respondent notice:

1. Letter to Respondent, dated May 22, 2025, enclosing: a) Order Assigning Evidentiary Panel dated April 2, 2025, b) a list of District 7 panel members, and c) Petitioner’s Evidentiary Petition and Request for Disclosure e-filed on May 22, 2025;
2. Petitioner’s Motion for Substituted Service of Process filed on October 16, 2025;
3. This signed Order; and
4. Any subsequent pleadings and any other documents pertaining to this matter.

SIGNED this 16th day of October 2025.

Michael R. Kurmes

Michael Robert Kurmes
Chair, Evidentiary Panel 7-3

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE

Petitioner

VS.

MARTIN S. WOZNIAK

Respondent

§
§
§
§
§
§
§

CASE NO. 202400162

AFFIDAVIT OF SERVICE

On this day personally appeared PEYTON CORBETT HUTCHINSON who, being by me duly sworn, deposed and said:

"The following came to hand on 10/23/2025 at 12:58 pm,

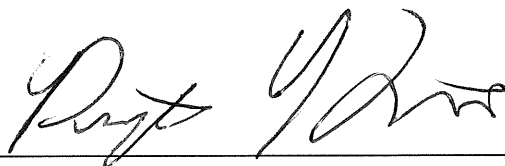
1. File-marked Evidentiary Petition and Request for Disclosure;
2. File-marked Petitioner's Motion for Substituted Service of Process;
3. Order Granting Petitioner's Motion for Substituted Service of Process

and was executed at 5:47 AM on 10/24/2025 , by delivering a true copy to the within named

MARTIN S. WOZNIAK VIA EMAIL TO MSWOZNIAK@SBCGLOBAL.NET (IN ACCORDANCE WITH THE ORDER GRANTING
PETITIONER'S MOTION FOR SUBSTITUTED SERVICE OF PROCESS) AS SHOWN IN EXHIBIT "A"

, having first endorsed the date of delivery on same.

I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



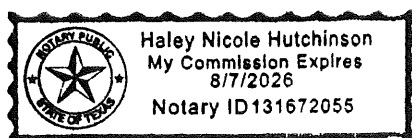
PEYTON CORBETT HUTCHINSON

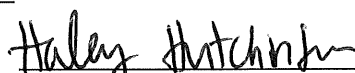
Certification Number: 11644

Certification Expiration: SEPT 30, 2026

BEFORE ME, a Notary Public, on this day personally appeared PEYTON CORBETT HUTCHINSON, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON 10/24/2025




Notary Public, State of Texas

EXHIBIT

4

Peyton Hutchinson

From: Peyton Hutchinson
Sent: Friday, October 24, 2025 5:47 AM
To: 'mswozniak@sbcglobal.net'
Subject: 202400162 Commission for Lawyer Discipline v. Martin S. Wozniak
Attachments: 2025-10-23 Request for Service of Motion for Substituted Service of Process and Order Granting ps Motion.pdf

Mr. Wozniak-

Per the Order Granting Petitioner's Motion for Substituted Service of Process, please see attached File-marked Evidentiary Petition and Request for Disclosure; File-marked Petitioner's Motion for Substituted Service of Process and Order Granting Petitioner's Motion for Substituted Service of Process.

Thank you,



Peyton Hutchinson
Founder & CEO
Dallas Civil Process & Notary
peyton@dallascivilprocess.net
469-600-5628
5999 Custer Road #110-315
Frisco, Texas 75035

Important: This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, and confidential and/or exempt from disclosure under applicable law. If you are neither the intended recipient nor an employee or agent responsible for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

Jan 7, 2026

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**



COMMISSION FOR LAWYER DISCIPLINE

§

§

v.

§

Case No. 202400162

Dallas Office

§

Chief Disciplinary Counsel

MARTIN S. WOZNIAK

§

COMMISSION'S MOTION FOR ENTRY OF DEFAULT JUDGMENT

Pursuant to the Texas Rules of Disciplinary Procedure, the Commission for Lawyer Discipline (the "Commission") files its Motion for Default Judgment against Respondent Martin S. Wozniak ("Respondent" or "Wozniak"), Texas State Bar No. 22013550, and respectfully shows as follows:

PROCEDURAL BACKGROUND

1. The Commission filed its Original Evidentiary Petition and Request for Disclosure (the "Evidentiary Petition") on May 22, 2025.¹

2. After numerous failed attempts at personal service and consistent with the Panel's Order Granting Petitioner's Motion for Substituted Service of Process signed on October 16, 2025,² Respondent was served via substituted service of process on October 24, 2025 by delivery of true and correct copies of the file-marked Evidentiary Petition and Request for Disclosure, file-marked Petitioner's Motion for Substituted Service of Process, and Order on Petitioner's Motion for Substituted Service of Process to Respondent via e-mail to mswozniak@sbcglobal.net.³

¹ Evidentiary Petition and Request for Disclosure, attached as Exhibit A.

² Order Granting Petitioner's Motion for Substituted Service of Process, attached as Exhibit B.

³ Affidavit of Service, attached as Exhibit C.

EXHIBIT**5**

3. Respondent did not timely file an answer or other responsive pleading, and as of this writing, Respondent has not filed an answer or other responsive pleading.

4. Respondent's last known physical address is 1901 Central Drive, Suite 600, Bedford, Texas 76021, and his last known e-mail address is mswozniak@sbcglobal.net.⁴

5. Respondent is not currently a member of the United States Military.⁵

ARGUMENT AND AUTHORITY

A. Standards for Default Judgment and deemed allegations

Pursuant to Texas Rule of Disciplinary Procedure 2.17B, Respondent is required to file a responsive pleading either admitting or denying each specific charge of the Evidentiary Petition no later than 5:00 p.m. on the first Monday following the expiration of twenty (20) days after the date of service of the petition.

A failure to timely file a responsive pleading within the time permitted constitutes a default under Rule 2.17C, and as a result, all facts alleged in the Evidentiary Petition shall be and are automatically taken as true.⁶

Upon a showing of a default, an Evidentiary Panel shall enter an order of default, with a finding of Professional Misconduct, and shall conduct a hearing to determine the Sanctions to be imposed.⁷

B. Default Judgment followed by a hearing regarding sanctions is appropriate

⁴ Certificate of Last Known Address, attached as Exhibit D.

⁵ Military Status Declaration, attached as Exhibit E.

⁶ TEX. R. DISC. P. 2.17C ("A failure to file an answer within the time permitted constitutes a default, and all facts alleged in the Evidentiary Petition shall be taken as true for the purposes of the Disciplinary Proceeding.").

⁷ TEX. R. DISC. P. 2.17C ("Upon a showing of default, the Evidentiary Panel shall enter an order of default with a finding of Professional Misconduct and shall conduct a hearing to determine the Sanctions to be imposed.").

Respondent's deadline to answer the Evidentiary Petition expired on November 17, 2025.⁸

Respondent did not timely file an answer and, as of this writing, has not filed an answer.

Accordingly, the following facts alleged in the Evidentiary Petition shall be and are now automatically taken as true for purposes of this Disciplinary Proceeding:

1. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.⁹
2. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
3. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
4. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
5. Additionally, although Respondent failed to acknowledge receipt of the Complaint in the instant case, on September 13, 2024, he filed a classification appeal with the Board of Disciplinary Appeals (BODA), indicating his awareness of the pending matter. Respondent was notified twice regarding BODA's affirmation of the classification yet has failed to respond to the Complaint or contact the Office of Chief Disciplinary Counsel (CDC). On May 22, 2025, the CDC filed an Evidentiary Petition and Request for Disclosure. On October 16, 2025, the CDC filed a Motion for Substituted Service of Process, which was granted on the same day. Respondent was served copies of the aforementioned pleadings on October 24, 2025, and his Answer to the Petition was due on November 17, 2025. As of the drafting of this motion, Respondent has not filed an Answer, provided a timely response, or asserted any privilege or any other legal ground for failing to do so.
6. Respondent's professional misconduct violated Texas Disciplinary Rules of Professional Conduct 8.04(a)(7) and 8.04(a)(8).

⁸ See TEX. R. DISC. P. 2.17B.

⁹ Judgment of Private Reprimand, attached as Exhibit F.

CONCLUSION AND PRAYER FOR RELIEF

WHEREFORE, the Commission requests that this matter be set for hearing and that, upon hearing, the Evidentiary Panel enter an Order of Default with a finding of professional misconduct, and that it immediately thereafter conduct a hearing to determine the sanctions to be imposed for the professional misconduct and for such other and further relief to which the Commission is entitled.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Sara Tat
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
(972) 383-2900 Telephone
(972) 383-2978 Facsimile
sara.tat@texasbar.com

/s/ Sara Tat

Sara Tat
State Bar No. 24082020

ATTORNEYS FOR THE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that, consistent with the panel's Order Granting Petitioner's Motion for Substituted Service of Process, a true and correct copy of the foregoing has been served upon Respondent, Martin S. Wozniak, on January 7, 2026, as follows:

Martin S. Wozniak
VIA E-MAIL: mswozniak@sbcglobal.net

/s/ Sara Tat

Sara Tat



Dallas Office
Chief Disciplinary Counsel

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
 EVIDENTIARY PANEL 7-3
 STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
 DISCIPLINE,
 Petitioner**

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§

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v.

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CASE NO. 202400162

§

**MARTIN S. WOZNIAK,
 Respondent**

§

§

EVIDENTIARY PETITION AND REQUEST FOR DISCLOSURE

COMES NOW, the Commission for Lawyer Discipline (Petitioner), and would respectfully show the following:

I. Parties

Petitioner is a committee of the State Bar of Texas. **MARTIN S. WOZNIAK**, (Respondent), State Bar No. **22013550**, is an attorney licensed to practice law in the State of Texas. Respondent may be served with process at 1901 Central Drive, Suite 600, Bedford, Texas 76021, or wherever he may be found.

II. Jurisdiction & Venue

This Disciplinary Proceeding is brought pursuant to the State Bar Act, Tex. Gov't Code Ann., §§ 81.001–81.156; the Texas Disciplinary Rules of Professional Conduct; and the Texas Rules of Disciplinary Procedure. The complaint that forms the basis of this Disciplinary Proceeding was initiated by the State Bar of Texas on or after June 1, 2018. Venue is proper in Tarrant County, Texas, pursuant to Rule 2.11(C) of the Texas Rules of Disciplinary Procedure, because Tarrant County is the county of Respondent's principal place of practice.



III. Professional Misconduct

The acts and omissions of Respondent as alleged below, constitute professional misconduct.

IV. Factual Allegations

On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent, in case number 202002593, *Commission for Lawyer Discipline v. Martin S. Wozniak*, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas. Pursuant to the judgment, Respondent was ordered to pay restitution of \$2,500, made payable to Complainant, Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.

Pursuant to the judgment, Respondent was ordered to pay attorney's fees of \$3,177 and direct expenses of \$580, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.

Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses. Respondent failed to comply with the terms of the judgment.

V. Disciplinary Rules of Professional Conduct

The conduct described above is in violation of the following rule of the Texas Disciplinary Rules of Professional Conduct:

8.04(a)(7): A lawyer shall not violate any disciplinary or disability order or judgment.

VI. Complaint

The complaint that forms the basis of the cause of action set forth above was initiated by the State Bar of Texas – Dallas on or about December 27, 2023.

VII. Prayer

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that a judgment of professional misconduct be entered against Respondent and that this Evidentiary Panel impose an appropriate sanction against Respondent as warranted by the facts. Petitioner further prays to recover all reasonable and necessary attorney's fees and all costs associated with this proceeding. Petitioner further prays for such other and additional relief, general or specific, at law or in equity, to which it may show itself entitled.

VIII. Request for Disclosure

Pursuant to Rule 2.17(D) of the Texas Rules of Disciplinary Procedure, Petitioner requests that Respondent disclose, **within fifty (50) days of the service of this request**, the following information or material:

1. The correct name of the parties.
2. The factual bases of Respondent's claims or defenses.
3. The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with this disciplinary proceeding.
4. For any testifying expert, the expert's name, address, and telephone number; subject matter on which the expert will testify, and the general substance of the expert's mental impressions and opinions and a brief summary of the basis of them.
5. Any witness statements.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Deborah L. Borio
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
Telephone: (972) 383-2900
Facsimile: (972) 383-2978
E-Mail: Deborah.Borio@texasbar.com

/s/ Deborah L. Borio/s/

Deborah L. Borio
State Bar No. 24109330

ATTORNEYS FOR PETITIONER

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

V.

**MARTIN S. WOZNIAK,
Respondent**

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CASE NO. 202400162

**ORDER GRANTING PETITIONER’S MOTION
FOR SUBSTITUTED SERVICE OF PROCESS**

After considering the Commission for Lawyer Discipline’s (“Petitioner”) Motion for Substituted Service of Process and the supporting affidavits, the Evidentiary Panel finds Petitioner’s attempts to serve Martin S. Wozniak (“Respondent”) have been unsuccessful and the substituted service requested in Petitioner’s motion will be reasonably effective to give Respondent notice in this matter.

The Evidentiary Panel hereby **GRANTS** the Petitioner’s Motion for Substituted Service of Process. Respondent may be served with true and correct copies of the following documents by e-mail to mswozniak@sbcglobal.net, which will be reasonably effective to give Respondent notice:

1. Letter to Respondent, dated May 22, 2025, enclosing: a) Order Assigning Evidentiary Panel dated April 2, 2025, b) a list of District 7 panel members, and c) Petitioner’s Evidentiary Petition and Request for Disclosure e-filed on May 22, 2025;
2. Petitioner’s Motion for Substituted Service of Process filed on October 16, 2025;
3. This signed Order; and
4. Any subsequent pleadings and any other documents pertaining to this matter.

SIGNED this 16th day of October 2025.

Michael R. Kurmes

Michael Robert Kurmes
Chair, Evidentiary Panel 7-3



BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE

Petitioner

VS.

MARTIN S. WOZNIAK

Respondent

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§

CASE NO. 202400162

AFFIDAVIT OF SERVICE

On this day personally appeared PEYTON CORBETT HUTCHINSON who, being by me duly sworn, deposed and said:

"The following came to hand on 10/23/2025 at 12:58 pm,

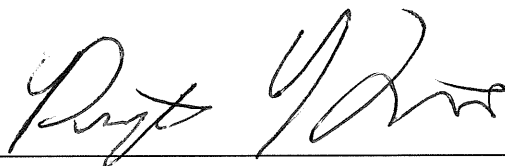
1. File-marked Evidentiary Petition and Request for Disclosure;
2. File-marked Petitioner's Motion for Substituted Service of Process;
3. Order Granting Petitioner's Motion for Substituted Service of Process

and was executed at 5:47 AM on 10/24/2025 , by delivering a true copy to the within named

MARTIN S. WOZNIAK VIA EMAIL TO MSWOZNIAK@SBCGLOBAL.NET (IN ACCORDANCE WITH THE ORDER GRANTING
PETITIONER'S MOTION FOR SUBSTITUTED SERVICE OF PROCESS) AS SHOWN IN EXHIBIT "A"

, having first endorsed the date of delivery on same.

I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



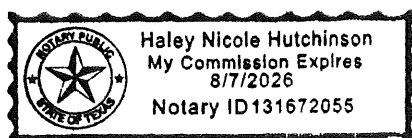
PEYTON CORBETT HUTCHINSON

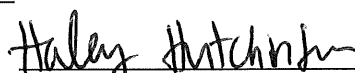
Certification Number: 11644

Certification Expiration: SEPT 30, 2026

BEFORE ME, a Notary Public, on this day personally appeared PEYTON CORBETT HUTCHINSON, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON 10/24/2025




Notary Public, State of Texas



Peyton Hutchinson

From: Peyton Hutchinson
Sent: Friday, October 24, 2025 5:47 AM
To: 'mswozniak@sbcglobal.net'
Subject: 202400162 Commission for Lawyer Discipline v. Martin S. Wozniak
Attachments: 2025-10-23 Request for Service of Motion for Substituted Service of Process and Order Granting ps Motion.pdf

Mr. Wozniak-

Per the Order Granting Petitioner's Motion for Substituted Service of Process, please see attached File-marked Evidentiary Petition and Request for Disclosure; File-marked Petitioner's Motion for Substituted Service of Process and Order Granting Petitioner's Motion for Substituted Service of Process.

Thank you,



Peyton Hutchinson
Founder & CEO
Dallas Civil Process & Notary
peyton@dallascivilprocess.net
469-600-5628
5999 Custer Road #110-315
Frisco, Texas 75035

Important: This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, and confidential and/or exempt from disclosure under applicable law. If you are neither the intended recipient nor an employee or agent responsible for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

CERTIFICATE OF LAST KNOWN MAILING ADDRESS

TO THE HONORABLE PANLE CHAIR:

The Commission for Lawyer Discipline (the “commission”), certifies that the last known mailing address of Respondent Martin S. Wozniak is as follows:

1901 Central Drive, Suite 600
Bedford, Texas 76021

The Commission also certifies that Respondents last known email address is
mswozniak@sbcglobal.net.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Sara Tat
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
(972) 383-2900 Telephone
(972) 383-2978 Facsimile
sara.tat@texasbar.com

/s/ Sara Tat

Sara Tat
State Bar No. 24082020

ATTORNEYS FOR THE COMMISSION



**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

UNSWORN DECLARATION REGARDING MILITARY SERVICE

STATE OF TEXAS	§	
	§	
COUNTY OF DALLAS	§	

"My name is Sara Tat and I am an employee of the Office of the Chief Disciplinary Counsel of the State Bar of Texas. I am executing this declaration as part of my assigned duties and responsibilities.

I am counsel for Petitioner, the Commission for Lawyer Discipline.

To the best of my knowledge, Respondent, **Martin S. Wozniak, Texas State Bar No. 22013550** ("Respondent"), currently resides in Tarrant County, Texas.

To the best of my knowledge, Respondent was at the time of the institution of this suit a resident of Tarrant County, Texas. To the best of my knowledge, Respondent was not at the time of the institution of this suit, at any time since, and is not presently in the military service of the United States of America. I base this conclusion on the results of a search of the Department of Defense Manpower Data Center, a copy of which is attached hereto as **Exhibit 'A'.**

I declare under penalty of perjury that the foregoing is true and correct.

/s/Sara Tat

Sara Tat
Assistant Disciplinary Counsel, Declarant





Status Report
Pursuant to Servicemembers Civil Relief Act

SSN:
Birth Date: Nov-XX-1951
Last Name: WOZNIAK
First Name: MARTIN
Middle Name: S
Status As Of: Jan-07-2026
Certificate ID: JSNKRMJHBXYYGRZ

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Space Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.



The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/faq>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

the State Bar of Texas.

2. Respondent resides in and maintains his principal place of practice in Tarrant County, Texas.
3. On or about June 2, 2017, Respondent was hired by Complainant, Carolyn Rice (Rice), to represent her in a dispute involving a title or ownership of a homestead and of another property. Respondent was paid \$5,000 for the legal representation.
4. During the representation, Respondent failed to keep Rice reasonably informed about the status of her civil matter and failed to promptly comply with Rice's reasonable requests for case information.
5. Upon termination of representation, Respondent failed to refund unearned fees.
6. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees associated with this Disciplinary Proceeding in the amount of Three Thousand One Hundred Seventy-Seven Dollars (\$3,177.00).
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable direct expenses associated with this Disciplinary Proceeding in the amount of Five Hundred Eighty Dollars (\$580.00).
8. Respondent owes restitution in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) payable to Complainant, Carolyn Rice.

Conclusions of Law

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.03(a) and 1.15(d).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Private Reprimand.

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that a Private Reprimand be imposed against Respondent in accordance with the Texas Rules of Disciplinary Procedure.

Restitution, Attorney's Fees and Expenses

It is further **ORDERED** Respondent shall pay restitution on or before June 8, 2023, to Carolyn Rice in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Carolyn Rice and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Three Thousand One Hundred Seventy-Seven Dollars (\$3,177.00). The payment shall be due and payable on or before September 8, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** Respondent shall pay all reasonable and necessary direct expenses to the State Bar of Texas in the amount of Five Hundred Eighty Dollars (\$580.00). The payment shall be due and payable on or before September 8, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

Publication

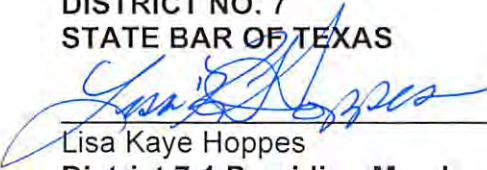
This reprimand shall remain confidential as to the identity of the reprimanded attorney except that, in accordance with the Texas Rules of Disciplinary Procedure, a photocopy of this judgment shall be forwarded to the Chief Disciplinary Counsel of the State Bar of Texas. This judgment may be made public for the purposes of enforcement, contempt or used as the basis of a complaint for a violation of Rule 8.04(a)(7) of the Texas Disciplinary Rules of Professional Conduct in the event Respondent fails to comply with any term of this judgment.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 20th day of March 2023.

**EVIDENTIARY PANEL 7-1
DISTRICT NO. 7
STATE BAR OF TEXAS**



Lisa Kaye Hoppes
District 7-1 Presiding Member

Jan 7, 2026

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**



COMMISSION FOR LAWYER DISCIPLINE

§

§

v.

§

Case No. 202400162

Dallas Office

§

Chief Disciplinary Counsel

MARTIN S. WOZNIAK

§

COMMISSION'S NOTICE OF DEFAULT HEARING

TO: Respondent, Martin S. Wozniak, mswozniak@sbcglobal.net

YOU ARE NOTIFIED that the above-captioned case has been set for a default hearing before Evidentiary Panel 7-3 of the State Bar District No. 7 Grievance Committee on **Monday, March 23, 2026 at 1:15 p.m. CST**. The hearing will be held via Zoom video conference. Your attendance is required.

Respectfully submitted,

Seana Willing

Chief Disciplinary Counsel

Sara Tat

Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel

State Bar of Texas

4201 Spring Valley Road, Suite 400

Dallas, Texas 75244

(972) 383-2900 Telephone

(972) 383-2978 Facsimile

sara.tat@texasbar.com

/s/ Sara Tat

Sara Tat

State Bar No. 24082020

ATTORNEYS FOR THE COMMISSION

EXHIBIT

6

CERTIFICATE OF SERVICE

I hereby certify that, consistent with the panel's Order Granting Petitioner's Motion for Substituted Service of Process, a true and correct copy of the foregoing has been served upon Respondent, Martin S. Wozniak, on January 7, 2026, as follows:

Martin S. Wozniak
VIA E-MAIL: mswozniak@sbcglobal.net

/s/ Sara Tat _____

Sara Tat

From: [Sara Tat](#)
To: [Brittany Paynton](#); [Kristin Brady](#)
Subject: FW: Wozniak Case No. 202400162
Date: Friday, March 20, 2026 4:27:51 PM
Attachments: [Motion to Continue Failure to Serve.doc](#)

From: Martin Wozniak <wozniak640@gmail.com>
Sent: Friday, March 20, 2026 15:55
To: Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: Wozniak Case No. 202400162

You don't often get email from wozniak640@gmail.com. [Learn why this is important](#)

see attached Answer

EXHIBIT

7

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE	§	
Petitioner,	§	
	§	
VS.	§	Case No. 202400162
	§	
MARTIN S WOZNIAK,	§	
Respondent.	§	

RESPONDENT’S ORIGINAL ANSWER AND MOTION FOR CONTINUANCE
INSUFFICIENT NOTICE OF TRIAL

Respondent, Martin S Wozniak, files this Original Answer and asks the court to continue this case because of insufficient notice of trial.

A. FACTS

1. I am currently 74 years old and for all practical purposes retired. I currently enjoy Emeritus status with the State Bar. The office at 1901 Central Drive, Suite 600, Bedford, TX 76201 is closed. I have practiced for 48 years without a blemish or claim except for this anomaly. I have over the years performed my share of pro bono work. The matter with Carolyn Rice is not one of them.

2. Petitioner was previously notified of the above facts. Respondent’s motion relies on facts apparent from the record and incorporates them by reference.

3. Petitioner has not served Respondent and that is the reason Petitioner has not Answered however, Respondent would point out that Respondent has not ignored this matter and did answer and respond to a Rick Schulte earlier in regard to this matter. Respondent while searching for a ZOOM notice in a different mater found the ZOOM notice regarding this matter. The reasons for the continuance are no advance notice of trial was given to Respondent which results in the denial of Respondent’s right to due process.

4. There is no return on file showing personal service on Respondent.

B. ANSWER - GENERAL DENIAL

5. Respondent herein generally **DENIES** each and every allegation of misconduct or default in Petitioners Evidentiary Petition and demands strict proof thereof consistent with Respondents right to due process. Respondent has not received Petitioners Evidentiary Petition therefore has not filed a formal response. Petitioner has been given insufficient notice of trial as a matter of law which violates Respondent's' right to due process.

6. Respondent has now appeared by filing an Original Answer.

7. Default would be improper because this is no longer a "no-Answer" situation and the motion under the facts should be denied.

8. Respondent was not properly served. Respondent was not called. Petitioner did not call Respondent to alert Respondent to any service difficulties and no verbal messages from Petitioner were left for Respondent.

9. Respondent has a meritorious response to the allegations.

C. AFFIRMATIVE DEFENSES

10. Petitioners claims are barred in whole or in part by, payment, release or accord and satisfaction.

11. This request for continuance is not for delay only, but so that justice may be done.

D. INSUFFICIENT NOTICE OF TRIAL

12. The court must give the parties reasonable notice of the trial setting. Tex. R. Civ. P. 245; *Smith v. Lippmann*, 826 S.W.2d 137, 138 n.1 (Tex. 1992). It is a violation of due process for the trial court to give a party notice of a trial setting that is not reasonable. *Hardin*

v. *Hardin*, 932 S.W.2d 566, 567 (Tex. App.—Tyler 1995, no writ). Respondent actually received less than 7 days’ notice of trial.

13. This fact denies Respondent due process.

14. Failure to give notice of the trial date does not give Respondent adequate time to prepare for trial. The lack of notice will prevent Respondent from preparing and presenting Respondent’ claim and defense. Tex. R. Civ. P. 246.

15. Failure to give 45 days’ notice of the trial date violates Respondent’ right of due process and the mandate in Rule 245. *Hardin*, 932 S.W.2d at 567.

16. Respondent needs reasonable time to prepare dispositive motions and for trial.

E. PRAYER

17. For these reasons, Respondent prays that Petitioner take nothing and asks the court to deny any default and continue this case for at least 120 days to allow for discovery and preparation and for such and further relief, at law or equity, to which Respondent may be justly entitled.

DECLARATION

“My name is Martin Wozniak. I am capable of making this verification. I have read the forgoing motion and the facts stated in it are within my personal knowledge and are true and correct and supported by the record. I declare under penalty of perjury the foregoing is true and correct.

Executed in Tarrant County, State of Texas, on the 20th day of March, 2026.

/S/ MARTIN S. WOZNIAK

Respectfully submitted,

/S/ MARTIN S. WOZNIAK

State Bar No. 22013550
430 Hickory Creek
Sadler, TX 76264
(817) 705-5154

wozniak640@gmail.com

Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 20th day of March 2026.

/S/ MARTIN S. WOZNIAK

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

ORDER ON MOTION FOR ENTRY OF DEFAULT JUDGMENT

Came on to be heard on March 23, 2026 the Commission for Lawyer Discipline's (the "Commission") Motion for Entry of Default Judgment (the "Motion") against Respondent Martin S. Wozniak, Texas State Bar No. 22013550 ("Respondent" or "Wozniak"). Upon consideration of the Motion, the Notice of Default, documents submitted therewith, the arguments of counsel, and the file in this case, the Panel FINDS that

- (i) Respondent was served with the Evidentiary Petition and Request for Disclosure (the "Evidentiary Petition"), Motion for Substituted Service of Process, and Order on Petitioner's Motion for Substituted Service of Process consistent with the Panel's Order on Petitioner's Motion for Substituted Service of Process;
- (ii) The substituted service considered by and effectuated under the Order was intended to provide and did provide Respondent reasonably effective notice of this proceeding and a reasonable time to appear and answer;
- (iii) Respondent did not appear or file an answer or other responsive pleading;
- (iv) Respondent has defaulted pursuant to Texas Rule of Disciplinary Procedure 2.17; and
- (v) the Motion should be and therefore hereby GRANTED.

It is therefore

ORDERED that the Motion is GRANTED; it is further

ORDERED that all facts alleged in the Evidentiary Petition filed against Respondent shall be and are automatically deemed and taken as true, including:

EXHIBIT
8

1. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.
2. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
3. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
4. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
5. Although Respondent failed to acknowledge receipt of the Complaint in the instant case, on September 13, 2024, he filed a classification appeal with the Board of Disciplinary Appeals (BODA), indicating his awareness of the pending matter. Respondent was notified twice regarding BODA's affirmation of the classification yet has failed to respond to the Complaint or contact the Office of Chief Disciplinary Counsel (CDC). On May 22, 2025, the CDC filed an Evidentiary Petition and Request for Disclosure. On October 16, 2025, the CDC filed a Motion for Substituted Service of Process, which was granted on the same day. Respondent was served copies of the aforementioned pleadings on October 24, 2025, and his Answer to the Petition was due on November 17, 2025. As of the drafting of this proposed order, Respondent has not filed an Answer, provided a timely response, or asserted any privilege or any other legal ground for failing to do so.
6. Respondent's professional misconduct violated Texas Disciplinary Rules of Professional Conduct 8.04(a)(7) and 8.04(a)(8).

So Ordered.

Signed: April 3, 2026

Michael R. Kurmes

Evidentiary Panel Chair

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

**FIRST AMENDED ORDER ON MOTION FOR ENTRY OF DEFAULT JUDGMENT
(AS TO PARAGRAPH 6 ONLY)**

Came on to be heard on March 23, 2026 the Commission for Lawyer Discipline’s (the “Commission”) Motion for Entry of Default Judgment (the “Motion”) against Respondent Martin S. Wozniak, Texas State Bar No. 22013550 (“Respondent” or “Wozniak”). Upon consideration of the Motion, the Notice of Default, documents submitted therewith, the arguments of counsel, and the file in this case, the Panel FINDS that

- (i) Respondent was served with the Evidentiary Petition and Request for Disclosure (the “Evidentiary Petition”), Motion for Substituted Service of Process, and Order on Petitioner's Motion for Substituted Service of Process consistent with the Panel’s Order on Petitioner's Motion for Substituted Service of Process;
- (ii) The substituted service considered by and effectuated under the Order was intended to provide and did provide Respondent reasonably effective notice of this proceeding and a reasonable time to appear and answer;
- (iii) Respondent did not appear or file an answer or other responsive pleading;
- (iv) Respondent has defaulted pursuant to Texas Rule of Disciplinary Procedure 2.17; and
- (v) the Motion should be and therefore hereby GRANTED.

It is therefore

ORDERED that the Motion is GRANTED; it is further

EXHIBIT 9

ORDERED that all facts alleged in the Evidentiary Petition filed against Respondent shall be and are automatically deemed and taken as true, including:

1. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.
2. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
3. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
4. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
5. Although Respondent failed to acknowledge receipt of the Complaint in the instant case, on September 13, 2024, he filed a classification appeal with the Board of Disciplinary Appeals (BODA), indicating his awareness of the pending matter. Respondent was notified twice regarding BODA's affirmation of the classification yet has failed to respond to the Complaint or contact the Office of Chief Disciplinary Counsel (CDC). On May 22, 2025, the CDC filed an Evidentiary Petition and Request for Disclosure. On October 16, 2025, the CDC filed a Motion for Substituted Service of Process, which was granted on the same day. Respondent was served copies of the aforementioned pleadings on October 24, 2025, and his Answer to the Petition was due on November 17, 2025. As of the drafting of this proposed order, Respondent has not filed an Answer, provided a timely response, or asserted any privilege or any other legal ground for failing to do so.
6. Respondent's professional misconduct violated Texas Disciplinary Rules of Professional Conduct 8.04(a)(7).

So Ordered.

Signed: 04/14/2026

Michael R. Kurmes

Evidentiary Panel Chair

Exh. F

From: [Brittany Paynton](#)
To: [Martin Wozniak](#)
Cc: [Sara Tat](#)
Subject: ZOOM INVITE: June 8, 2026 at 11:00 a.m. - Respondent's Motion for New Trial
Date: Tuesday, June 2, 2026 3:54:17 PM



Greetings,

SBOT-CDC3 Dallas Region is inviting you to a State Bar of Texas Zoom Video meeting.

Meeting Information: Monday June 8, 2026 at 11:00 a.m. (C.T.)

[Join Meeting](#)

Meeting URL: [https://texasbar.zoom.us/j/84148818166?
pwd=adxSbM4ujj97h1LxDxPnZ0wDRZBBg.1](https://texasbar.zoom.us/j/84148818166?pwd=adxSbM4ujj97h1LxDxPnZ0wDRZBBg.1)
Meeting ID: 841 4881 8166
Password: 252293

Telephone Audio or Audio-Only

Dial: US: +1 346 248 7799 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 669 444 9171 or +1 669 900 6833 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free)

Meeting ID: 841 4881 8166

Phone one-tap: US: [+13462487799,,84148818166#](#) or [+17193594580,,84148818166#](#)
[International numbers](#)

About the Videoconference:

You may join the video conference from your computer even if you do not have a webcam. To

be heard in the conference, you must either have a microphone and choose computer audio, or you must call the designated audio conference bridge.

Quick Tips:

- Mute your microphone/webcam at any time using the buttons in the lower left.
- Choose "Gallery View" from the upper right for a grid view of all the participants.
- Toggle between "full screen" mode and "window" mode in the upper right.
- If your webcam faces a window or bright light, you may be difficult to see.
- To make one participant's video window the largest, click the "..." in the upper right of their window and choose "pin video"

Exh. G

From: [Martin Wozniak](#)
To: [Brittany Paynton](#); [Paige Abbott](#); [Sara Tat](#)
Cc: [Martin Wozniak](#)
Subject: Case No. 202400162, Motion to Stay
Date: Tuesday, June 2, 2026 5:27:25 PM
Attachments: [Emergency_Motion_To_Stay_Suspension.pdf](#)

Please file and serve.

Martin

FILED

June 2, 2026



Dallas Office
Chief Disciplinary Counsel

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE
Petitioner,

VS.

MARTIN S WOZNIAK,
Respondent.

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Case No. 202400162

**EMERGENCY MOTION TO STAY ENFORCEMENT OF SUSPENSION
PENDING DISPOSITION OF MOTION FOR NEW TRIAL
AND APPEAL**

TO THE HONORABLE EVIDENTIARY PANEL and BOARD OF DISCIPLINARY APPEALS:

COMES NOW Respondent, MARTIN S WOZNIAK, and files this Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal, and respectfully shows:

I. EMERGENCY RELIEF REQUESTED

Respondent seeks immediate emergency relief staying enforcement of the suspension imposed in the underlying disciplinary judgment pending:

1. disposition of Respondent's timely-filed Motion for New Trial; and
2. resolution of Respondent's Appeal.

Absent emergency intervention, Respondent will suffer immediate and irreparable professional, economic, and unprecedented reputational harm before post-judgment proceedings can be meaningfully completed or appellate review can occur.

II. PROCEDURAL STATUS

1. An Evidentiary Panel signed judgment in Commission Case No. 202400162 on or about April 14, 2026.

2. Respondent timely filed a Motion for New Trial, which remains pending and has not yet been heard or ruled upon.
3. Respondent has also preemptively perfected appeal to the Board of Disciplinary Appeals.
4. The suspension is scheduled to become effective imminently, creating imminent and irreparable injury absent a stay.

III. GROUNDS FOR EMERGENCY STAY

A. Respondent's Motion for New Trial raises substantial issues concerning the proceedings, due process, payment, evidentiary sufficiency, procedural fairness, and the proportionality of the sanction imposed. Those matters remain unresolved. Enforcement of the suspension before adjudication of the pending Motion for New Trial would effectively deprive Respondent of meaningful post-judgment relief and undermine the orderly review process contemplated by the disciplinary rules. The appeal likewise presents substantial and non-frivolous issues warranting preservation of the status quo pending review.

B. Judgment and Appellate Issues Remain Pending meaning Immediate and Irreparable Harm Will Result Absent Stay. Without emergency relief, Respondent will immediately suffer:

- a. interruption of ongoing client representation;
- b. severe damage to professional reputation and goodwill;
- c. loss of income and existing business relationships;
- d. prejudice to clients with pending legal matters; and
- e. harms that cannot be adequately remedied after the fact, even if Respondent ultimately prevails.

The practical consequences of an active suspension cannot realistically be "undone" after appellate review.

C. Clients and the Public Interest Favor Temporary Stay

A temporary stay pending resolution of post-judgment proceedings and appeal better serves the interests of clients and the administration of justice than immediate disruption of existing legal representations. Respondent does not present a threat to client funds, public safety, or the integrity of pending matters warranting emergency enforcement before completion of the review process. All issues surrounding Respondent solely revolve around Respondents financial resources not acts of misfeasance or malfeasance.

D. The Equities Strongly Favor Preservation of the Status Quo

The requested relief merely preserves the current status quo during the pendency of post-judgment proceedings and appeal. By contrast, denial of emergency relief would impose immediate and irreversible consequences upon Respondent and innocent third-party clients before the pending Motion for New Trial or Appeal is even heard.

IV. EMERGENCY REQUEST

Because the effective date of suspension is imminent, Respondent respectfully requests expedited consideration of this motion and immediate temporary relief pending full determination by the Board.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully requests that the

Evidentiary Panel or Board of Disciplinary Appeals:

1. immediately stay per the Disciplinary Rules enforcement of the suspension imposed in the underlying judgment;
2. maintain the stay pending disposition of Respondent's Motion for New Trial and Appeal; and
3. grant such other and further relief to which Respondent may be justly entitled.

Respectfully submitted,

/S/ MARTIN S. WOZNIAK
State Bar No. 22013550
5549 Davis Blvd. Suite 59
North Richland Hills, TX 76180
(214) 417-0520
mswozniak@sbcglobal.net
wozniak640@gmail.com
RESPONDENT PRO SE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal was served upon the Commission for Lawyer Discipline on this 2nd day of June, 2026, in accordance with applicable rules.

/S/ MARTIN S. WOZNIAK

Exh. H

From: [Brittany Paynton](#)
To: [Martin Wozniak](#)
Cc: [Sara Tat](#)
Subject: RE: Case No. 202400162, Motion to Stay
Date: Thursday, June 4, 2026 3:26:34 PM
Attachments: [2026-06-04 File Marked Response to R's Motion to Stay Suspension - Wozniak 202400162.pdf](#)

Mr. Wozniak,

Attached please find *Petitioner's Response to Respondent's Motion to Stay Suspension*.

As noted, prior, the Motion for New Trial and Motion to Stay has been set for Monday, June 8 at 11:00 a.m.

Thank you,
Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Thursday, June 4, 2026 12:28 PM
To: Martin Wozniak <mswozniak@sbcglobal.net>
Cc: Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: RE: Case No. 202400162, Motion to Stay

Mr. Wozniak,

Attached, please find the corrected file-marked copy of the Motion. The prior version was inadvertently dated today; this corrected version reflects the proper file mark of June 2.

Please let me know if you have any questions.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>

Sent: Thursday, June 4, 2026 10:14 AM

To: Martin Wozniak <mswozniak@sbcglobal.net>; Paige Abbott <Paige.Abbott@TEXASBAR.COM>; Sara Tat <Sara.Tat@TEXASBAR.COM>

Subject: RE: Case No. 202400162, Motion to Stay

Mr. Wozniak

Attached please find a file-marked Motion.

Thank you

Brittany Paynton

Office of the Chief Disciplinary Counsel

State Bar of Texas

4201 Spring Valley Road, Suite 400

Dallas, TX 75244

972-383-2900- Office

Brittany.Paynton@texasbar.com

From: Martin Wozniak <mswozniak@sbcglobal.net>

Sent: Tuesday, June 2, 2026 3:54 PM

To: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>; Paige Abbott <Paige.Abbott@TEXASBAR.COM>; Sara Tat <Sara.Tat@TEXASBAR.COM>

Cc: Martin Wozniak <mswozniak@sbcglobal.net>

Subject: Case No. 202400162, Motion to Stay

Please file and serve.

Martin

June 4, 2026

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**



Dallas Office
Chief Disciplinary Counsel

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

V.

**MARTIN S. WOZNIAK,
Respondent**

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CASE NO. 202400162

PETITIONER'S RESPONSE TO RESPONDENT'S MOTION TO STAY SUSPENSION

The Commission for Lawyer Discipline ("Commission") files its Response to Respondent's Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal ("Motion to Stay") filed by Respondent Martin S. Wozniak ("Respondent") and respectfully states as follows:

BACKGROUND

1. On March 23, 2026, a Default Evidentiary Hearing was held. Respondent appeared.¹ The Evidentiary Panel found the Commission to have made a showing of default, Respondent to have committed professional misconduct, and a sanctions hearing was held.
2. On March 31, 2026, the Judgment of Partially Probated Suspension ("Judgment") was signed and entered.² The active suspension began on April 1, 2026.
3. On April 30, 2026, Respondent filed Respondent's Verified Motion for New Trial,³ which is currently scheduled for hearing on June 8, 2026.

¹ The Default Hearing was held via Zoom video conference. Respondent was present via telephone, but he did not appear by video.

² Exhibit A.

³ Exhibit B.

4. On June 2, 2026, Respondent filed his Motion to Stay.⁴

ARGUMENT

5. A Respondent may within thirty (30) days from entry of judgment petition the Evidentiary Panel to stay a judgment of suspension. Tex. R. Disc. P. 2.24.

- i. The Judgment in this case was signed and entered on March 31, 2026, yet Respondent's Motion to Stay was filed *after* the thirty-day deadline outlined in the Rules. Therefore, it should be denied without consideration of the merits.

6. Even if Respondent's Motion to Stay was filed in a timely manner, he will have the burden of proof by preponderance of the evidence to establish by competent evidence that his continued practice of law does not pose a continuing threat to the welfare of the Respondent's clients or to the public. *Id.* Should the Evidentiary Panel choose to hold a hearing despite Respondent's untimeliness, Respondent will not be able to meet his burden.

- i. The Respondent is currently not in compliance with the Judgment.⁵ As of the drafting of this Response, Respondent has failed to do the following⁶:

- a. Contact the Office of the Chief Disciplinary Counsel within seven (7) days of receipt of the Judgment;
- b. Notify, in writing, all current clients and opposing counsel of his suspension and return all files, papers, monies, and other property belonging to all current clients and submit an affidavit stating he has completed same;

⁴ Exhibit C.

⁵ Please see Exhibit D: Business Records Affidavit, Notarized Affidavit of Heather K. White, and attachments.

⁶ The list below is not exhaustive and paraphrases the language in the Judgment. Please see the Judgment for express language.

- c. Notify, in writing, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which he has a pending matter of the terms of his Judgment and submit an affidavit stating he has completed same; and
 - d. Surrender his law license.⁷
- ii. Furthermore, Respondent has continued to practice law during an active suspension, in clear violation of the Judgment.
 - a. In Grayson County Case Number CV-23-0700,⁸ Respondent has filed pleadings on behalf of his client.
 - 1. On April 7, 2026, Respondent filed his Plaintiff's Response to Defendant's Motion for Traditional Summary Judgment.⁹
 - 2. On April 20, 2026, Respondent filed his Plaintiff's Response to Defendant Nathalie Devoir's Motion for No-Evidence Summary Judgment.¹⁰
 - 3. On April 20, 2026, Respondent filed his Plaintiff's Response to Defendant Frederick Devoir's Motion for No-Evidence Summary Judgment.¹¹
 - 4. On April 24, 2026, Respondent filed his Plaintiff's Witness and Exhibit List.¹²

⁷ Other than subsection (a), the deadline to comply was April 15, 2026.

⁸ Exhibit E.

⁹ Exhibit F.

¹⁰ Exhibit G.

¹¹ Exhibit H.

¹² Exhibit I.

b. Grayson County Case Number CV-20-0129¹³, in which Respondent is representing the same Plaintiff as CV-23-0700, is currently scheduled for trial on September 14, 2026.

7. Both Respondent's actions and inactions show a pattern of wanton disregard for the rules and deadlines as outlined in the Texas Rules of Professional Misconduct, the Texas Rules of Civil Procedure, and the Texas Disciplinary Rules of Procedure. Allowing a stay of his suspension will indisputably endanger the welfare of his clients and the public and further embolden Respondent to continue his violation of the Judgment.

CONCLUSION AND PRAYER FOR RELIEF

The Respondent did not file his Motion to Stay in a timely manner, and as such, it should not be considered. Even if the Respondent had filed his Motion to Stay within the timeframe allowed by the Texas Disciplinary Rules of Procedure, he cannot meet his burden of proof to obtain a stay. He has shown through his noncompliance and his continued practice of law despite his suspension that he has and will continue to put his clients and the public at risk. For the reasons previously set forth, the Commission respectfully asks that the Panel deny Respondent's Motion to Stay.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Sara Tat
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas

¹³ Exhibit J.

4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
Telephone: (972) 383-2900
Facsimile: (972) 383-2935
E-Mail: sara.tat@texasbar.com

/s/ Sara Tat
Sara Tat
State Bar No. 24082020

ATTORNEYS FOR THE COMMISSION

CERTIFICATE OF SERVICE

This is to certify that on June 4, 2026 a true and correct copy of the foregoing has been sent to Martin S. Wozniak, via e-mail to mswozniak@sbcglobal.net and wozniak640@gmail.com.

/s/ Sara Tat
Sara Tat

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE

v.

MARTIN S. WOZNIAK

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Case No. 202400162

JUDGMENT OF PARTIALLY PROBATED SUSPENSION

Parties and Appearance

On March 23, 2026, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline (“Commission”), appeared by and through its attorney of record and announced ready. Respondent, **MARTIN S. WOZNIAK** (“Respondent”), Texas Bar Number **22013550**, appeared.

Jurisdiction and Venue

The Evidentiary Panel 7-3, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Default

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure. Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

Professional Misconduct

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true,

finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the allegations as deemed true, the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Tarrant County, Texas.
3. On March 20, 2023, a Judgment of Private Reprimand was entered against Respondent in Commission for Lawyer Discipline v. Martin S. Wozniak, Case Number 202002593, before the District 7 Grievance Committee, Evidentiary Panel 7-1, State Bar of Texas.
4. Pursuant to the Judgment, Respondent was ordered to pay restitution of \$2,500.00, made payable to Complainant Carolyn Rice. Restitution was to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's office, on or before June 8, 2023. Respondent failed to submit payment of restitution in a timely manner.
5. Pursuant to the Judgment, Respondent was also ordered to pay attorney's fees of \$3,177.00 and direct expenses of \$580.00, made payable to the State Bar of Texas. Attorney's fees and direct expenses were to be delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, on or before September 8, 2023. Respondent failed to timely submit payment of attorney's fees and direct expenses.
6. Respondent failed to submit full payment of restitution, attorney's fees, and direct expenses; he failed to comply with the terms of the Judgment.
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00).
8. Respondent owes restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00), which shall be paid directly to the Client Security Fund of the State Bar of Texas as reimbursement for funds disbursed to Carolyn Rice.
9. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00).

10. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00).

Conclusions of Law

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 8.04(a)(7).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Partially Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of eighteen (18) months, beginning April 1, 2026 and ending September 30, 2027. Respondent shall be actively suspended from the practice of law for a period of six (6) months beginning April 1, 2026 and ending September 30, 2026. The twelve (12) month period of probated suspension shall begin on October 1, 2026 and shall end on September 30, 2027. If Respondent complies with all of the following terms and conditions timely, the twelve (12) month period of probated suspension shall begin on October 1, 2026, and shall end on September 30, 2027:

1. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

2. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
3. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
4. Pursuant to the prior Judgment, Respondent was ordered to pay restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00). Restitution shall be made payable to the Client Security Fund of the State Bar of Texas, as reimbursement for funds previously disbursed to Carolyn Rice. The restitution payment shall be due and payable on or before September 30, 2026. Respondent shall remit payment by certified check, cashier's check, or money order made payable to the Client Security Fund and shall forward the payment to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).
5. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Should Respondent fail to comply with all of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until September 30, 2027, whichever occurs first.

Terms of Active Suspension

It is further **ORDERED** that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services for others; accepting any fee directly or

indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, or before April 15, 2026, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before April 15, 2026, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If it is Respondent's assertion that at the time of suspension he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of suspension, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further **ORDERED** Respondent shall, on or before April 15, 2026, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before April 15, 2026, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court. If it is Respondent's assertion that at the time of suspension he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

It is further **ORDERED** that, on or before April 15, 2026, Respondent shall surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

Terms of Probation

It is further **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.

5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Restitution, Attorney's Fees and Expenses

It is further **ORDERED** pursuant to the prior Judgment, Respondent was ordered to pay restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00). Restitution shall be made payable to the Client Security Fund of the State Bar of Texas, as reimbursement for funds previously disbursed to Carolyn Rice. The restitution payment shall be due and payable on or before September 30, 2026. Respondent shall remit payment by certified check, cashier's check, or money order made payable to the Client Security Fund and shall forward the payment to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).

If is further **ORDERED** pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding

in the amount of Two Thousand Eight Hundred Ninety-Five and No/100 Dollars (\$2,895.00). Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the State Bar of Texas in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid attorney's fees ordered from the previous judgment in the amount of \$3,177.00, the direct expenses in the amount of \$580.00, restitution in the amount of \$2,500.00 to the Client Security Fund of the State Bar of Texas and attorney's fees and direct expenses in this disciplinary proceeding in the amount of \$2,895.00.

Publication

This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 31st day of March, 2026.

**EVIDENTIARY PANEL 7-3
DISTRICT NO. 7
STATE BAR OF TEXAS**

Michael R. Kurmes

Michael Kurmes
District 7-3 Presiding Member

April 30, 2026

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS



Dallas Office

Chief Disciplinary Counsel

COMMISSION FOR LAWYER DISCIPLINE §
Petitioner, §
§
VS. §
§
MARTIN S WOZNIAK, §
Respondent. §

Case No. 202400162

RESPONDENT'S VERIFIED MOTION FOR NEW TRIAL

TO THE HONORABLE EVIDENTIARY PANEL:

Respondent files this Verified Motion for New Trial and respectfully shows:

I. CASE BACKGROUND.

1. Answer efiled: March 20, 2026
2. Answer, prior to hearing, file marked: March 23, 2026
3. Hearing date: March 23, 2026.
4. Respondent appeared at hearing.
5. Default was granted despite answer and appearance.
6. First Judgment signed: March 31, 2026.
7. Amended Judgment signed April 14, 2026.

II. ARGUMENT

- A. Default after answer is reversible error.
- B. Failure to hear evidence on liability is structural error.
- C. Proceeding directly to sanction violates due process.
- D. Respondent did not act with conscious indifference.
- E. Respondent has meritorious defenses.

**EXHIBIT
B**

F. No prejudice will result from new hearing.

H. Findings of Fact upon which this judgment is based are disputed by the undisputed record.

These errors require reversal and vacatur.

III. PRAYER

Respondent requests the Panel vacate the judgment and grant a full new hearing.

Respectfully submitted,

/S/ MARTIN S. WOZNIAK

State Bar No. 22013550

430 Hickory Creek

Sadler, TX 76264

(817) 705-5154

wozniak640@gmail.com

mswozniak@sbcglobal.net

DECLARATION

“My name is Martin Wozniak. I am capable of making this verification. I have read the forgoing motion and the facts stated in it are within my personal knowledge and are true and correct and supported by the record. I declare under penalty of perjury the foregoing is true and correct.

Executed in Tarrant County, State of Texas, on the 30th day of April, 2026.

/S/ MARTIN S. WOZNIAK

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 30th day of April 2026.

/S/ MARTIN S. WOZNIAK

FILED

June 2, 2026



Dallas Office
Chief Disciplinary Counsel

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE
Petitioner,

VS.

MARTIN S WOZNIAK,
Respondent.

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Case No. 202400162

**EMERGENCY MOTION TO STAY ENFORCEMENT OF SUSPENSION
PENDING DISPOSITION OF MOTION FOR NEW TRIAL
AND APPEAL**

TO THE HONORABLE EVIDENTIARY PANEL and BOARD OF DISCIPLINARY APPEALS:

COMES NOW Respondent, MARTIN S WOZNIAK, and files this Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal, and respectfully shows:

I. EMERGENCY RELIEF REQUESTED

Respondent seeks immediate emergency relief staying enforcement of the suspension imposed in the underlying disciplinary judgment pending:

1. disposition of Respondent's timely-filed Motion for New Trial; and
2. resolution of Respondent's Appeal.

Absent emergency intervention, Respondent will suffer immediate and irreparable professional, economic, and unprecedented reputational harm before post-judgment proceedings can be meaningfully completed or appellate review can occur.

II. PROCEDURAL STATUS

1. An Evidentiary Panel signed judgment in Commission Case No. 202400162 on or about April 14, 2026.

EXHIBIT
C

2. Respondent timely filed a Motion for New Trial, which remains pending and has not yet been heard or ruled upon.
3. Respondent has also preemptively perfected appeal to the Board of Disciplinary Appeals.
4. The suspension is scheduled to become effective imminently, creating imminent and irreparable injury absent a stay.

III. GROUNDS FOR EMERGENCY STAY

A. Respondent's Motion for New Trial raises substantial issues concerning the proceedings, due process, payment, evidentiary sufficiency, procedural fairness, and the proportionality of the sanction imposed. Those matters remain unresolved. Enforcement of the suspension before adjudication of the pending Motion for New Trial would effectively deprive Respondent of meaningful post-judgment relief and undermine the orderly review process contemplated by the disciplinary rules. The appeal likewise presents substantial and non-frivolous issues warranting preservation of the status quo pending review.

B. Judgment and Appellate Issues Remain Pending meaning Immediate and Irreparable Harm Will Result Absent Stay. Without emergency relief, Respondent will immediately suffer:

- a. interruption of ongoing client representation;
- b. severe damage to professional reputation and goodwill;
- c. loss of income and existing business relationships;
- d. prejudice to clients with pending legal matters; and
- e. harms that cannot be adequately remedied after the fact, even if Respondent ultimately prevails.

The practical consequences of an active suspension cannot realistically be "undone" after appellate review.

C. Clients and the Public Interest Favor Temporary Stay

A temporary stay pending resolution of post-judgment proceedings and appeal better serves the interests of clients and the administration of justice than immediate disruption of existing legal representations. Respondent does not present a threat to client funds, public safety, or the integrity of pending matters warranting emergency enforcement before completion of the review process. All issues surrounding Respondent solely revolve around Respondents financial resources not acts of misfeasance or malfeasance.

D. The Equities Strongly Favor Preservation of the Status Quo

The requested relief merely preserves the current status quo during the pendency of post-judgment proceedings and appeal. By contrast, denial of emergency relief would impose immediate and irreversible consequences upon Respondent and innocent third-party clients before the pending Motion for New Trial or Appeal is even heard.

IV. EMERGENCY REQUEST

Because the effective date of suspension is imminent, Respondent respectfully requests expedited consideration of this motion and immediate temporary relief pending full determination by the Board.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully requests that the

Evidentiary Panel or Board of Disciplinary Appeals:

1. immediately stay per the Disciplinary Rules enforcement of the suspension imposed in the underlying judgment;
2. maintain the stay pending disposition of Respondent's Motion for New Trial and Appeal; and
3. grant such other and further relief to which Respondent may be justly entitled.

Respectfully submitted,

/S/ MARTIN S. WOZNIAK
State Bar No. 22013550
5549 Davis Blvd. Suite 59
North Richland Hills, TX 76180
(214) 417-0520
mwozniak@sbcglobal.net
wozniak640@gmail.com
RESPONDENT PRO SE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal was served upon the Commission for Lawyer Discipline on this 2nd day of June, 2026, in accordance with applicable rules.

/S/ MARTIN S. WOZNIAK

BUSINESS RECORDS AFFIDAVIT

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared HEATHER K. WHITE, who, being by me duly sworn, deposed as follows:

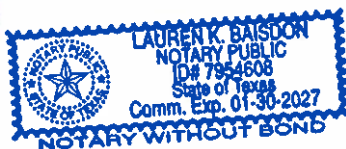
"My name is Heather White. I am over eighteen (18) years of age, of sound mind, fully capable of making this affidavit and am personally acquainted with the facts stated herein.

I am a custodian of compliance records for the Office of the Chief Disciplinary Counsel for the State Bar of Texas. Attached hereto are 21 pages of compliance records from the Office of the Chief Disciplinary Counsel regarding **Martin S. Wozniak (State Bar No. 22013550)**. These records are compiled and maintained by the Office of the Chief Disciplinary Counsel in the regular course of business, and it was the regular course of business of the Office of the Chief Disciplinary Counsel for an employee or representative of the Office of the Chief Disciplinary Counsel with personal knowledge of the act, event, condition, opinion or diagnosis recorded in said records to personally make the memorandum or recorded entries, or to transmit or dictate the data to be transcribed and included in such memorandum or record. All entries into the records were made at or near the time of the act, event, condition, opinion or diagnosis recorded therein or reasonably soon thereafter. The records attached hereto are exact duplicates of the originals.

Heather K. White

Heather K. White, Custodian of Records for
the Office of the Chief Disciplinary Counsel,
State Bar of Texas

SWORN TO AND SUBSCRIBED BEFORE ME on this 4th day of June, 2026.



Lauren K. Baisdon
NOTARY PUBLIC, STATE OF TEXAS

**EXHIBIT
D**

AFFIDAVIT OF HEATHER K. WHITE

BEFORE ME, the undersigned notary public, on this day personally appeared Heather K. White, the affiant, a person whose identity is known to me. After I administered an oath to affiant, she testified as follows:

“My name is Heather K. White I am over eighteen (18) years of age, of sound mind, and fully capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I am a custodian of compliance records for the Office of the Chief Disciplinary Counsel for the State Bar of Texas.

Martin S. Wozniak has failed to make contact with the Office of the Chief Disciplinary Counsel's Office within seven (7) days of receipt of the judgment, to coordinate his compliance, as ordered in Case No. 202400162, executed March 31, 2026.

Martin S. Wozniak has failed to notify all current clients and opposing counsel, in writing, of his suspension and return all files, papers, monies and other property belonging to all current clients, due April 15, 2026, as ordered in Case No. 202400162, executed March 31, 2026.

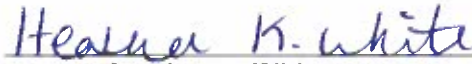
Martin S. Wozniak has failed to submit an affidavit stating he notified all current clients and opposing counsel, in writing, of his suspension and that all files, papers, monies and other property belonging to all current clients have been returned, due April 15, 2026, as ordered in Case No. 202400162, executed March 31, 2026.

Martin S. Wozniak has failed to notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which he has any matter pending of the terms of his judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he was representing in court, due April 15, 2026, as ordered in Case No. 202400162, executed March 31, 2026.

Martin S. Wozniak has failed to submit an affidavit stating he notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which he has any matter pending of the terms of his judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he was representing in court, due April 15, 2026, as ordered in Case No. 202400162, executed March 31, 2026.

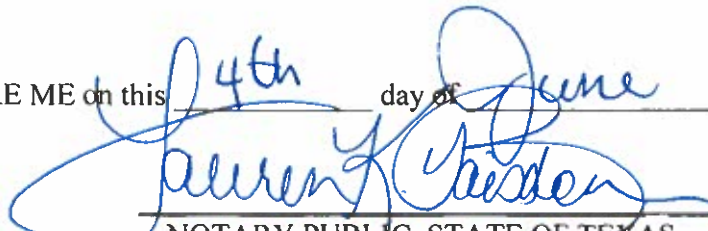
Martin S. Wozniak has failed to surrender his law license, due April 15, 2026, as ordered in Case No. 202400162, executed March 31, 2026.

Affiant says nothing further.


Heather K. White

SWORN TO AND SUBSCRIBED BEFORE ME on this 4th day of June, 2026.




NOTARY PUBLIC, STATE OF TEXAS

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE

v.

MARTIN S. WOZNIAK

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§
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Case No. 202400162

JUDGMENT OF PARTIALLY PROBATED SUSPENSION

Parties and Appearance

On March 23, 2026, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline (“Commission”), appeared by and through its attorney of record and announced ready. Respondent, **MARTIN S. WOZNIAK** (“Respondent”), Texas Bar Number **22013550**, appeared.

Jurisdiction and Venue

The Evidentiary Panel 7-3, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Default

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure. Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

Professional Misconduct

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true,

10. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00).

Conclusions of Law

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 8.04(a)(7).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Partially Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of eighteen (18) months, beginning April 1, 2026 and ending September 30, 2027. Respondent shall be actively suspended from the practice of law for a period of six (6) months beginning April 1, 2026 and ending September 30, 2026. The twelve (12) month period of probated suspension shall begin on October 1, 2026 and shall end on September 30, 2027. If Respondent complies with all of the following terms and conditions timely, the twelve (12) month period of probated suspension shall begin on October 1, 2026, and shall end on September 30, 2027:

1. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

2. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
3. Pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
4. Pursuant to the prior Judgment, Respondent was ordered to pay restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00). Restitution shall be made payable to the Client Security Fund of the State Bar of Texas, as reimbursement for funds previously disbursed to Carolyn Rice. The restitution payment shall be due and payable on or before September 30, 2026. Respondent shall remit payment by certified check, cashier's check, or money order made payable to the Client Security Fund and shall forward the payment to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).
5. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Should Respondent fail to comply with all of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until September 30, 2027, whichever occurs first.

Terms of Active Suspension

It is further **ORDERED** that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services for others; accepting any fee directly or

indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, or before April 15, 2026, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before April 15, 2026, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If it is Respondent's assertion that at the time of suspension he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of suspension, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further **ORDERED** Respondent shall, on or before April 15, 2026, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before April 15, 2026, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court. If it is Respondent's assertion that at the time of suspension he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

It is further **ORDERED** that, on or before April 15, 2026, Respondent shall surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

Terms of Probation

It is further **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.

5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Restitution, Attorney's Fees and Expenses

It is further **ORDERED** pursuant to the prior Judgment, Respondent was ordered to pay restitution in the amount of Two Thousand Five Hundred and No/100 Dollars (\$2,500.00). Restitution shall be made payable to the Client Security Fund of the State Bar of Texas, as reimbursement for funds previously disbursed to Carolyn Rice. The restitution payment shall be due and payable on or before September 30, 2026. Respondent shall remit payment by certified check, cashier's check, or money order made payable to the Client Security Fund and shall forward the payment to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).

If is further **ORDERED** pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable attorneys' fees in the amount of Three Thousand One Hundred Seventy-Seven and No/100 (\$3,177.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** pursuant to the prior Judgment the Chief Disciplinary Counsel of the State Bar of Texas incurred reasonable direct expenses in the amount of Five Hundred Eighty and No/100 Dollars (\$580.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding

in the amount of Two Thousand Eight Hundred Ninety-Five and No/100 Dollars (\$2,895.00). Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the State Bar of Texas in the amount of Two Thousand Eight Hundred Ninety Five and No/100 Dollars (\$2,895.00). The payment shall be due and payable on or before September 30, 2026, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid attorney's fees ordered from the previous judgment in the amount of \$3,177.00, the direct expenses in the amount of \$580.00, restitution in the amount of \$2,500.00 to the Client Security Fund of the State Bar of Texas and attorney's fees and direct expenses in this disciplinary proceeding in the amount of \$2,895.00.

Publication

This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 31st day of March, 2026.

**EVIDENTIARY PANEL 7-3
DISTRICT NO. 7
STATE BAR OF TEXAS**

Michael R. Kurmes

Michael Kurmes
District 7-3 Presiding Member

Heather White

From: Paige Abbott
Sent: Thursday, May 7, 2026 3:22 PM
To: mswozniak@sbcglobal.net
Cc: Heather White
Subject: 202400162; Commission for Lawyer Discipline v. Martin S. Wozniak
Attachments: Wozniak Letter - 5.7.2026 .pdf

Good afternoon,

Please see the attached letter regarding your compliance with the above referenced judgment.

Respectfully,

Paige Abbott
Compliance Legal Secretary
Office of the Chief Disciplinary Counsel
P.O. Box 12487
Austin, TX 78711-2487
(512) 427-1345



STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

May 7, 2026

via Email: mswozniak@sbcglobal.net

Martin S. Wozniak
430 Hickory Creek Dr
Sadler, TX 76264

Re: Case No. 202400162; Commission for Lawyer Discipline v. Martin S. Wozniak

Dear Martin S. Wozniak:

I received a copy of the Judgment of Partially Probated Suspension, executed on March 31, 2026.

Pursuant to this judgment, you are required to comply with certain terms and make contact with the Office of the Chief Disciplinary Counsel.

I serve as the Compliance Monitor for this office. My goal is to see you successfully complete the terms of compliance in your judgment.

I can be reached at Heather.White@texasbar.com.

Sincerely,

Heather K. White

Heather K. White
Compliance Monitor
Office of the Chief Disciplinary Counsel
State Bar of Texas

Heather White

From: Paige Abbott
Sent: Tuesday, June 2, 2026 12:17 PM
To: mswozniak@sbcglobal.net
Cc: Heather White
Subject: 202400162; CFLD v. Martin S. Wozniak
Attachments: Wozniak Letter - 6.2.2026 .pdf

Good afternoon,

Please see the attached letter regarding your compliance with the above referenced judgment.

Respectfully,

Paige Abbott
Compliance Legal Secretary
Office of the Chief Disciplinary Counsel
P.O. Box 12487
Austin, TX 78711-2487
(512) 427-1345



STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

June 2, 2026

via CMRRR 9589 0710 5270 2711 5535 82, Regular Mail,
and Email: mswozniak@sbcglobal.net

Martin S. Wozniak
430 Hickory Creek Dr
Sadler, TX 76264

Re: Case No. 202400162; *Commission for Lawyer Discipline v. Martin S. Wozniak*

Dear Martin S. Wozniak:

You are out of compliance with the above-referenced Judgment of Partially Probated Suspension, executed on March 31, 2026. You need to submit the following items:

- Submit an affidavit stating you have notified, in writing, all current clients and opposing counsel of your suspension and that you have returned all files, papers, unearned fees, and property to all current clients or to another attorney of their choosing. If it is your assertion that at the time of suspension you possessed no current clients and/or you were not in possession of any files, papers, monies, or other property belonging to clients, you shall submit an affidavit attesting that, at the time of suspension, you had no current clients and did not possess any files, papers monies and other property belonging to clients.
- Submit an affidavit stating you have notified, in writing, all judges and courts, where you have any pending matters, of the terms of your suspension. If it is your assertion that at the time of suspension you were not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, you shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.
- Surrender your law license (certificate that hangs on the wall) and State Bar card to my office. If you are not in possession of one or both items, please include this information in your affidavit.
- Contact the Compliance team within seven (7) days of receipt of your judgment.

You are to submit all past-due items to me within ten (10) days of receipt of this letter at the State Bar of Texas, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487 or to 1414 Colorado Street, Austin, Texas 78701-1627.

Additional discipline may occur due to noncompliance with a disciplinary matter.

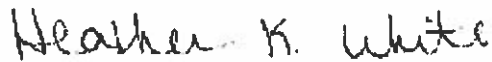
Mr. Wozniak, you are prohibited from practicing law in Texas, holding yourself out as an attorney at law, performing any legal services for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body, or holding yourself out to others or using your name

Martin S. Wozniak
June 2, 2026
Page | 2

in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

Additionally, unless a Stay has been granted, you are required to comply with all the above requirements or you are violating the terms of your judgment. Please contact me at (512) 427-1334 to coordinate your compliance.

Sincerely,

A handwritten signature in black ink that reads "Heather K. White". The signature is written in a cursive, slightly slanted style.

Heather K. White
Compliance Monitor
Office of the Chief Disciplinary Counsel
State Bar of Texas

Heather White

From: Paige Abbott
Sent: Wednesday, June 3, 2026 11:40 AM
To: Heather White
Subject: FW: Case No. 202400162, Motion to Stay
Attachments: Emergency_Motion_To_Stay_Suspension.pdf

Respectfully,

Paige Abbott
Compliance Legal Secretary
Office of the Chief Disciplinary Counsel
P.O. Box 12487
Austin, TX 78711-2487
(512) 427-1345



From: Martin Wozniak <mswozniak@sbcglobal.net>
Sent: Tuesday, June 2, 2026 3:54 PM
To: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>; Paige Abbott <Paige.Abbott@TEXASBAR.COM>; Sara Tat <Sara.Tat@TEXASBAR.COM>
Cc: Martin Wozniak <mswozniak@sbcglobal.net>
Subject: Case No. 202400162, Motion to Stay

Please file and serve.

Martin

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE

Petitioner,

VS.

MARTIN S WOZNIAK,

Respondent.

§
§
§
§
§
§
§

Case No. 202400162

**EMERGENCY MOTION TO STAY ENFORCEMENT OF SUSPENSION
PENDING DISPOSITION OF MOTION FOR NEW TRIAL
AND APPEAL**

TO THE HONORABLE EVIDENTIARY PANEL and BOARD OF DISCIPLINARY APPEALS:

COMES NOW Respondent, MARTIN S WOZNIAK, and files this Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal, and respectfully shows:

I. EMERGENCY RELIEF REQUESTED

Respondent seeks immediate emergency relief staying enforcement of the suspension imposed in the underlying disciplinary judgment pending:

1. disposition of Respondent's timely-filed Motion for New Trial; and
2. resolution of Respondent's Appeal.

Absent emergency intervention, Respondent will suffer immediate and irreparable professional, economic, and unprecedented reputational harm before post-judgment proceedings can be meaningfully completed or appellate review can occur.

II. PROCEDURAL STATUS

1. An Evidentiary Panel signed judgment in Commission Case No. 202400162 on or about April 14, 2026.

2. Respondent timely filed a Motion for New Trial, which remains pending and has not yet been heard or ruled upon.

3. Respondent has also preemptively perfected appeal to the Board of Disciplinary Appeals.

4. The suspension is scheduled to become effective imminently, creating imminent and irreparable injury absent a stay.

III. GROUNDS FOR EMERGENCY STAY

A. Respondent's Motion for New Trial raises substantial issues concerning the proceedings, due process, payment, evidentiary sufficiency, procedural fairness, and the proportionality of the sanction imposed. Those matters remain unresolved. Enforcement of the suspension before adjudication of the pending Motion for New Trial would effectively deprive Respondent of meaningful post-judgment relief and undermine the orderly review process contemplated by the disciplinary rules. The appeal likewise presents substantial and non-frivolous issues warranting preservation of the status quo pending review.

B. Judgment and Appellate Issues Remain Pending meaning Immediate and Irreparable Harm Will Result Absent Stay. Without emergency relief, Respondent will immediately suffer:

- a. interruption of ongoing client representation;
- b. severe damage to professional reputation and goodwill;
- c. loss of income and existing business relationships;
- d. prejudice to clients with pending legal matters; and
- e. harms that cannot be adequately remedied after the fact, even if Respondent ultimately prevails.

The practical consequences of an active suspension cannot realistically be "undone" after appellate review.

C. Clients and the Public Interest Favor Temporary Stay

A temporary stay pending resolution of post-judgment proceedings and appeal better serves the interests of clients and the administration of justice than immediate disruption of existing legal representations. Respondent does not present a threat to client funds, public safety, or the integrity of pending matters warranting emergency enforcement before completion of the review process. All issues surrounding Respondent solely revolve around Respondents financial resources not acts of misfeasance or malfeasance.

D. The Equities Strongly Favor Preservation of the Status Quo

The requested relief merely preserves the current status quo during the pendency of post-judgment proceedings and appeal. By contrast, denial of emergency relief would impose immediate and irreversible consequences upon Respondent and innocent third-party clients before the pending Motion for New Trial or Appeal is even heard.

IV. EMERGENCY REQUEST

Because the effective date of suspension is imminent, Respondent respectfully requests expedited consideration of this motion and immediate temporary relief pending full determination by the Board.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully requests that the Evidentiary Panel or Board of Disciplinary Appeals:

1. immediately stay per the Disciplinary Rules enforcement of the suspension imposed in the underlying judgment;
2. maintain the stay pending disposition of Respondent's Motion for New Trial and Appeal; and
3. grant such other and further relief to which Respondent may be justly entitled.

Respectfully submitted,

/S/ MARTIN S. WOZNIAK
State Bar No. 22013550
5549 Davis Blvd. Suite 59
North Richland Hills, TX 76180
(214) 417-0520
mswozniak@sbcglobal.net
wozniak640@gmail.com
RESPONDENT PRO SE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal was served upon the Commission for Lawyer Discipline on this 2nd day of June, 2026, in accordance with applicable rules.

/S/ MARTIN S. WOZNIAK

Register of Actions

Case No. CV-23-0700

Party Information			
Defendant	Devoir, Frederick C	Male	Lead Attorneys Clara M. Toman <i>Retained</i> 817-640-0465(W)
Defendant	Devoir, Nathalie R	Female	Clara M. Toman <i>Retained</i> 817-640-0465(W)
Plaintiff	Davidson, Barbara	Female	Martin S. Wozniak <i>Retained</i> 214-417-0520(W)

Events &Orders of the Court			
	OTHER EVENTS AND HEARINGS		
05/31/2023	Original Petition (OCA) <i>Plaintiff's Original Petition</i>		
06/30/2023	Letter <i>to Clerk from Martin S. Wozniak - Request for Citations</i>		
07/05/2023	Issuance of Citation <i>Copy Sent to Attorney for Service</i>		
07/05/2023	Citation Devoir, Nathalie R Devoir, Frederick C	Unservd Unservd	
11/08/2024	Notice of Dismissal for Want of Prosecution		
11/22/2024	Motion <i>Plaintiff's Verified Motion to Retain</i>		
01/20/2025	Notice of Hearing <i>on Motion to Retain</i>		
02/10/2025	Returned Mail <i>Law Office of Martin S. Wozniak</i>		
03/03/2025	Motion Hearing (1:30 PM) (Judicial Officer Phillips, Larry A) <i>MOTION TO RETAIN</i>		
03/03/2025	Judicial Docket Entry - Public <i>Hearing on motion to retain. Petitioner appeared by counsel. Defendants did not appear. Court retained case until May 7th 20205 at 9:00 am to allow for service to be perfected. Case is set for dismissal docket on May 7th 205 at 9:00 am and will be dismissed if service is not perfected. LAP</i>		
04/30/2025	Request <i>For Citations</i>		
04/30/2025	Issuance of Citation <i>COPIES - sent to attorney for service</i>		
04/30/2025	Citation Devoir, Nathalie R Devoir, Frederick C	Returned Unservd Returned Served Response Due Returned	06/13/2025 06/13/2025 05/15/2025 06/09/2025 05/19/2025
05/07/2025	Motion Hearing (9:00 AM) (Judicial Officer Phillips, Larry A)		

EXHIBIT

E

EXHIBIT

E

motion to retain/ status/ service to be attained by this date or will be dismissed
 05/12/2025 **Motion**
 for Substitute Service of Process
 05/14/2025 **Order**
 to Serve Defendant Under Rule 106
 05/15/2025 **Notice of Hearing**
 Status/Motion to Retain Hearing
 06/09/2025 **Answer**
 Defendant Frederick C. Devoir's Original Answer, Jury Demand and Rule 193.7 Notice
 06/09/2025 **Vacation Letter**
 Clara M. Toman
 06/20/2025 **Status Hearing** (1:30 PM) (Judicial Officer Phillips, Larry A)
 status hearing on motion to retain/ service
 06/20/2025 **Motion**
 for Citation by Publication
 06/24/2025 **Order**
 on Motion for Citation by Publication
 06/27/2025 **Letter**
 from Martin Wozniak - Request for Citation by Publication
 07/08/2025 **Issuance of Citation**
 by Publication - Sent to Attorney for Service
 07/08/2025 **Citation by Publication - OCA**
 Devoir, Nathalie R Served 07/15/2025
 Returned 08/15/2025
 08/11/2025 **Notice**
 of Appearance and Designation of CO-Counsel Mark A. Goodman for Defendant Frederick C. Devoir
 08/20/2025 **Answer**
 Defendant Nathalie R. Devoir's Original Answer, Jury Demand and Rule 193.7 Notice
 08/27/2025 **Amended Answer**
 Defendant Frederick Devoir's First Amended Answer, Verified Denial, Jury Demand and Rule 193.7 Notice
 01/13/2026 **Notice of Hearing**
 Dismissal Docket
 01/21/2026 **Motion**
 to Compel Discovery Responses
 02/24/2026 **Cover Letter**
 From Martin S. Wozniak - Proposed Agreed Scheduling Order
 02/27/2026 **Dismissal Docket** (1:30 PM) (Judicial Officer Phillips, Larry A)
 02/27/2026 **Order**
 Discovery-Control Plan
 03/10/2026 **Intervention**
 Vacation Letter Clara M. Toman
 03/10/2026 **Motion**
 Defendants, Nathalie R. Devoir and Frederick C. Devoir's Motion for Traditional Summary Judgment
 03/10/2026 **Motion**
 Defendant Nathalie Devoir's No Evidence Motion for Summary Judgment
 03/10/2026 **Motion**
 Defendant Frederick Devoir's No Evidence Motion for Partial Summary Judgment
 04/07/2026 **Response**
 Plaintiff's Response to Defendants' Motion for Traditional Summary Judgment
 04/14/2026 **Response**
 Defendants' Reply to Plaintiff's Response to Defendants' Motion for Traditional Summary Judgment
 04/20/2026 **Response**
 Plaintiff's Response to Defendant Nathalie Devoir's Motion for No-Evidence Summary Judgment
 04/20/2026 **Response**
 Plaintiff's Response to Defendant Frederick Devoir's Motion for No-Evidence Summary Judgment
 04/20/2026 **Notice of Hearing**
 on Defendants' Motion to Compel
 04/23/2026 **Motion**
 Defendant's Motion in Limine and Order
 04/23/2026 **Charge of the Court**
 04/23/2026 **Witness List**

	<i>Defendant's</i>
04/24/2026	Pre-Trial Hearing (9:00 AM) (Judicial Officer Phillips, Larry A) <i>def. motion to compel</i>
04/24/2026	Motion Summary Judgement by Submission (9:00 AM) (Judicial Officer Phillips, Larry A) <i>def. frederick devoir's no evidence motion for partial summary judgment/ def. nathalie devoir's no evidence motion for summary judgment/ def. nathalie devoir and frederick devoir's motion for traditional summary judgment</i>
04/24/2026	Docket Entry <i>Pre-trial hearing and motion to compel. Both parties appeared by counsel. Motion to compel was worked out by the parties. Defendants will have until Monday to object to any witnesses. Court granted leave for Plaintiff's SJ responses to be considered and Defendants can respond by Monday to the No Evidence SJ Response. Court advised that he will review the new SJ rules to make sure he can grant the leave. Court approved Defendants' motion in limine and made the mutual. Jury will be picked on trial day in the morning and opening and evidence will begin after the Jury returns from lunch. LAP</i>
04/24/2026	Brief <i>Due Diligence</i>
04/24/2026	Witness List <i>Plaintiff's Witness and Exhibit List</i>
04/27/2026	Reply <i>Defendant Frederick C. Devoir's Reply to Plaintiff's Response to Defendant's No-Evidence Motion for Partial Summary Judgment</i>
04/27/2026	Reply <i>Defendant Nathalie Devior's Reply to Plaintiff's Response to Defendants' No Evidence Motion for Partial Summary Judgement</i>
04/28/2026	Motion <i>Defendants' Motion to Exclude Undisclosed Witnesses</i>
04/28/2026	Motion <i>Defendants' Motion to Exclude Undisclosed Exhibits</i>
04/28/2026	Order <i>Denying Summary Judgements</i>
04/30/2026	Notice of Hearing <i>Orders Due Hearing</i>
05/04/2026	CANCELED Jury Trial (9:00 AM) (Judicial Officer Phillips, Larry A) <i>By Request</i>
06/19/2026	Hearing (1:30 PM) (Judicial Officer Phillips, Larry A) <i>orders due hearing</i>

Financial Information

	Defendant Devoir, Nathalie R			
	Total Financial Assessment			80.00
	Total Payments and Credits			80.00
	Balance Due as of 06/03/2026			0.00
03/13/2026	Transaction Assessment			80.00
03/13/2026	E-file Payment	Receipt # DC-2026-01201	Devoir, Nathalie R	(35.00)
03/13/2026	State Credit			(45.00)
	Plaintiff Davidson, Barbara			
	Total Financial Assessment			390.00
	Total Payments and Credits			390.00
	Balance Due as of 06/03/2026			0.00
06/01/2023	Transaction Assessment			350.00
06/01/2023	E-file Payment	Receipt # DC-2023-03931	Davidson, Barbara	(213.00)
06/01/2023	State Credit			(137.00)
07/03/2023	Transaction Assessment			16.00
07/03/2023	E-file Payment	Receipt # DC-2023-04523	Davidson, Barbara	(16.00)
04/30/2025	Transaction Assessment			16.00
04/30/2025	E-file Payment	Receipt # DC-2025-02491	Davidson, Barbara	(16.00)
07/01/2025	Transaction Assessment			8.00

No. CV-23-0700

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
VS.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

PLAINTIFF'S RESPONSE TO DEFENDANTS'
MOTION FOR TRADITIONAL SUMMARY JUDGMENT

Plaintiff, Barbara Davidson, asks the court to deny Defendants motion for summary judgment.

A. SUMMARY OF ARGUMENT

1. Defendants, Nathalie Devoir and Frederick Devoir, through their representatives have admitted liability and their insurance carrier Farmers Insurance of Texas has accepted liability and so far paid the property damage portion of Plaintiff's claim. Defendants have generally appeared and answered in this matter and have waived any personal jurisdiction or limitations issue. To the extent that there exists a due diligence issue which Plaintiff denies that is a fact question for the fact finder in this matter. On or about June 1, 2021 Plaintiff's vehicle was being driven north on Texas Hwy 377 at FM 902, Collinsville, Grayson County, Texas by DAVIDSON. At said time and place Defendant NATHALIE DEVOIR was operating a 2018 Jeep Renegade VIN 1GBEC14Z5SZ23883 believed to be owned and controlled by FRED DEVOIR, insured by FRED DEVOIR and entrusted to her by FRED DEVOIR when she without warning she failed to yield the right of way to DAVIDSON and crossed Hwy 377 in a easterly direction while talking on her cell phone immediately in front of DAVIDSON. Because DAVIDSON was not warned that NATHALIE DEVOIR was illegally talking on her cell phone and would not respect Plaintiff's legal right of way Plaintiff collided with the Jeep Renegade suffering serious permanent bodily injury and the total destruction of the 1993 F250 she was operating. As a direct result of DEFENDANTS' negligence Plaintiff

EXHIBIT F

BARBARA DAVIDSON suffered property damage in the amount of not less than \$11,200.00, both legs broken at the knee resulting in her confinement to bed for months, permanent bodily injury and related economic damages. At said time and place Barbara J. Davidson was operating Plaintiff's vehicle in a lawful manner with all due care and caution and was completely free of any and all negligence in any manner contributing to her injuries or damages. NATHALIE DEVOIR in failing to yield the right of way without warning caused Plaintiff to sustain permanent personal injuries confining her to bed for the better part of six months; past, present, and future pain and suffering; past, present and future mental anguish; lost wages; loss of the enjoyment of life's activities; temporary or permanent partial/total disability; past, present, and future medical bills and expenses; and property damage. At the time of the collision, NATHALIE DEVOIR was operating the vehicle in violation of a statute therefore negligent per se and with total disregard for the safety of Plaintiff and others. Defendant had a duty to exercise ordinary care and operate her vehicle reasonably, prudently and in compliance with the law. Defendant breached that duty in one or more of the following ways:

- a. Failing to yield the right of way to a vehicle in the intersection.
- b. Failing to warn other motorists of the hazard she created.
- c. Talking on a cell phone on a highway without warning other motorists of the hazard and peril she created.
- d. Failing to maintain a proper lookout.
- e. Failing to timely apply brakes.
- f. Failing to maintain control of defendant's vehicle.
- g. Failing to turn the vehicle to avoid the collision.

2. At the time of the collision, Defendant NATHALIE DEVOIR was operating a motor vehicle, insured, and entrusted to her by FREDERICK "FRED" DEVOIR. Defendant FRED DEVOIR negligently entrusted a vehicle owned by him to his relative NATHALIE DEVOIR knowing that his relative NATHALIE DEVOIR lacked judgment because of her willingness to disregard the safety of others and operate a motor vehicle with little experience while talking on a cell phone. NATHALIE DEVOIR then operated the vehicle in a negligent manner causing Plaintiff's injury and damages. Defendant FRED DEVOIR had a duty to the public to exercise ordinary care

in entrusting the use of his motor vehicle.

3. Defendants' motion is self-defeating. Rule 166a(c) requires Movant to carry the burden of establishing that "there is no genuine issue as to any material fact" and that Movant is "entitled to judgment as a matter of law" or that there is no evidence to support a claim.

4. Plaintiff timely filed her petition thus tolling the statute of limitations. Defendants' motion is moot because Defendants have generally appeared and answered thereby waiving any personal jurisdictional or limitations challenge.

B. Argument & Authorities

5. The court cannot grant a no-evidence summary judgment based on a conclusory no-evidence challenge to the nonmovant's case. Tex. R. Civ. P. 166a(i); Notes & Comments to Tex. R. Civ. P. 166a(i). Defendants admissions aside the doctrine of *Res ipsa loquitur* is a rule of evidence that allows the jury to infer negligence appropriate here because the character of the injury is such that it would not have occurred without negligence, and the instrumentality [the "Jeep"] that caused the injury was under the sole management and control of the Defendant.

6. The court should deny Defendants' motion for summary judgment because it did not identify an element of Plaintiff's claim that in fact has no support in the evidence. *Ortiz v. Collins*, 203 S.W.3d 414, 425 (Tex. App.—Houston [14th Dist.] 2006, no pet.). Defendants in their motion merely alleged an abbreviated, inaccurate, and incomplete timetable of efforts to serve the service dodging Defendants.

7. The court should deny Defendant's motion for summary judgment because there is enough evidence to raise a genuine issue of material fact regarding negligence and if appropriate diligence. Liability has been admitted and the doctrine of *res ipsa loquitur* further establishes the negligence.

8. The doctrine of *res ipsa loquitur* alone under these facts and Plaintiff's Declaration create an inference of negligence. The nature of the occurrence itself furnishes circumstantial evidence of negligence.

9. The court should deny defendant's request for a final summary judgment.

C. Summary-Judgment Evidence

10. Plaintiff includes the summary-judgment evidence in Exhibit A the Declaration filed with this response and incorporated herein as evidence into this response by this reference.

11. This Response to Defendants' motion for summary judgment is supported by the following evidence included in the appendix:

- a. The Declaration of Plaintiff establish the admission of liability by Defendant and other facts of diligence, and
- b. The returns on file with this Court.

D. Conclusion

12. Defendant has failed to demonstrate that there is no genuine dispute as to any matter of fact, and 2) that the movant is entitled to judgment as a matter of law. Due diligence is a question of fact, and summary disposition is improper where the records reflects efforts and a reasonable explanation for the delay.

13. Defendants have generally appeared, answered, responded to the merits of the case and submitted to this court's jurisdiction without first filing a special appearance or Motion to Quash Service.

14. In Texas, under Rule 120a of the Texas Rules of Civil Procedure a Defendant must file a special appearance before any other pleading or motion to challenge personal jurisdiction. If the defendant files an answer without a special appearance, seeks affirmative relief, or otherwise participates in the case i.e. makes a general appearance and waives any objection to personal jurisdiction. Not only have Defendants waived any challenge to personal jurisdiction they have admitted liability and paid Plaintiff for the property damages portion of her claim.

15. An Answer and General Appearance as in the present case by **Nathalie Devoir** waives defects regarding service and citation under Texas Rule of Civil Procedure 121. That means certainly as it relates to Nathalie Devoir that there is no need for Plaintiff to prove due diligence. There is no service related limitations defense and due diligence is irrelevant. The court has personal jurisdiction regardless of service timing and any personal jurisdiction objections. The Defendants have failed to demonstrate any

prejudice or denial of due process. The Defendants don't deny knowing of the lawsuit and claims made at the moment of filing. A defendant who after being given knowledge of the existence of a lawsuit should not be allowed to play hide and seek to the prejudice of Plaintiff. If a defendant files a general denial as in this case, litigates the merits [summary judgment], and only later claims "the court lacks jurisdiction over me". The Defendant **waives** any challenge to personal jurisdiction.

E. Prayer

16. For these reasons, Plaintiff asks the court to deny Defendant's motion for summary judgment. If the court grants Defendant's motion for summary judgment, Plaintiff asks the court to overrule Plaintiff's objections so they will be preserved for appeal.

Respectfully submitted,
BY: /S/ MARTIN S. WOZNIAK

MARTIN S. WOZNIAK
State Bar No. 22013550
1901 Central Drive, Suite 600
Bedford, TX 76021
(214) 417-0520
mwozniak@sbcglobal.net
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 6th day of April 2026.

/S/ MARTIN S. WOZNIAK

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
vs.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY
TEXAS		

DECLARATION OF BARBARA J. DAVIDSON

I, BARBARA J. DAVIDSON, declare as follows:

1. I am the Plaintiff who suffered personal injury and property damage as alleged in this cause of action. I have personal knowledge of the facts set forth in this Declaration and if called as a witness, could and would competently testify to such facts under oath.

2 Defendants through their insurance carrier have admitted liability and covenanted to pay me for the damages suffered as a result of the acts of Defendants. Defendants have so far paid the property damage portion of the claim relating to the total loss of the vehicle I was driving.

3. Upon filing suit citation was immediately issued. Farmers Texas Mutual who represented Defendants at the time was immediately notified of the filing of the suit.

4. Farmers Texas Mutual was asked to accept service which they declined. Farmers Texas Mutual continued processing the claim and covenanted to remain liable for the personal injury damages. I relied on the representations made by Farmers Texas Mutual.

5. Farmers refused to cooperate in perfecting service on Defendants refusing any updated information on the location of either

named Defendant. The only information Farmers would provide on Defendants when repeatedly asked was the address on the insurance policy declarations page.

6. Defendant Fred Devoir once suit was filed engaged in a campaign of hide and seek in spite of diligent efforts to effect service. This campaign of hide and seek was continuous and unrelenting as documented by the record made by the Denton County Constable.

7. Our efforts to serve Nathalie R Devoir were met with similar hide and seek tactics rumored to be orchestrated her father Fred. Farmers which was representing her at the time refused to cooperate with locating Nathalie R Devoir. Through our efforts we developed information that Nathalie R Devoir possibly had left the area and may be in Wichita Falls at 2006 Victory Avenue but we could never find her there and neighbors there could not confirm her existence. The Registrar at Midwestern State University could not confirm any residence for her either. It was never confirmed whether she or her father rented the property on Victory Avenue. When we found the current owner of the property on Victory neither Fred nor Nathalie could not be confirmed living there or their whereabouts. Back in Pilot Point, neighbors in Pilot Point could not confirm any recent sightings of either. See the unsuccessful efforts documented by the Constable on file.

My name is Barbara J. Davidson, my date of birth is March 2, 1956, my address is 430 Hickory Creek Drive, Sadler, Texas. I declare under penalty of perjury under the laws of the United States of America that the

forgoing is true and correct.

Executed on April 6, 2026 at North Richland Hills, Tarrant County,
Texas.

/S/ Barbara J. Davidson
Barbara J. Davidson

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 113314900

Filing Code Description: Response

Filing Description: Plaintiff's Response to Defendants' Motion for Traditional Summary Judgment

Status as of 4/8/2026 4:56 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Martin Wozniak		mswozniak@sbcglobal.net	4/7/2026 9:05:07 AM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/7/2026 9:05:07 AM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/7/2026 9:05:07 AM	SENT

No. CV-23-0700

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
VS.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

PLAINTIFF'S RESPONSE TO DEFENDANT NATHALIE DEVOIR'S
MOTION FOR NO-EVIDENCE SUMMARY JUDGMENT

Plaintiff, Barbara Davidson, asks the court to deny Defendant's motion for a no-evidence summary judgment.

A. SUMMARY OF ARGUMENT

1. Defendants, Nathalie Devoir and Frederick Devoir, through their representatives have admitted liability and their insurance carrier Farmers Insurance of Texas has accepted liability and so far paid 100% of the property damage portion of Plaintiff's claim. Defendant has generally appeared and answered in this matter and has waived any personal jurisdiction or limitations issue. Defendant's voluntary appearance dispenses with by operation of law the requirement for the issuance and service of citation. To the extent that there exists a due diligence issue which Plaintiff denies that is a fact question for the fact finder in this matter. On or about June 1, 2021 Plaintiff's vehicle was being driven north on Texas Hwy 377 at FM 902, Collinsville, Grayson County, Texas by DAVIDSON. At said time and place Defendant NATHALIE DEVOIR was operating a 2018 Jeep Renegade VIN 1GBEC14Z5SZ23883 with an insurable interest therein by FRED DEVOIR and entrusted to her by FRED DEVOIR when she without warning failed to yield the right of way to DAVIDSON and crossed Hwy 377 in a easterly direction while talking on her cell phone immediately in front of DAVIDSON. Because DAVIDSON was not warned that NATHALIE DEVOIR was illegally talking on her cell phone and would not respect Plaintiff's legal right of way Plaintiff collided with the Jeep Renegade

EXHIBIT G

suffering bilateral broken legs. As a direct result of defendant's negligence Plaintiff BARBARA DAVIDSON suffered bilateral leg fractures at the knee resulting in her incapacitation and confinement to bed for months, permanent bodily injury and related economic damages. NATHALIE DEVOIR in failing to yield the right of way without warning caused Plaintiff to sustain permanent personal injuries confining her to bed for the better part of six months; past, present, and future pain and suffering; past, present and future mental anguish; lost wages; loss of the enjoyment of life's activities; temporary and permanent partial/total disability; past, present, and future medical bills and expenses. Plaintiff was unable to work from June 1 until November 15.

2. Defendant's insurance carrier Farmers Mutual has accepted liability and paid property damages i.e. paid 100% of the total loss of the vehicle that Plaintiff was driving at the time. Defendant has not yet paid for the bilateral leg fracture medicals and other related economic damages.

B. Argument & Authorities

3. The court cannot grant a no-evidence summary judgment based on a conclusory no-evidence challenge to the nonmovant's case. Tex. R. Civ. P. 166a(i); Notes & Comments to Tex. R. Civ. P. 166a(i). Defendant's admissions aside the doctrine of *Res ipsa loquitur* is a rule of evidence that allows the jury to infer negligence appropriate here because the character of the injury is such that it would not have occurred without negligence, and the instrumentality that caused the injury was under the sole management and control of the Defendant.

4. The court should deny Defendant's motion for no-evidence summary judgment because Defendant did not identify an element of Plaintiff's claim that in fact has no support in the evidence. *Ortiz v. Collins*, 203 S.W.3d 414, 425 (Tex. App.—Houston [14th Dist.] 2006, no pet.). Defendant merely alleged there is no evidence of injury. Defendant doesn't have an answer for Plaintiff's Declaration, Plaintiff's medical records, the detailed list of medical expenses by provider and amount, and photographs of Plaintiff laying on the ground next to her totaled vehicle helpless and unable to move on her own before being rushed to the hospital all incorporated in this response by this reference as if copied here and previously served on Defendant's counsel.

5. The court should deny Defendant's motion for summary judgment because there is enough evidence to raise a genuine issue of material fact regarding both injury and damages. Although Defendant has paid thousands for the total loss of Plaintiff's vehicle she now wants to argue those thousands don't count as damages.

6. The doctrine of res ipsa loquitur alone under these facts and Plaintiff's Declaration create an inference of injury and damages. The nature of the occurrence itself furnishes circumstantial evidence of negligence.

7. There is no factual or legal basis for this court to grant Defendant's request for a final summary judgment.

C. Summary-Judgment Evidence

8. Plaintiff includes the summary-judgment evidence in Exhibit A the Declaration filed with this response and incorporated herein as evidence into this response by this reference.

- a.) Medical injury treatment records including x-rays electronically served on Defendant on August 28, 2025.
- b.) Photographs of Plaintiff helpless on the ground at the scene before emergency transport served on Defendant on August 28, 2025.
- c.) Itemized list of medical expenses by provider with amounts totaling \$20,863.82 served on Defendant on February 20, 2026.
- d.) An executed medical release for treatment and billing records served on Defendant on January 13, 2026.

9. This Response to Defendant's motion for summary judgment is supported by the following evidence included in the appendix:

- a. The Declaration of Plaintiff is evidence of injury and damages.

D. Motion for Sanctions

10. Statements by insurance defense counsel that there are no injuries or damages after being served with medical treatment records, itemized medical billings by provider, and photos of the Plaintiff helpless on the ground at the scene months ago can only be made in bad faith and for purposes of harassment.

E. Conclusion

11. Defendant has failed to demonstrate that there is no evidence as to the existence of an injury and damages any matter of fact, and 2) that the movant is entitled to judgment as a matter of law.

F. Prayer

12. For these reasons, Plaintiff asks the court to deny Defendant's motion for summary judgment and award sanctions. If the court grants Defendant's motion for summary judgment, Plaintiff asks the court to overrule Plaintiff's objections so they will be preserved for appeal.

Respectfully submitted,
BY: /S/ MARTIN S. WOZNIAK
MARTIN S. WOZNIAK
State Bar No. 22013550
1901 Central Drive, Suite 309
Bedford, TX 76021
(214) 417-0520
mwozniak@sbcglobal.net
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 17th day of April 2026.

/S/ MARTIN S. WOZNIAK

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
vs.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

DECLARATION OF BARBARA J. DAVIDSON

I, BARBARA J. DAVIDSON, declare as follows:

1. I am the Plaintiff who suffered personal injury, property damage, and other economic damages as alleged in this cause of action. I have personal knowledge of the facts set forth in this Declaration because they happened to me and if called as a witness, could and would competently testify to such facts under oath.

2. On June 1, 2021 Plaintiff's vehicle was driving north on Texas Hwy 377 at FM 902, Collinsville, Grayson County, Texas. At said time and place Defendant NATHALIE DEVOIR was operating a 2018 Jeep Renegade VIN 1GBEC14Z5SZ23883 with an insurable interest therein by FRED DEVOIR and entrusted to her by FRED DEVOIR when she without warning failed to yield the right of way to Plaintiff and crossed Hwy 377 in a easterly direction while talking on her cell phone immediately in front of Plaintiff. Because Plaintiff was not warned that NATHALIE DEVOIR was illegally talking on her cell phone while operating a motor vehicle and would not respect Plaintiff's legal right of way Plaintiff collided with the Jeep Renegade suffering bilateral broken legs. As a direct result of defendant's negligence Plaintiff Barbara Davidson suffered bilateral leg fractures at the knee resulting in her incapacitation and confinement to bed for months, permanent bodily injury and related economic damages. NATHALIE DEVOIR in failing to yield the right of way without warning caused Plaintiff to sustain permanent personal injuries confining her to bed for the better part of six months; past, present, and future pain and suffering; past, present and future mental anguish; lost wages; loss of the enjoyment of

life's activities; temporary and permanent partial/total disability; past, present, and future medical bills and expenses. Itemized medical expenses for the injuries suffered were personally served on insurance defense counsel on February 20, 2026. (EXHIBIT B) Plaintiff was physically unable to work from June 1 until November 15.

3. Defendants through their insurance carrier have admitted liability and covenanted to pay me for the damages suffered as a result of the acts of Defendants. Defendants have so far paid the property damage portion of the claim relating to the total loss of the vehicle I was driving.

4. Upon filing suit Farmers Texas Mutual who was the representative for Defendants at the time was immediately notified of the filing of the suit.

5. Farmers Texas Mutual was asked to accept service which they declined. Farmers Texas Mutual continued processing the claim and covenanted to remain liable for the personal injury and damages. I relied on the representations made by Farmers Texas Mutual.

6. Farmers refused to cooperate in perfecting service on Defendants refusing any updated information on the location of either named Defendant. The only information Farmers would provide on Defendants when repeatedly asked was the address on the insurance policy declarations page.

7. Defendant Fred Devoir then engaged in a campaign of hide and seek in spite of diligent efforts to effect service. This campaign of hide and seek was continuous and unrelenting as evident by the record on file in this matter made by the Denton County Constable.

8. Our efforts to serve Nathalie R Devoir were met with similar dilatory hide and seek tactics. Farmers which was representing her at the time refused to cooperate with locating the Nathalie R Devoir. Through our efforts we developed information that Nathalie R Devoir possibly had left the area and may be in Wichita Falls at 2006 Victory Avenue but we could never find her there and neighbors there could not

confirm her existence. The Registrar at Midwestern State University could not confirm any residence for her either. It was never confirmed whether she or her father rented the property on Victory Avenue. When we found the current owner of the property on Victory neither Fred nor Nathalie could be confirmed living there or their whereabouts. Back in Pilot Point neighbors in Pilot Point could not confirm any recent sighting.

My name is Barbara J. Davidson, my date of birth is March 2, 1956, my address is 430 Hickory Creek Drive, Sadler, Texas. I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed on April 6, 2026 at North Richland Hills, Tarrant County, Texas.

/S/ Barbara J. Davidson
Barbara J. Davidson

EXHIBIT B

Insured: Barbara J Davidson

Date Of Accident: 6/1/2021

Our Client: Cigna HealthCare ES Proclaim Std

Claimant :

Barbara J

Davidson

<u>Patie</u> <u>nt</u>	<u>Claim</u> <u>Number</u>	<u>Misc.</u>	<u>Provider</u>	<u>Dates</u> <u>Of</u> <u>Servi</u> <u>ce</u>	<u>Claim</u> <u>Amoun</u> <u>t</u>	<u>Benefit</u> <u>Amoun</u> <u>t</u>
Barb ara J	8682116124 511	S19.9X XA	SHERMAN RADIO ASC	06/01/2 021 - 06/01/2 021 06/01/2	\$160.0 0	\$27.51
Barb ara J	8682118128 680	S82.032 A	CONCORD NRTH TX PLLC	06/01/2 021 - 06/01/2 021 06/01/2	\$1,633.0 0	\$285.2 0
Barb ara J	8682119021 437	R52	BELLS SAVOY COMM EMS	06/01/2 021 - 06/01/2 021	\$3,177.3 3	\$1,424 .00
Barb ara J	8682120422 623	S82.032 A	GAINESVI LLE COMM HSP INC	06/01/2 021 - 06/02/2 021	\$10,149 .10	\$4,332 .60
Barb ara J	8682116130 289	S82.001 A	FARAHAT ASC PLLC	06/02/2 021 - 06/02/2 021 06/02/2	\$546.9 2	\$182.7 4
Barb ara J	8682123223 426	S82.032 A	USA PATH PLLC	06/02/2 021 - 06/02/2 021	\$198.0 0	\$132.9 6
Barb ara J	8682116918 043	M25.56 1	GAINESVI LLE COMM	06/09/2 021 - 06/09/2	\$493.0 0	\$153.6 9

			HSP	021		
			GAINESVI	06/25/2		
Barb	8682118813	M25.56	LLE	021 -	\$356.0	\$108.6
ara J	383	1	COMM	06/25/2	0	9
			HSP	021		
			GAINESVI	07/16/2		
Barb	8682120318	M25.56	LLE	021 -	\$356.0	\$108.6
ara J	053	1	COMM	07/16/2	0	9
			HSP	021		
			AMERICA	08/10/2		
Barb	8682123738	M25.66	N	021 -	\$151.5	\$121.2
ara J	504	9	SPECIALT	08/10/2	1	0
			Y PHYSI	021		
			AMERICA	08/12/2		
Barb	8682124219	M25.66	N	021 -	\$81.8	\$65.50
ara J	562	9	SPECIALT	08/12/2	8	
			Y PHYSI	021		
			AMERICA	08/13/2		
Barb	8682124219	M25.66	N	021 -	\$81.8	\$65.50
ara J	564	9	SPECIALT	08/13/2	8	
			Y PHYSI	021		
			AMERICA	08/16/2		
Barb	8682124219	M25.66	N	021 -	\$81.8	\$65.50
ara J	563	9	SPECIALT	08/16/2	8	
			Y PHYSI	021		
			AMERICA	08/18/2		
Barb	8682124630	M25.66	N	021 -	\$81.8	\$65.50
ara J	507	9	SPECIALT	08/18/2	8	
			Y PHYSI	021		
			AMERICA	08/20/2		
Barb	8682125125	M25.66	N	021 -	\$81.8	\$65.50
ara J	835	9	SPECIALT	08/20/2	8	
			Y PHYSI	021		
			AMERICA	08/23/2		
Barb	8682125125	M25.66	N	021 -	\$81.8	\$65.50
ara J	837	9	SPECIALT	08/23/2	8	
			Y PHYSI	021		
			AMERICA	08/25/2		
Barb	8682125125	M25.66	N	021 -	\$81.8	\$65.50
ara J	840	9	SPECIALT	08/25/2	8	
			Y PHYSI	021		
Barb	8682128134	M25.66	AMERICA	08/27/2	\$81.8	\$65.50

ara J	426	9	N	021 -	8	
			SPECIALT	08/27/2		
			Y PHYSI	021		
			AMERICA	08/31/2		
Barb	8682128134	M25.66	N	021 -	\$81.8	\$65.50
ara J	429	9	SPECIALT	08/31/2	8	
			Y PHYSI	021		
			AMERICA	09/01/2		
Barb	8682128134	M25.66	N	021 -	\$81.8	\$65.50
ara J	428	9	SPECIALT	09/01/2	8	
			Y PHYSI	021		
			AMERICA	09/10/2		
			N	021 -		
Barb	8682128134	M25.66	SPECIALT	09/10/2	\$81.8	
ara J	432	9	Y PHYSI	021	8	\$70.20

Our CaseID: 25542380
Date Of Accident: 6/1/2021
Our Client: Cigna HealthCare ES Proclaim Std

Claimant :
Barbara J
Davidson

<u>Patient</u>	<u>Claim</u>	<u>Misc.</u>	<u>Provider</u>	<u>Dates</u>	<u>Clai</u>	<u>Benefit</u>
<u>t</u>	<u>Number</u>			<u>Of</u>	<u>m</u>	<u>Amou</u>
				<u>Service</u>	<u>Amou</u>	<u>nt</u>
				<u>e</u>	<u>nt</u>	
Barba	8682128134	M25.66	AMERICAN	09/13/20	\$81.8	\$65.50
ra J	427	9	SPECIALTY	21 -	8	
			PHYSI	09/13/20		
				21		
				09/15/20		
Barba	8682128134	M25.66	AMERICAN	21 -	\$81.8	\$65.50
ra J	430	9	SPECIALTY	09/15/20	8	
			PHYSI	21		
				09/17/20		
Barba	8682128134	M25.66	AMERICAN	21 -	\$81.8	\$65.50
ra J	431	9	SPECIALTY	09/17/20	8	
			PHYSI	21		
				09/20/20		
Barba	8682127230	S82.001	GAINESVIL	21 -	\$356.	\$128.16
ra J	525	D	LE COMM	09/20/20	00	
			HSP	21		
Barba	8682130734	M25.66	AMERICAN	09/20/20	\$57.8	\$57.80

ra J	278	9	SPECIALTY PHYSI	21 - 09/20/20 21	0	
Barba ra J	8682130734 291	M25.66 9	AMERICAN SPECIALTY PHYSI	09/22/20 21 - 09/22/20 21	\$81.8 8	\$81.88
Barba ra J	8682130734 288	M25.66 9	AMERICAN SPECIALTY PHYSI	09/24/20 21 - 09/24/20 21	\$81.8 8	\$81.88
Barba ra J	8682130734 290	M25.66 9	AMERICAN SPECIALTY PHYSI	09/27/20 21 - 09/27/20 21	\$81.8 8	\$81.88
Barba ra J	8682132038 348	M25.66 9	AMERICAN SPECIALTY PHYSI	09/29/20 21 - 09/29/20 21	\$81.8 8	\$81.88
Barba ra J	8682131533 623	M25.66 9	AMERICAN SPECIALTY PHYSI	10/01/20 21 - 10/01/20 21	\$81.8 8	\$81.88
Barba ra J	8682131533 624	M25.66 9	AMERICAN SPECIALTY PHYSI	10/04/20 21 - 10/04/20 21	\$81.8 8	\$81.88
Barba ra J	8682130918 412	M25.66 9	AMERICAN SPECIALTY PHYSI	10/06/20 21 - 10/06/20 21	\$81.8 8	\$81.88
Barba ra J	8682204825 004	M25.66 9	AMERICAN SPECIALTY PHYSI	10/08/20 21 - 10/08/20 21	\$81.8 8	\$81.88
Barba ra J	8682204825 041	M25.66 9	AMERICAN SPECIALTY PHYSI	10/11/20 21 - 10/11/20 21	\$81.88	\$81.88
Barba ra J	8682204823 833	M25.66 9	AMERICAN SPECIALTY PHYSI	10/13/20 21 - 10/13/20 21	\$81.88	\$81.88

Barbara J	8682204823822	M25.669	AMERICAN SPECIALTY PHYSI	10/15/2021 - 10/15/2021	\$81.88	\$81.88
Barbara J	8682204823832	M25.669	AMERICAN SPECIALTY PHYSI	10/18/2021 - 10/18/2021	\$81.88	\$81.88
Barbara J	8682131218146	M25.669	AMERICAN SPECIALTY PHYSI	10/20/2021 - 10/20/2021	\$81.88	\$81.88
Barbara J	8682131218147	M25.569	AMERICAN SPECIALTY PHYSI	10/22/2021 - 10/22/2021	\$81.88	\$81.88
Barbara J	8682130720101	M25.561	GAINESVILLE COMM HSP	10/25/2021 - 10/25/2021	\$343.00	\$137.85
Barbara J	8682130783101	M25.561	GAINESVILLE COMM HSP	10/25/2021 - 10/25/2021	\$266.00	\$104.69
Barbara J	8682132621208	M25.569	AMERICAN SPECIALTY PHYSI	10/27/2021 - 10/27/2021	\$81.88	\$81.88

Our CaseID: 25542380
Date Of Accident: 6/1/2021

Claimant :
Barbara J
Davidson

<u>Patient</u>	<u>Claim Number</u>	<u>Misc.</u>	<u>Provider</u>	<u>Dates Of Service</u>	<u>Claim Amount</u>	<u>Benefit Amount</u>
Barbara J	8682132404441	M25.569	AMERICAN SPECIALTY PHYSI	10/29/2021 - 10/29/2021	\$81.88	\$81.88

Barb ara J	868213343 3963	M25. 569	AMERIC AN SPECIA LTY PHYSI AMERIC AN SPECIA LTY PHYSI	11/03/2021 - 11/03/2021	\$81. 88	\$81.88
Barb ara J	868213343 3969	M25. 569	AMERIC AN SPECIA LTY PHYSI	11/05/2021 - 11/05/2021	\$81.88	\$81.88

\$20,863.82 \$9,701.32

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Filing Description: Plaintiff's Response to Defendant Nathalie Devoir's

Motion for No-Evidence Summary Judgment

Status as of 4/20/2026 10:50 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Martin Wozniak		mswozniak@sbcglobal.net	4/19/2026 11:28:57 PM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/19/2026 11:28:57 PM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/19/2026 11:28:57 PM	SENT

No. CV-23-0700

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
VS.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

PLAINTIFF'S RESPONSE TO DEFENDANT FREDERICK DEVOIR'S
MOTION FOR NO-EVIDENCE SUMMARY JUDGMENT

Plaintiff, Barbara Davidson, asks the court to deny Defendant's motion for a no-evidence summary judgment.

A. SUMMARY OF ARGUMENT

1. Defendants, Nathalie Devoir and Frederick Devoir, through their representatives have admitted liability and their insurance carrier Farmers Insurance of Texas has accepted liability and so to date have paid 100% of the property damage portion of Plaintiff's claim. On or about June 1, 2021 Plaintiff's vehicle was being driven north on Texas Hwy 377 at FM 902, Collinsville, Grayson County, Texas by DAVIDSON. At said time and place Defendant NATHALIE DEVOIR was operating a 2018 Jeep Renegade VIN 1GBEC14Z5SZ23883 insured by FRED DEVOIR and entrusted to her by FRED DEVOIR when she without warning failed to yield the right of way to DAVIDSON and crossed Hwy 377 in a easterly direction while talking on her cell phone immediately in front of DAVIDSON. Defendant was overheard at the scene admitting that she was driving while talking with her mother on her cell phone and didn't see the Plaintiff before the collision. Because Plaintiff was not warned that NATHALIE DEVOIR was illegally talking on her cell phone while operating a motor vehicle and would not respect Plaintiff's legal right of way Because DAVIDSON was not warned that NATHALIE DEVOIR was illegally talking on her cell phone and would not respect Plaintiff's legal right of way Plaintiff collided with the Jeep Renegade suffering bilateral broken legs. As a direct result of defendant's negligence

EXHIBIT H

Plaintiff BARBARA DAVIDSON suffered bilateral leg fractures at the knee resulting in her incapacitation and confinement to bed for months, permanent bodily injury and related economic damages. NATHALIE DEVOIR in failing to yield the right of way without warning caused Plaintiff to sustain permanent personal injuries confining her to bed for the better part of six months; past, present, and future pain and suffering; past, present and future mental anguish; lost wages; loss of the enjoyment of life's activities; temporary and permanent partial/total disability; past, present, and future medical bills and expenses. Plaintiff was unable to work from June 1 until November 15.

2. Defendant's insurance carrier Farmers Mutual has accepted liability and paid property damages i.e. paid 100% of the total loss of the vehicle that Plaintiff was driving at the time. Defendant has not yet paid for the bilateral leg fracture medicals and other related economic damages.

B. Argument & Authorities

3. The court cannot grant a no-evidence summary judgment based on a conclusory no-evidence challenge to the nonmovant's case. Tex. R. Civ. P. 166a(i); Notes & Comments to Tex. R. Civ. P. 166a(i). Defendant's admissions aside the doctrine of *Res ipsa loquitur* is a rule of evidence that allows the jury to infer negligence appropriate here because the character of the injury is such that it would not have occurred without negligence, and the instrumentality that caused the injury was under the sole management and control of the Defendant at the time of the collision.

4. The court should deny Defendant's motion for no-evidence summary judgment because Defendant did not identify an element of Plaintiff's claim that in fact has no support in the evidence. *Ortiz v. Collins*, 203 S.W.3d 414, 425 (Tex. App.—Houston [14th Dist.] 2006, no pet.). Defendant merely alleged there is no evidence that Nathalie Devoir was unlicensed, incompetent or a reckless driver and that Frederick Devoir, her father, knew or should have known that Nathalie Devoir, his daughter, was incompetent or reckless. Defendant Nathalie Devoir admitted that she was talking on her cell phone to her mother at the time of the collision and didn't see the Plaintiff. Talking on a cell phone while driving is illegal and therefore reckless. Talking to her mother makes the conduct

known to her parents. Her parent's failure to stop that reckless conduct but instead participate in the conduct makes the parents complicit.

5. The court should deny Defendant's motion for summary judgment because there is enough evidence to raise a genuine issue of material fact regarding Defendant Nathalie Devoir talking on a cell phone while driving and recklessly violating the law. Reckless driving is when the driver knows or should know their actions are dangerous but does them anyway.

6. The doctrine of res ipsa loquitur alone under these facts and Plaintiff's Declaration create an inference of recklessness. The nature of the occurrence itself furnishes circumstantial evidence of negligence.

7. There is no factual or legal basis for this court to grant Defendant's request for a final summary judgment.

C. Summary-Judgment Evidence

8. Plaintiff includes the summary-judgment evidence in Exhibit A the Declaration filed with this response and incorporated herein as evidence into this response by this reference.

9. This Response to Defendant's motion for summary judgment is supported by the following evidence included in the appendix:

- a. The Declaration of Plaintiff is evidence of reckless driving participated in by her parents.

E. Conclusion

10. Defendant has failed to demonstrate that there is no evidence as to the existence of reckless conduct on behalf of Defendant known to her father when she calls the family while driving, and 2) that the movant is entitled to judgment as a matter of law.

F. Prayer

11. For these reasons, Plaintiff asks the court to deny Defendant's motion for summary judgment. If the court grants Defendant's motion for summary judgment, Plaintiff asks the court to overrule Plaintiff's objections so they will be preserved for

appeal.

Respectfully submitted,
BY: /S/ MARTIN S. WOZNIAK

MARTIN S. WOZNIAK
State Bar No. 22013550
1901 Central Drive, Suite 309
Bedford, TX 76021
(214) 417-0520
mwozniak@sbcglobal.net
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all parties to the above cause in accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure on this 19th day of April 2026.

/S/ MARTIN S. WOZNIAK

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
vs.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

DECLARATION OF BARBARA J. DAVIDSON

I, BARBARA J. DAVIDSON, declare as follows:

1. I am the Plaintiff who suffered personal injury, property damage, and other economic damages as alleged in this cause of action. I have personal knowledge of the facts set forth in this Declaration because they happened to me and if called as a witness, could and would competently testify to such facts under oath.

2. On June 1, 2021 Plaintiff's vehicle was driving north on Texas Hwy 377 at FM 902, Collinsville, Grayson County, Texas. At said time and place Defendant NATHALIE DEVOIR was operating a 2018 Jeep Renegade VIN 1GBEC14Z5SZ23883 with an insurable interest therein by FRED DEVOIR and entrusted to her by FRED DEVOIR when she without warning failed to yield the right of way to Plaintiff and crossed Hwy 377 in a easterly direction while talking on her cell phone immediately in front of Plaintiff. Defendant was overheard at the scene admitting that she was driving while talking with her mother on her cell phone and didn't see the Plaintiff before the collision. Because Plaintiff was not warned that NATHALIE DEVOIR was illegally talking on her cell phone while operating a motor vehicle and would not respect Plaintiff's legal right of way. Plaintiff collided with the Jeep Renegade suffering bilateral broken legs. As a direct result of defendant's reckless behavior Plaintiff Barbara Davidson suffered bilateral leg fractures at the knee resulting in her incapacitation and confinement to bed for months, permanent bodily injury and related economic damages. NATHALIE DEVOIR in failing to yield the right of way without warning caused Plaintiff to sustain permanent personal injuries confining her

to bed for the better part of six months; past, present, and future pain and suffering; past, present and future mental anguish; lost wages; loss of the enjoyment of life's activities; temporary and permanent partial/total disability; past, present, and future medical bills and expenses.

3. Defendants through their insurance carrier have admitted liability and covenanted to pay me for the damages suffered as a result of the acts of Defendants. Defendants have so far paid the property damage portion of the claim relating to the total loss of the vehicle I was driving.

4. Upon filing suit Farmers Texas Mutual who was the representative for Defendants at the time was immediately notified of the filing of the suit.

My name is Barbara J. Davidson, my date of birth is March 2, 1956, my address is 430 Hickory Creek Drive, Sadler, Texas. I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed on April 6, 2026 at North Richland Hills, Tarrant County, Texas.

/S/ Barbara J. Davidson
Barbara J. Davidson

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 113832190

Filing Code Description: Response

Filing Description: Plaintiff's Response to Defendant Frederick Devoir's Motion for No-Evidence Summary Judgment

Status as of 4/20/2026 10:51 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Martin Wozniak		mswozniak@sbcglobal.net	4/20/2026 1:00:39 AM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/20/2026 1:00:39 AM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/20/2026 1:00:39 AM	SENT

No. CV-23-0700

BARBARA DAVIDSON	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
	§	
VS.	§	59TH JUDICIAL DISTRICT
	§	
NATHALIE R DEVOIR, and	§	
FREDERICK C DEVOIR	§	
Defendants.	§	GRAYSON COUNTY TEXAS

PLAINTIFF'S WITNESS AND EXHIBIT LIST

Plaintiff submits this Witness and Exhibit List. Plaintiff my call to testify at trial, either live or via affidavit, the following witnesses.

I. WITNESSES

Plaintiff may call the following witnesses to testify:

1. Nathalie Devoir
2. Jon Cheshire, ID #C2
3. Barbara Davidson
4. Mark Armer
5. Thomas Gardner
6. Tom Felderhoff
7. Frederick Devoir
8. Becky Felderhoff
9. Denton County Constable
10. Collinsville Police Department

11. Dr. Christian Vissars
12. Dr. Williams
13. Any Witnesses listed or called by Nathalie and Frederick Devoir
14. Doctors North Texas Medical Center

II.
EXHIBITS

Defendants may introduce the following exhibits into evidence:

1. Scene photographs;
2. Bilateral immobilization leg braces;
3. Medical Documentation and Imaging;
4. Service Affidavits;
5. Medical Treatment and Diagnostic records;
6. Medical bills, pay stubs, and tax returns;
7. Official Incident Report
8. Damage Charts

Respectfully submitted,

/S/Martin S. Wozniak

State Bar No. 22013550

1901 Central Drive, Suite 600

Bedford, Texas 76021

Telephone: 214. 417.0520

CERTIFICATE OF SERVICE

I hereby certify I served a copy of the above and foregoing document on opposing counsel on this 23rd day of April, 2026.

/S/Martin S. Wozniak

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 114051929

Filing Code Description: Notice

Filing Description: Plaintiff's Witness and Exhibit List

Status as of 4/24/2026 1:41 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Martin Wozniak		mswozniak@sbcglobal.net	4/24/2026 12:46:59 AM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/24/2026 12:46:59 AM	SENT
Clara Toman		texnewmexlegal@farmersinsurance.com	4/24/2026 12:46:59 AM	SENT

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Location : Grayson County [Help](#)

Register of Actions

Case No. CV-20-0129

Party Information

Defendant	Grayson-Collin Electric Cooperative, Inc.		Lead Attorneys KARL W KOEN <i>Retained</i> 214-880-0155(W)
Plaintiff	Davidson, Barbara J.	Female White DOB: 03/21/1956	Martin S. Wozniak <i>Retained</i> 214-417-0520(W)

Events & Orders of the Court

	OTHER EVENTS AND HEARINGS		
01/22/2020	Original Petition (OCA) <i>Plaintiff's Original Petition and Request for Disclosure</i>		
04/30/2020	Request <i>for citation Service by certified mail</i>		
05/01/2020	Citation Grayson-Collin Electric Cooperative, Inc.	Served	05/06/2020
		Response Due	06/01/2020
		Returned	05/08/2020
05/01/2020	Issuance of Citation <i>Copy of Citation by Certified Mail</i>		
05/18/2020	Answer <i>Defendant's Original Answer and Affirmative Defenses-Grayson-Collin Electric Cooperative Inc.</i>		
02/17/2021	Motion <i>Defendant Grayson-Collin Electric Cooperative, Inc's Motion to Compel Plaintiff's Responses to Defendant's Request for Disclosure</i>		
02/17/2021	Motion <i>Defendant's No-Evidence Motion for Summary Judgment</i>		
03/02/2021	Notice <i>of Intention to take Deposition by Written Questions-Germania Insurance Company</i>		
03/18/2021	Notice of Hearing		
04/13/2021	Response <i>Plaintiff's Response to Defendant's Motion for No-Evidence Summary Judgment</i>		
04/15/2021	CANCELED Motion Hearing (9:30 AM) (Judicial Officer Gary, Brian K.) <i>By Request</i> <i>Motion to Compel Plaintiff's Responses to Defendants Request for Disclosure and Motion for Summary Judgment</i>		
04/27/2021	Certificate <i>of Deposition Upon Written Questions-Robert Eledge</i>		
01/21/2022	Motion <i>Defendant Grayson-Collin Electric Cooperative, Inc.'s Motion to Compel Plaintiff's Oral and Videotaped Deposition</i>		
03/03/2022	Notice of Hearing		
03/04/2022	CANCELED Motion Hearing (1:30 PM) (Judicial Officer Gary, Brian K.) <i>Other</i> <i>motion to compel</i>		
03/07/2022	Response <i>Plaintiff's Response Motion to Compel</i>		
03/08/2022	Motion Hearing (9:30 AM) (Judicial Officer Gary, Brian K.) <i>motion to Compel</i>		
03/17/2022	Amended Answer		

EXHIBIT

J

04/28/2022 **Motion**
Defendant's First Amended Answer and Affirmative Defenses-Grayson-Collin Electric Cooperative

05/10/2022 **Notice of Hearing**
Defendant Grayson-Collin Electric Cooperative, Inc.'s No-Evidence Motion for Summary Judgment

05/16/2022 **Certificate**
Reporter's Certification Deposition of Barbara J. Davidson

05/26/2022 **Amended Petition**
Plaintiff's First Amended Petition

05/26/2022 **Response**
Plaintiff's Response to Defendant's Motion for No-Evidence Summary Judgment

06/02/2022 **Motion Summary Judgement by Submission** (9:30 AM) (Judicial Officer Gary, Brian K.)

06/03/2022 **Order**
on Defendant's No-Evidence Moiton for Summary Judgment Pursant to Texas Rule of Civil Procedure 166a(i)

06/08/2022 **Cover Letter**
to Clerk from Martin Wozniak-Proposed Order on Motion for Summary Judgment

06/09/2022 **Letter**
to Counsel from Judge Gary

06/09/2022 **Order**
on Motion for Summary Judgment

07/25/2022 **Motion**
to Set Trial

08/18/2022 **Notice of Hearing**

09/02/2022 **Order**
Referring Case to Alternative Dispute Resolution

10/17/2022 **Notice**
of Intention to take Deposition by Written Questions-Germania Insurance Company

10/25/2022 **CANCELED Motion Hearing** (10:30 AM) (Judicial Officer Gary, Brian K.)
By Request
motion to set jury trial

12/19/2022 **Amended Answer**
Defendant's Second Amended Answer, Verified Denial and Affirmative Defenses

12/27/2022 **Amended Petition**
Plaintiff's Second Amended Petition

01/09/2023 **Motion**
Agreed Motion for Continuance of Trial Setting

01/10/2023 **Order**
on Agreed Motion for Continuance

01/23/2023 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Gary, Brian K.)
By Order

02/03/2023 **Motion**
Defendant's No-Evidence and Traditional Motion for Partial Summary Judgment

02/07/2023 **Notice of Hearing**

02/27/2023 **Notice**
of Filing of Business Records Declaration

03/06/2023 **Motion**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Motion to Exclude Evidence

03/06/2023 **Response**
Plaintiff's Response to Defendant's Motion for No-Evidence and Traditional Partial Summary Judgment

03/06/2023 **Reply**
Defendant's Grayson-Collin Electric Cooperative, Inc., Reply to Plaintiff's Summary Judgment Response and Motion to Strike Plaintiff's Summary Judgment Response

03/07/2023 **Motion for Summary Judgment** (2:30 PM) (Judicial Officer Gary, Brian K.)

03/07/2023 **Judicial Docket Entry - Public**
set for msj hrg on strict liability claims; Pltf file response one day before hearing, also not provide any evidence; tell parties take under advisement;
likely to move 3/20 trial date -- BKG

03/10/2023 **Agreed Motion**
Motion for Continuance of Trial Setting

03/13/2023 **Letter**
to Judge Gary from Erin Kessinger

03/14/2023 **Order**
on Agreed Motion for Continuance

03/20/2023 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Gary, Brian K.)
By Request

05/18/2023 **Notice of Hearing**

07/05/2023 **Response**
Plaintiff's Response to Defendant's Motion to Exclude Evidence

07/06/2023 **Motion Hearing** (10:00 AM) (Judicial Officer Gary, Brian K.)
to exclude

07/06/2023 **Judicial Docket Entry - Public**
hrg on mtn to exclude evidence; take under advisement, indicate probably deny, but want research on ability of property owner to testify as to value, will exclude those she cannot, open discovery only to allow depo on values and possible designation by Deft of countering expert -- BKG

08/03/2023 **Motion**
Defendant's Motion for Leave to Conduct Discovery

08/23/2023 **Notice of Hearing**

09/01/2023 **Motion Hearing** (11:00 AM) (Judicial Officer Gary, Brian K.)
for leave to conduct discovery

09/01/2023 **Judicial Docket Entry - Public**
Pltf lawyer send email indicating not opposed to mtn for add'l discovery; contact defense atty and tell not have to attend, order to be submitted -- BKG

09/05/2023 **Email Correspondence**
from Martin Wozniak

09/19/2023 **Motion**
Plaintiff's Motion to Quash Deposition Notice

09/21/2023 **Vacation Letter**
for Erin Garza Kessinger

09/25/2023 **Motion**
Defendant's Motion to Strike Plaintiff's Expert

09/27/2023 **Motion**
Unopposed Motion for Continuance of Trial Setting

10/02/2023 **Order**
Granting Unopposed Motion for Continuance

10/09/2023 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Gary, Brian K.)
Other

10/26/2023 **Motion**
Plaintiff's Motion to Quash Deposition Notice

01/26/2024 **Certificate**
Reporter's Certification Deposition of Barbra J. Davidson

02/12/2024 **Motion**
Defendant's Motion to Disqualify Opposing Counsel

02/12/2024 **Letter**
to Clerk from Erin Kessinger

02/20/2024 **Notice of Hearing**

03/12/2024 **Vacation Letter**
Mark A. Goodman

03/13/2024 **Amended Notice**
of Hearing

03/14/2024 **CANCELED Motion Hearing** (11:00 AM) (Judicial Officer Gary, Brian K.)
By Request
to disqualify opposing counsel

03/20/2024 **Response**
to Defendant's Motion to Disqualify Opposing Counsel

03/21/2024 **Motion Hearing** (10:00 AM) (Judicial Officer Gary, Brian K.)
to disqualify opposing counsel

03/21/2024 **Judicial Docket Entry - Public**
hrg set on Mtn DQ; argument from both parties, take under advisement -- BKG

04/23/2024 **Letter**
Brief to Judge Gary from Erin Kessinger

04/26/2024 **Letter**
Brief Motion to Disqualify Counsel

05/01/2024 **Order**
on Defendant's Motion to Disqualify Opposing Counsel

05/02/2024 **Letter**

to Counsel from Judge Gary

05/02/2024 **Order**
of Transfer

06/13/2024 **Notice**
of Hearing

08/01/2024 **Motion Hearing** (2:30 PM) (Judicial Officer Fallon, Jim)
Motion to Disqualify

11/06/2024 **Notice**
Defendant Grayson-Collin Electric's Cooperative, Inc.'s Proposed Jury Charge

11/06/2024 **Notice**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Exhibit List

11/06/2024 **Notice**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Witness List

11/06/2024 **Motion**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Motion in Limine to Exclude Lay Witness Testimony Regarding the Cause of the Fire of January 22, 2018

11/06/2024 **Notice**
Defendant-Grayson-Collin Electric Cooperative, Inc.'s Rule 166 Submission

11/06/2024 **Motion**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Motion in Limine

11/07/2024 **CANCELED Pre-Trial Hearing** (1:30 PM) (Judicial Officer Gary, Brian K.)
Other

11/07/2024 **Pre-Trial Hearing** (1:30 PM) (Judicial Officer Fallon, Jim)

11/07/2024 **Judicial Docket Entry - Public**
Pretrial Hrg. Both parties by Atty. Trial date to be reset because of CPS case before the court. Parties to mediate and set pretrial hrg.

11/08/2024 **Order**
Pretrial

11/18/2024 **CANCELED Jury Trial** (8:30 AM) (Judicial Officer Gary, Brian K.)
Other

11/18/2024 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Fallon, Jim)
Other

01/20/2025 **Pre-Trial Hearing** (1:30 PM) (Judicial Officer Fallon, Jim)

01/20/2025 **Motion**
Plaintiff's Motion in Limine

01/20/2025 **Judicial Docket Entry - Public**
Pretrial Hrg. Both parties by Atty. Rulings dictated.

01/20/2025 **Motion**
Plaintiff's Motion for Discovery Sanctions

01/22/2025 **Plea Conference** (3:30 PM) (Judicial Officer Fallon, Jim)
ZOOM

01/22/2025 **Judicial Docket Entry - Public**
Zoom Pretrial Hrg. Both parties by Atty. Ruling dictated.

01/23/2025 **Amended Answer**
Defendant's Third Amended Answer, Verified Denial, & Affirmative Defenses

02/12/2025 **Notice**
of Settlement

04/02/2025 **Letter**
to Judge Fallon from Erin Kessinger

04/10/2025 **Amended Petition**
Plaintiff's Third Amended Petition

04/15/2025 **Notice**
of Hearing

04/21/2025 **Status Hearing** (2:30 PM) (Judicial Officer Fallon, Jim)
Zoom

04/21/2025 **Judicial Docket Entry - Public**
Status Hrg. on Zoom. Both parties by Atty. No action taken by the court.

05/21/2025 **Vacation Letter**
Erin Garza Kessinger

02/10/2026 **Motion**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Motion to Withdraw & to Substitute Counsel

02/10/2026 **Order**

03/02/2026 **Motion**
Granting Defendant Grayson-Collin Electric Cooperative, Inc's Motion to Withdraw & to Substitute Counsel

03/10/2026 **Notice**
Defendant Grayson-Collin Electric Cooperative Inc.'s Opposed Motion to Dismiss with Prejudice

03/16/2026 **Response**
of Hearing on Defendant Grayson-Collin Electric Cooperative Inc.'s Opposed Motion to Dismiss with Prejudice

03/17/2026 **Motion Hearing** (10:00 AM) (Judicial Officer Fallon, Jim)
Plaintiff's Response to Defendant's Motion to Dismiss

03/17/2026 **Judicial Docket Entry - Public**
Defendant's Motion to Dismiss - Zoom

04/28/2026 **Cover Letter**
Zoom Hrg. on Defendant's Motion to Dismiss. Both parties by Atty. Arguments made. All causes of action other than Breach of the Settlement Agreement dismissed.

04/29/2026 **Scheduling Order**
from Karl Koen-Proposed Scheduling Order

04/29/2026 **Order**
Pre-Trial

05/14/2026 **Counter Petition**
Defendant Grayson-Collin Electric Cooperative, Inc.'s Supplemental Answer & Counterclaim

05/15/2026 **Cover Letter**
to Ms. Ashmore from Karl Koen - Proposed Order Partially Granting Defendant's Opposed Motion to Dismiss with Prejudice

05/26/2026 **Order**
Partially Granting Defendant's Opposed Motion to Dismiss with Prejudice

08/27/2026 **Pre-Trial Hearing** (2:30 PM) (Judicial Officer Fallon, Jim)

09/14/2026 **Jury Trial** (9:00 AM) (Judicial Officer Fallon, Jim)

Financial Information

	Counter-Defendant Davidson, Barbara J.			
	Total Financial Assessment			379.00
	Total Payments and Credits			379.00
	Balance Due as of 06/03/2026			0.00
01/24/2020	Transaction Assessment			282.00
01/24/2020	E-file Payment	Receipt # DC-2020-00380	Davidson, Barbara J.	(282.00)
05/01/2020	Transaction Assessment			97.00
05/01/2020	E-file Payment	Receipt # DC-2020-01742	Davidson, Barbara J.	(97.00)
	Counter-Plaintiff Grayson-Collin Electric Cooperative, Inc.			
	Total Financial Assessment			80.00
	Total Payments and Credits			80.00
	Balance Due as of 06/03/2026			0.00
05/15/2026	Transaction Assessment			80.00
05/15/2026	E-file Payment	Receipt # DC-2026-02376	Grayson-Collin Electric Cooperative, Inc.	(35.00)
05/15/2026	State Credit			(45.00)

Exh. I

From: [Martin Wozniak](#)
To: [Brittany Paynton](#)
Subject: Re: Case No. 202400162, Motion to Stay
Date: Thursday, June 4, 2026 4:58:33 PM
Attachments: [CONTINUANCE.pdf](#)

Brittany:

Attached please find Respondent's Motion to Continue. With regard to the Cert of Conf for time efficiency purposes please present the issue to counsel. They have my permission to check the appropriate box.

Please file today and return a file marked copy.

Martin

On Thursday, June 4, 2026 at 12:27:39 PM CDT, Brittany Paynton <brittany.paynton@texasbar.com> wrote:

Mr. Wozniak,

Attached, please find the corrected file-marked copy of the Motion. The prior version was inadvertently dated today; this corrected version reflects the proper file mark of June 2.

Please let me know if you have any questions.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Thursday, June 4, 2026 10:14 AM
To: Martin Wozniak <mswozniak@sbcglobal.net>; Paige Abbott <Paige.Abbott@TEXASBAR.COM>; Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: RE: Case No. 202400162, Motion to Stay

Mr. Wozniak

Attached please find a file-marked Motion.

Thank you
Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Martin Wozniak <mswozniak@sbcglobal.net>
Sent: Tuesday, June 2, 2026 3:54 PM
To: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>; Paige Abbott
<Paige.Abbott@TEXASBAR.COM>; Sara Tat <Sara.Tat@TEXASBAR.COM>
Cc: Martin Wozniak <mswozniak@sbcglobal.net>
Subject: Case No. 202400162, Motion to Stay

Please file and serve.

Martin

June 5, 2026**Dallas Office**
Chief Disciplinary Counsel

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE
Petitioner,

VS.

MARTIN S WOZNIAK,
Respondent.

§
§
§
§
§
§
§

Case No. 202400162

**VERIFIED EMERGENCY MOTION FOR CONTINUANCE OF HEARING ON
MOTION FOR NEW TRIAL**

TO THE HONORABLE EVIDENTIARY PANEL:

Respondent, Martin S Wozniak, files this Verified Emergency Motion for Continuance of the hearing presently set on Respondent's Motion for New Trial on June 8, 2026 at 11:00 a.m., and respectfully shows:

I. EMERGENCY RELIEF REQUESTED

1. The hearing on Respondent's Motion for New Trial has been noticed for June 8, 2026 at 11:00 a.m. by Zoom.
2. Respondent respectfully requests a continuance of that hearing because Respondent has been scheduled for months to undergo major surgery with overnight hospitalization and significant post-operative recovery that will prevent meaningful participation in the hearing.
3. The surgery is medically necessary and classified as major surgery. The surgery has been scheduled for months in advance going back to last August after an extended wait for an available surgical opening. The surgery was not scheduled last August for purposes of delay or avoidance of the June 8 hearing.
4. Respondent was not consulted regarding the hearing date and time before the setting issued.

II. GROUNDS FOR CONTINUANCE

5. This matter concerns a default disciplinary judgment and a pending Motion for New Trial involving substantial rights and professional licensure interests.
6. Respondent will be under active medical care, anesthesia recovery, pain management protocols, mobility restrictions, and inpatient observation at the time of the scheduled hearing. Respondent will undergo pre-operative testing and preparation on Friday June 5, 2026 beginning at 10:10 a.m.
7. Respondent's anticipated recovery period is approximately eight to twelve weeks, during which Respondent is expected to remain off work unable to safely operate a motor vehicle and under continuing medical restrictions, rehabilitation, and narcotic pain management.
8. Because of the nature of the surgery and recovery, Respondent will be physically incapable of adequately preparing for or meaningfully participating in the June 8 hearing, including remotely by Zoom.
9. Proceeding with the hearing while Respondent is hospitalized and recovering from surgery would materially impair Respondent's ability to present arguments, respond to questions from the Panel, and protect Respondent's due-process rights.
10. The requested continuance is sought in good faith and not for purposes of delay, but to permit a fair opportunity to be heard after sufficient medical recovery.
11. No material prejudice will result to Petitioner from a continuance. By contrast, denial of this request would substantially prejudice Respondent in a proceeding involving serious professional consequences.
12. Respondent respectfully requests that the hearing be reset for the following Respondent's medical stabilization, recovery, and medical release.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully requests that the Evidentiary Panel continue the June 8, 2026 hearing on Respondent's Motion for New Trial and reset the matter to a later date following Respondent's recovery, together with all other relief to which Respondent may be justly entitled.

Respectfully submitted,

S/ MARTIN S. WOZNIAK

State Bar No. 22013550
5549 Davis Blvd. Suite 59
North Richland Hills, TX 76180
(214) 417-0520
mswozniak@sbcglobal.net
wozniak640@gmail.com
RESPONDENT PRO SE

Unsworn Declaration

(Texas Civil Practice and Remedies Code, Section 132.001)

My name is: Martin S Wozniak

My date of birth is: November 10, 1951

My address is: 5549 Davis Blvd. Suite 59, North Richland Hills, TX 76180

And residing in Tarrant County.

I declare under penalty of perjury that I have read and agree to this Motion concerning my surgery.

Signed in Tarrant County, Texas, on this 4th of June, 2026.

S/ MARTIN S. WOZNIAK
Signature line

Pursuant to Texas Civil Practice and Remedies Code Section 132.001, an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by rule, order or requirement adopted as provided by law. This provision does not apply to a lien required to be filed with a county clerk, an instrument concerning real or personal property required to be filed with a county clerk, or an oath of office or an oath required to be taken before a specified official other than a notary public. An unsworn declaration made under this section must be one) in writing, 2) signed by the person making the declaration is true under penalty of perjury and 3) in substantially the form used above.

CERTIFICATE OF CONFERENCE

I certify that I attempted to confer with counsel for Petitioner concerning this requested continuance on June 4, 2026.

- ☐ Opposed
- ☐ Unopposed
- ☐ No response received

S/ MARTIN S. WOZNIAK

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion to was served upon the Commission for Lawyer Discipline on this 4th day of June, 2026, in accordance with applicable rules.

/S/ MARTIN S. WOZNIAK

Exh. J

From: [Brittany Paynton](#)
To: [Martin Wozniak](#)
Cc: [Sara Tat](#)
Subject: RE: Case No. 202400162 §
Date: Friday, June 5, 2026 1:07:11 PM
Attachments: [2026-06-05 File Marked Objection to R's Motion for Continuance of 06.08.2026 Hearing - Wozniak 202400162 \(002\).pdf](#)

Mr. Wozniak:

Attached please find *Petitioner's Objection to Respondent's Motion to Continue June 8, 2026 Hearing on Respondent's Motion for New Trial and to Stay Suspension* filed in the above referenced matter today.

Thank you,
Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Friday, June 5, 2026 9:44 AM
To: Martin Wozniak <mwozniak@sbcglobal.net>
Cc: Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: RE: Case No. 202400162 §

Mr. Wozniak,

Please file a file marked supplemental Motion for New Trial and the file-marked Response again.

Thank you,
Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Martin Wozniak <mwozniak@sbcglobal.net>
Sent: Thursday, June 4, 2026 10:48 PM

To: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>; Sara Tat <Sara.Tat@TEXASBAR.COM>

Subject: Case No. 202400162 §

Brittany

Please file and return a file marked copy. The response with numerous exhibits did not come through complete. Only half of the pages transmitted and many of those appeared as if they were cut off when scanned. Please resend. I'm next sending you a financial statement please not that I have digitally signed but it doesn't always come through.

Martin

June 5, 2026

Dallas Office
Chief Disciplinary Counsel

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
 EVIDENTIARY PANEL 7-3
 STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
 DISCIPLINE,
 Petitioner**

§
§
§
§
§
§
§
§

V.

CASE NO. 202400162

**MARTIN S. WOZNIAK,
 Respondent**

**PETITIONER'S OBJECTION TO RESPONDENT'S MOTION TO CONTINUE
 JUNE 8, 2026 HEARING ON RESPONDENT'S MOTIONS FOR NEW TRIAL AND TO
 STAY SUSPENSION**

The Commission for Lawyer Discipline ("Commission") files its Objection to Respondent's Verified Emergency Motion for Continuance of Hearing on Motion for New Trial ("Motion for Continuance") filed by Respondent Martin S. Wozniak ("Respondent") on June 4, 2026 and respectfully states as follows:

BACKGROUND

1. On April 30, 2026, Respondent filed Respondent's Verified Motion for New Trial, which is currently scheduled for hearing on June 8, 2026.
2. On May 26, 2026, Respondent was notified of the hearing on June 8, 2026.¹
3. On June 2, 2026, Respondent filed his Motion to Stay Suspension, which is also currently scheduled for June 8, 2026.
4. On June 4, 2026, Respondent filed his Motion for Continuance, indicating he has scheduled surgery on June 8, 2026 and would not be able to attend the hearing.

ARGUMENT

5. The Commission is opposed to Respondent's request for a continuance.

¹ Exhibit A.

6. Although he has cited a medical basis for the continuance, he has failed to provide any supporting documentation for proper consideration.
7. While Respondent is claiming that a continuance will not cause any prejudice or undue delay, that is simply untrue.²
 - i. He has continued to ignore the Judgment ordering him notify parties, clients, and judges of his active suspension status.
 - ii. He has continued to file pleadings on behalf of at least one client and has continued to practice law despite being actively suspended.
 - iii. He has a trial scheduled for September 2026 in Grayson County, although he also states he is “retired.”
8. The Evidentiary Panel, as is Undersigned Counsel, is available and ready to proceed with the hearings as scheduled on June 8, 2026.
9. Lastly, it should be noted that the Texas Civil Rule of Procedure 329b(c) states the following:
 - i. “In the event an original or amended motion for new trial or a motion to modify, correct or reform a judgment is not determined by written order signed within seventy-five days after the judgment was signed, it shall be considered overruled by operation of law on expiration of that period.”
 - ii. The Judgment was signed on March 31, 2026.

CONCLUSION AND PRAYER FOR RELIEF

² Please see Petitioner’s previous filing entitled Petitioner’s Response to Respondent’s Motion to Stay Suspension, which has outlined Respondent’s noncompliance with the Judgment and continued practice of law despite his active suspension.

For the reasons previously stated, the Commission respectfully asks that the Panel deny Respondent's Motion for Continuance.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Sara Tat
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, Texas 75244
Telephone: (972) 383-2900
Facsimile: (972) 383-2935
E-Mail: sara.tat@texasbar.com

/s/ Sara Tat
Sara Tat
State Bar No. 24082020

ATTORNEYS FOR THE COMMISSION

CERTIFICATE OF SERVICE

This is to certify that on June 5, 2026 a true and correct copy of the foregoing has been sent to Martin S. Wozniak, via e-mail to mswozniak@sbcglobal.net and wozniak640@gmail.com.

/s/ Sara Tat
Sara Tat

From: [Brittany Paynton](#)
To: [Martin Wozniak](#)
Cc: [Sara Tat](#)
Subject: RE: Motion New Trial Case No. 202400162
Date: Tuesday, May 26, 2026 1:14:30 PM
Attachments: [2026-05-26 File Marked Response to R's Motion for New Trial.pdf](#)

Dear Mr. Wozniak,

Attached please find the Commission's Response to your Motion for New Trial.

Please also note that the hearing on this Motion has been set via zoom on June 8, 2026, at 11:00 a.m. A zoom link will be sent to you a week prior.

Thank you,

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Friday, May 1, 2026 9:33 AM
To: Martin Wozniak <mswozniak@sbcglobal.net>
Cc: Sara Tat <Sara.Tat@TEXASBAR.COM>
Subject: RE: Motion New Trial Case No. 202400162

Mr. Wozniak,

Attached please find a file-marked copy of your Motion.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

EXHIBIT A

From: Martin Wozniak <mswozniak@sbcglobal.net>

Sent: Thursday, April 30, 2026 17:50

To: Sara Tat <Sara.Tat@TEXASBAR.COM>

Subject: Motion New Trial Case No. 202400162

You don't often get email from mswozniak@sbcglobal.net. [Learn why this is important](#)

Please file.

Exh. K

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

**ORDER DENYING RESPONDENT’S VERIFIED EMERGENCY MOTION
FOR CONTINUANCE OF HEARING ON MOTION FOR NEW TRIAL**

On June 8, 2026, came on to be heard Respondent’s *Verified Emergency Motion for Continuance of Hearing on Motion for New Trial* in the above entitled and numbered cause. After considering Respondent’s motion, the response, the evidence, and arguments of counsel, the Evidentiary Panel is of the opinion that the Respondent’s *Verified Emergency Motion for Continuance of hearing on Motion for New Trial* should be, and is, hereby denied.

IT IS, THEREFORE, ORDERED that Respondent’s *Verified Emergency Motion for Continuance of Hearing on Motion for New Trial* is **DENIED**.

SIGNED this 8th day of June 2026.



Michael Kurmes

Exh. L

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNAK	§	

ORDER DENYING RESPONDENT’S VERIFIED MOTION FOR NEW TRIAL

On June 8, 2026, came on to be heard Respondent’s *Verified Motion for New Trial* in the above entitled and numbered cause. After considering Respondent’s motion, the response, the evidence, and arguments of counsel, the Evidentiary Panel is of the opinion that the Respondent’s *Verified Motion for New Trial* should be, and is, hereby denied.

IT IS, THEREFORE, ORDERED that Respondent’s *Verified Motion for New Trial* is **DENIED.**

SIGNED this 8th day of June 2026.

Michael R. Kurmes

Michael Kurmes

Exh. M

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 7-3
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE	§	
	§	
v.	§	Case No. 202400162
	§	
MARTIN S. WOZNIAK	§	

**ORDER DENYING RESPONDENT’S EMERGENCY MOTION TO STAY
ENFORCEMENT OF SUSPENSION PENDING DISPOSITION OF MOTION FOR NEW
TRIAL AND APPEAL**

On June 8, 2026, came on to be heard Respondent’s *Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal* in the above entitled and numbered cause. After considering Respondent’s motion, the response, the evidence, and arguments of counsel, the Evidentiary Panel is of the opinion that the Respondent’s *Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal* should be, and is, hereby denied.

IT IS, THEREFORE, ORDERED that Respondent’s *Emergency Motion to Stay Enforcement of Suspension Pending Disposition of Motion for New Trial and Appeal* is **DENIED**.

SIGNED this 8th day of June 2026.

Michael R. Kurmes

Michael Kurmes