

22-0594-C368

CAUSE NO. _____

**COMMISSION FOR LAWYER
DISCIPLINE**

V.

**BRENT EDWARD WEBSTER
202101679**

§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

WILLIAMSON COUNTY, TEXAS

§Williamson County - 368th Judicial District Court

_____ **JUDICIAL DISTRICT**

ORIGINAL DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the COMMISSION FOR LAWYER DISCIPLINE, Petitioner, and would respectfully show the following:

I.

DISCOVERY CONTROL PLAN

Pursuant to Rule 190.1 and 190.3, Texas Rules of Civil Procedure, Petitioner asserts discovery in this case is to be conducted under Discovery Control Plan Level 2-by Rule.

II.

PARTIES

The Petitioner is the COMMISSION FOR LAWYER DISCIPLINE, a standing committee of the State Bar of Texas.

Respondent, Brent Edward Webster, State Bar Number 24053545 (Respondent), is an attorney licensed to practice law in the State of Texas and is a member of the State Bar of Texas. Respondent's residence is in Williamson County, Texas, and he may be served with citation in Austin, Williamson County, Texas.

III.

JURISDICTION AND VENUE

The cause of action and the relief sought in this case are within the jurisdictional requirements of this Honorable Court.

Venue of this case is proper in Williamson County, Texas, pursuant to Texas Rules of Disciplinary Procedure Rule 3.03, because Williamson County is the county of the Respondent's residence. Petitioner requests an active judge whose district does not include Williamson County, Texas, be assigned to preside in this case.

IV.

PROFESSIONAL MISCONDUCT

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Govt. Code Ann. §81.001 *et seq.*, the Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaint, which initiated this proceeding, was filed by Brynne VanHettinga on March 11, 2021.

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

V.

FACTUAL BACKGROUND

On or about December 7, 2020, Respondent filed Case No. 220155, styled: *State of Texas v. Commonwealth of Pennsylvania, State of Georgia, State of Michigan, and State of Wisconsin* in the United States Supreme Court. Respondent's pleadings included requests for multiple injunctions against the Defendant States and a finding that the Defendant States violated federal election laws.

Specifically, these requests asked the United States Supreme Court to enjoin "Defendant States' use of the 2020 election results for the Office of President to appoint presidential electors to the Electoral College," and sought to prevent the Defendant States from "meeting for purposes

of the electoral college pursuant to 3 U.S.C. §5, 3 U.S.C. §7, or applicable law pending further order...”

Respondent’s pleadings requesting this extraordinary relief misrepresented to the United States Supreme Court that an “outcome-determinative” number of votes in each Defendant State supported Respondent’s pleadings and injunction requests. Respondent made representations in his pleadings that: 1) an outcome determinative number of votes were tied to unregistered voters; 2) votes were switched by a glitch with Dominion voting machines; 3) state actors “unconstitutionally revised their state’s election statutes;” and 4) “illegal votes” had been cast that affected the outcome of the election.

Respondent’s representations were dishonest. His allegations were not supported by any charge, indictment, judicial finding, and/or credible or admissible evidence, and failed to disclose to the Court that some of his representations and allegations had already been adjudicated and/or dismissed in a court of law.

In addition, Respondent misrepresented that the State of Texas had “uncovered substantial evidence... that raises serious doubts as to the integrity of the election process in Defendant States,” and had standing to bring these claims before the United States Supreme Court.

As a result of Respondent’s actions, Defendant States were required to expend time, money, and resources to respond to the misrepresentations and false statements contained in these pleadings and injunction requests even though they had previously certified their presidential electors based on the election results prior to the filing of Respondent’s pleadings.

VI.

DISCIPLINARY RULES OF PROFESSIONAL CONDUCT VIOLATED

The facts alleged herein constitute a violation of the following Texas Disciplinary

Rules of Professional Conduct:

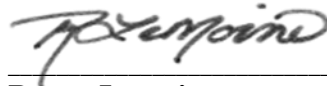
8.04(a)(3) A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that a judgment of professional misconduct be entered against Respondent, and that this Honorable Court determine and impose an appropriate sanction, including an order that Respondent pay reasonable attorneys' fees, costs of court and all expenses 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.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel



Royce Lemoine
Deputy Counsel for Administration/
Austin Regional Counsel
Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
P.O. Box 12487, Capitol Station
Austin, Texas 78711-2487
Telephone: 512.427.1350
Facsimile: 512.427.4167
Email: rlemoine@texasbar.com

Amanda M. Kates
Assistant Disciplinary Counsel
State Bar Card No. 24075987
ATTORNEYS FOR PETITIONER



THIRD ADMINISTRATIVE JUDICIAL REGION

BILLY RAY STUBBLEFIELD, PRESIDING JUDGE

ADMINISTRATIVE ASSISTANT
BRENDA WILBURN

PHONE 512-943-3777
FAX 512-943-3767
E-MAIL presidingjudge3@wilco.org

405 MARTIN LUTHER KING, BOX 9
GEORGETOWN, TEXAS 78626

May 5th, 2022

Mr. Royce LeMoine
Deputy Counsel for Administration/Regional Counsel
State Bar of Texas
Office of the Chief Disciplinary Counsel

Brent Edward Webster
% Murtaza Sutarwalla
PO Box 12548
Austin, Texas 78711-2548

RE: Commission for Lawyer Discipline vs Brent Edward Webster
SBOT File No. 202101679

Dear Mr. LeMoine and Ms. Sutarwalla,

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that I have appointed the Honorable John W. Youngblood, 20th Judicial District Court, Milam County, to preside in the above-referenced disciplinary case.

A copy of this assignment order is enclosed. Unless otherwise directed, all future case papers should be filed in Williamson County.

Sincerely,

A handwritten signature in cursive script that reads "Billy Ray Stubblefield".

Billy Ray Stubblefield
Presiding Judge, Third Administrative Judicial Region

THIRD ADMINISTRATIVE JUDICIAL REGION

Assignment of a District Judge to Preside

In a State Bar Disciplinary Action

I hereby assign the Honorable John W. Youngblood, Judge of the 20th Judicial District Court, Milam Texas, to preside in the Disciplinary Action styled:

Commission for Lawyer Discipline vs. Brent Edward Webster

SBOT Case No. 202101679

The Chief Disciplinary Counsel shall promptly forward to the District Clerk of Williamson County, a copy of the Disciplinary Petition and this Order for filing, pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

As Ordered by the Presiding Judge of the Third Administrative Judicial Region, on this 5th day of May, 2022.



Billy Ray Stubblefield, Presiding Judge
Third Administrative Judicial Region

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.

Shelly Hogue on behalf of Royce LeMoine
Bar No. 24026421
shogue@texasbar.com
Envelope ID: 64266977
Status as of 5/6/2022 1:30 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Amanda M.Kates		amanda.kates@texasbar.com	5/6/2022 12:44:52 PM	SENT
Royce Lemoine	24026421	royce.lemoine@texasbar.com	5/6/2022 12:44:52 PM	SENT
Murtaza Sutarwalla		Murtaza.Sutarwalla@oag.texas.gov	5/6/2022 12:44:52 PM	SENT