CHAIR
ROBERT A. BLACK

VICE CHAIR
JOHN J. "MIKE" MCKETTA III

MEMBERS
JEANNE C. "CEZY" COLLINS
DAVID M. GONZALEZ
MIKE GREGORY
MICHAEL C. GROSS
KELLI M. HINSON
ROLAND K. JOHNSON
KATHY KINSER
MIKE MILLS
DEBORAH PULLUM
NANCY J. STONE

EXECUTIVE DIRECTOR & GENERAL COUNSEL
CHRISTINE E. MCKEEMAN

DEPUTY DIRECTOR/COUNSEL
GAYLE RILEY VICKERS

EXECUTIVE ASSISTANT
JACKIE TRUITT

THE BOARD OF DISCIPLINARY APPEALS

APPOINTED BY THE SUPREME COURT OF TEXAS

January 10, 2019

Carlos León - 2/4/19

Carlos Leon

RE: Disposition of Appeal Notice
Carlos Leon v. Elizabeth Cary Grace
201806207; BODA Case No. 61234

Dear Mr. Leon:

On January 10, 2019, the Board of Disciplinary Appeals appointed by the Supreme Court of Texas considered your appeal from the dismissal of your grievance. The Board is a separate body from the State Bar of Texas Chief Disciplinary Counsel who screened your grievance when you filed it. After reviewing your grievance as you originally filed it and no other information, the Board has determined that the conduct you described in the grievance does not violate the Texas Disciplinary Rules of Professional Conduct and affirms the dismissal.

This decision concludes your appeal, and the Board has closed its file. The Board's decision is final.

Information concerning the disciplinary system, the Texas Disciplinary Rules of Professional Conduct, and the Texas Rules of Disciplinary Procedure are available at www.texasbar.com. The Board's Internal Procedural Rules are available at www.txboda.org.

Very truly yours,

Gayle Vickers
Deputy Director & Counsel

GRV/jt

cc: Elizabeth Cary Grace

Laura Popps
State Bar of Texas
PO Box 13287
Austin, TX 78711
(512) 427-1350
(877) 953-5535 toll free

[1 of 48]

1/28/19

No member, ~~attorney or public~~ may be appointed by the chair to an ~~for both the Summary Disposition docket and the~~ Evidentiary Panel pertaining to the same disciplinary matter that the member considered at either an investigatory hearing or summary disposition docket. Any tie vote is a vote in favor of the position of the Respondent.

...

2.10. **Classification of Grievances Inquiries and Complaints:** The Chief Disciplinary Counsel shall within thirty days examine each Grievance received to determine whether it constitutes an Inquiry ~~or~~ a Complaint, or a Discretionary Referral.

A. If the Grievance is determined to constitute an Inquiry, the Chief Disciplinary Counsel shall notify the Complainant and Respondent of the dismissal. The Complainant may, within thirty days from notification of the dismissal, appeal the determination to the Board of Disciplinary Appeals. If the Board of Disciplinary Appeals affirms the classification as an Inquiry, the Complainant will be so notified and may within twenty days amend the Grievance one time only by providing new or additional evidence. The Complainant may appeal a decision by the Chief Disciplinary Counsel to dismiss the amended Complaint as an Inquiry to the Board of Disciplinary Appeals. No further amendments or appeals will be accepted. ~~In all instances where a Grievance is dismissed as an Inquiry other than where the attorney is deceased or is not licensed to practice law in the State of Texas, the Chief Disciplinary Counsel shall refer the Inquiry to a voluntary mediation and dispute resolution procedure.~~

B. If the Grievance is determined to constitute a Complaint, the Respondent shall be provided a copy of the Complaint with notice to respond, in writing, to the allegations of the Complaint. The notice shall advise the Respondent that the Chief Disciplinary Counsel may provide appropriate information, including the Respondent's response, to law enforcement agencies as permitted by Rule 6.08. The Respondent shall deliver the response to both the Office of the Chief Disciplinary Counsel and the Complainant within thirty days after receipt of the notice.

C. If the Grievance is determined to be a Discretionary Referral, the Chief Disciplinary Counsel ~~shall~~ notify the Complainant and the Respondent of the referral to the State Bar's Client Attorney Assistance Program (CAAP). No later than sixty days after the Grievance is referred, CAAP will notify the Chief Disciplinary Counsel of the outcome of the referral. The Chief Disciplinary Counsel must, within fifteen days of notification from CAAP, determine whether the Grievance should be dismissed as an Inquiry or proceed as a Complaint. The Chief Disciplinary Counsel and CAAP may share confidential information for all Grievances classified as Discretionary Referrals.

2.11. **Venue:** Venue of District Grievance Committee proceedings shall be in accordance with the following:

A. Investigatory Panel Proceedings. Proceedings of an Investigatory Panel shall be conducted by a Panel for the county where the alleged Professional Misconduct occurred, in whole or in part. If the acts or omissions complained of occurred wholly outside the State of Texas, proceedings shall be conducted by a Panel for the county of Respondent's residence and, if Respondent has no residence in Texas, by a Panel for Travis County, Texas.

B. Summary Disposition Panel Proceedings. Proceedings of a Summary Disposition Panel shall be conducted by a Panel for the county where the alleged Professional Misconduct occurred, in whole or in part. If the acts or omissions complained of occurred wholly outside the State of Texas, proceedings shall be conducted by a Panel for the county of Respondent's residence and, if Respondent has no residence in Texas, by a Panel for Travis County, Texas.

C. Evidentiary Panel Proceedings. Proceedings of ~~in~~ an Evidentiary Panel ~~proceeding, venue~~ shall be conducted by a Panel for in the county where ~~of~~ Respondent's principal place of practice is maintained; or if the Respondent does not maintain a place of practice within the State of Texas, in the county of Respondent's residence; or if the Respondent maintains neither a residence nor a place of practice within the State of Texas, then in the county where the alleged Professional Misconduct occurred, in whole or in part. In all other instances, venue is in Travis County, Texas.

2.12. **Investigation and Determination of Just Cause:**

A. No more than sixty days after the date by which the Respondent must file a written response to the Complaint as set forth in Rule 2.10, the Chief Disciplinary Counsel shall investigate the Complaint and determine whether there is Just Cause.

B. During the investigation, the Chief Disciplinary Counsel, with the approval of the chair of the Committee, may issue a subpoena that relates to the Complaint, for the production of books, documents, papers, banking records, and other tangible things. Any contest between the Chief Disciplinary Counsel and the Respondent about the materiality of the production sought will be determined by the chair of the Committee.

C. The Chief Disciplinary Counsel may set a Complaint for an investigatory hearing and, with the approval of the chair of the Investigatory Panel, issue a subpoena (1) that relates to the Complaint, for the production of books, documents, papers, banking records, and other tangible things; or (2) to compel the attendance of witnesses, including the Respondent, at an investigatory hearing. Any contest between the Chief Disciplinary Counsel and Respondent about the materiality of the production or testimony sought will be determined by the chair of the Investigatory Panel.

D. Subpoenas must notify the witness of the time, date, and place of appearance and must contain a description of the materials to be produced. Subpoenas must be served on witnesses personally or in accordance with Rule 21a, Texas Rules of Civil Procedure. Proof of service shall be by certification of the server or by return receipt. The subpoena is enforceable by the district court of the county in which the attendance or production is required. Witnesses shall be paid witness fees and mileage the same as for a district court.

E. The issuance of a subpoena or setting of an investigatory hearing extends the Just Cause determination date to sixty days from the date of compliance with a subpoena or the completion of an investigatory hearing, whichever is later.

F. An investigatory hearing on a Complaint will be set before an Investigatory Panel and is a non-adversarial proceeding that may be conducted by teleconference. The chair of the Investigatory Panel may administer oaths and may set forth procedures for eliciting evidence, including witness testimony. Witness examination may be conducted by the Chief Disciplinary Counsel, the Respondent, or the panel. An investigatory hearing is strictly confidential and any record, transcript, or audio or visual recording may be released only for use in a disciplinary matter.

G. An investigatory hearing may result in a dismissal of the Complaint or a negotiated sanction with the Respondent. A negotiated sanction may include any Sanction available under these rules, including a referral to the Grievance Referral Program in accordance with Part XVI of these Rules. If a negotiated sanction is reached, the terms shall be embodied in a written judgment, which must contain findings of fact, conclusions of law, and the Sanctions to be imposed. The judgment must be entered by the chair of the Investigatory Panel and signed by the Chief Disciplinary Counsel and the Respondent. If a negotiated sanction is not reached, the Complaint will proceed in accordance with Rule 2.14 and Rule 2.15.

2.13. **Summary Disposition Setting:** Upon investigation, if the Chief Disciplinary Counsel determines that Just Cause does not exist to proceed on the Complaint, the Chief Disciplinary Counsel shall place the Complaint on a Summary Disposition Panel docket, which may be conducted by teleconference. At the Summary Disposition Panel docket, the Chief Disciplinary Counsel will present the Complaint together with any information, documents, evidence, and argument deemed necessary and appropriate by the Chief Disciplinary Counsel, without the presence of the Complainant or Respondent. The Summary Disposition Panel shall determine whether the Complaint should be dismissed or should proceed. If the Summary Disposition Panel dismisses the Complaint, both the Complainant and Respondent will be so notified. There is no appeal from a determination by the Summary Disposition Panel that the Complaint should be dismissed or should proceed. All Complaints presented to the Summary Disposition Panel and not dismissed will proceed in accordance with Rule 2.14 and Rule 2.15 ~~be placed on the Hearing Docket~~. The fact that a Complaint was placed on the Summary Disposition Panel Docket and not dismissed is wholly inadmissible for any purpose in the instant or any subsequent Disciplinary Proceeding or Disciplinary Action. ~~Files of dismissed Disciplinary Proceedings will be retained for one hundred eighty days, after which time the files may be destroyed. No permanent record will be kept of Complaints dismissed except to the extent necessary for statistical reporting purposes. In all~~

Amending grievance 20180620 7 against Elizabeth Cary Grace on 1/28/19 with additional information within twenty days of BODA affirming it as an Inquiry (BODA case no. 61234 on 1/10/19), per Rule 2.10 A (See attached copy of rule).

OFFICE OF THE CHIEF DISCIPLINARY COUNSEL
STATE BAR OF TEXAS
GRIEVANCE FORM

ONLINE FILING AVAILABLE AT http://cdc.texasbar.com.

I. GENERAL INFORMATION

Before you fill out this paperwork, there may be a faster way to resolve the issue you are currently having with an attorney.

If you are considering filing a grievance against a Texas attorney for any of the following reasons:

- You are concerned about the progress of your case.
- Communication with your attorney is difficult.
- Your case is over or you have fired your attorney and you need documents from your file or your former attorney.

You may want to consider contacting the Client-Attorney Assistance Program (CAAP) at 1-800-932-1900.

CAAP was established by the State Bar of Texas to help people resolve these kinds of issues with attorneys quickly, without the filing of a formal grievance.

CAAP can resolve many problems without a grievance being filed by providing information, by suggesting various self-help options for dealing with the situation, or by contacting the attorney either by telephone or letter.

I have ✓ I have not ___ contacted the Client-Attorney Assistance Program.

If you prefer, you have the option to file your grievance online at http://cdc.texasbar.com.

In order for us to comply with our deadlines, additional information/documentation that you would like to include as part of your grievance submission must be received in this office by mail or fax within (10) days after submission of your grievance. This information will be added to your pending grievance. Information received after that timeframe will be returned and not considered. Thank you for your cooperation in this matter.

NOTE: Please be sure to fill out each section completely. Do not leave any section blank. If you do not know the answer to any question, write "I don't know."

RECEIVED
JAN 28 2019
Chief Disciplinary Counsel
State Bar of Texas
By: N. FLORES
HAND DELIVERED

*- Because I am a whistleblower I am not Providing you this information, Expect me to pick up written correspondence from you at 1414 Colorado.

II. Information About You – Please Keep Current

1. TDCJ/SID # * Mr. Name: Carlos León
   ~~Immigration #~~

   Address: *

   City: Austin State: TX Zip Code: *

2. Employer: *

   Employer's Address: *

3. Telephone numbers: Residence: * Work: *
   Cell: *

4. Email: *

5. Drivers License # * Date of Birth *

6. Name, address, and telephone number of person who can always reach you.

   Name * Address *

   Telephone *

7. Do you understand and write in the English language? Yes
   ~~If no, what is your primary language?~~
   ~~Who helped you prepare this form?~~
   ~~Will they be available to translate future correspondence during this process?~~

8. Are you a Judge? NO
   ~~If yes, please provide Court, County, City, State:~~

III. Information About Attorney

Note: Grievances are not accepted against law firms. You must specifically name the attorney against whom you are complaining. A separate grievance form must be completed for each attorney against whom you are complaining.

1. Attorney name: Elizabeth Cary Grace Address:

City: Austin State: TX ~~Zip Code~~

~~2. Telephone number: Work Home Other~~

3. Have you or a member of your family filed a grievance about this attorney previously?
Yes X ~~No~~ If "yes", please state its approximate date and outcome.

Grievance 20180207 - classified Inquiry, 10/25/18

Have you or a member of your family ever filed an appeal with the Board of Disciplinary Appeals about this attorney?

Yes V ~~No~~ If "yes," please state its approximate date and outcome.

BODA Case NO. 61234 - affirm Inquiry, 1/10/19

4. Please check one of the following:

~~This attorney was hired to represent me.~~

~~This attorney was appointed to represent me.~~

0 This attorney was hired to represent **someone else**.

Please give the date the attorney was hired or appointed. ASK Law Department of City of Austin

Please state what the attorney was hired or appointed to do.

ASK Law Department of City of Austin

5. ~~What was your fee arrangement with the attorney?~~

How much did you pay the attorney?

If you signed a contract and have a copy, please attach.
If you have copies of checks and/or receipts, please attach.
Do not send originals.

6. If you did not hire the attorney, what is your connection with the attorney? Explain briefly

~~Represented Complainant~~

Read Grievance 20180207

7. Are you currently represented by an attorney? NO
If yes, please provide information about your current attorney:

8. Do you claim the attorney has an impairment, such as depression or a substance use disorder? If yes, please provide specifics (your **personal** observations of the attorney such as slurred speech, odor of alcohol, ingestion of alcohol or drugs in your presence etc., including the date you observed this, the time of day, and location).

9. Did the attorney ever make any statements or admissions to you or in your presence that would indicate that the attorney may be experiencing an impairment, such as depression or a substance use disorder? If so, please provide details.

IV. Information About Your Grievance

1. Where did the activity you are complaining about occur?

County: Travis City: Austin

2. If your grievance is about a lawsuit, answer the following, if known:

a. Name of court

b. Title of the suit

c. Case number and date suit was filed

d. If you are not a party to this suit, what is your connection with it? Explain briefly.

If you have copies of court documents, please attach.

3. Explain in detail why you think this attorney has done something improper or has failed to do something which should have been done. Attach additional sheets of paper if necessary.

Note: There's also a 3-page letter to the Commission for Lawyer Discipline - 11/13/17. Consider it amended information 3a).

Supporting documents, such as copies of a retainer agreement, proof of payment, correspondence between you and your attorney, the case name and number if a specific case is involved, and copies of papers filed in connection with the case, may be useful to our investigation. Do not send originals, as they will not be returned. Additionally, please do not use staples, post-it notes, or binding.

Include the names, addresses, and telephone number of all persons who know something about your grievance.

Also, please be advised that a copy of your grievance will be forwarded to the attorney named in your grievance.

~~Amended #2~~

The additional information provided in my amended grievance 20180620?, following BODA's affirmation (Case no. 61234), are:

1) 5-page letter to Commission for Lawyer Discipline - 11/10/17

2) 5-page letter to BODA - 7/20/17

3) 36-page Grievance 20170353? against Chase Reed Gomillion - 6/22/17

4) 75-page document to the State Bar of Texas Board of Directors - 4/27/18

This additional information provides must-read context re: Elizabeth Gary Grace's professional & criminal misconduct not included in initial filing of Grievance 20180620?.

V. HOW DID YOU LEARN ABOUT THE STATE BAR OF TEXAS' ATTORNEY GRIEVANCE PROCESS?

___	**Yellow Pages**	___	**CAAP**
___	**Internet**	___	**Attorney**
___	**Other**	___	**Website**

VI. ATTORNEY-CLIENT PRIVILEGE WAIVER

I hereby expressly waive any attorney-client privilege as to the attorney, the subject of this grievance, and authorize such attorney to reveal any information in the professional relationship to the Office of Chief Disciplinary Counsel of the State Bar of Texas.

I understand that the Office of Chief Disciplinary Counsel maintains as confidential the processing of Grievances.

I hereby swear and affirm that I am the person named in Section II, Question 1 of this form (the Complainant) and that the information provided in this complaint is true and correct to the best of my knowledge.

Signature: _____ Date: _____

TO ENSURE PROMPT ATTENTION, THE GRIEVANCE SHOULD BE MAILED TO:

THE OFFICE OF CHIEF DISCIPLINARY COUNSEL
P.O. Box 13287
Austin, TX 78711
Fax: (512) 427-4169

Carlos Leon 1/28/19

[8 of 48]

(r46)

Complaint

1/18/19

TO: Anne Davis
Executive Administrator Manager
State Bar of Texas

CC: Amy Turner
Director of Human Resources
State Bar of Texas

(2 of 11)

Joe K. Longley
President
State Bar of Texas

Trey Apffel
Executive Director
State Bar of Texas

From: Mr. Carlos León
Member of the public

Re: State Bar Investigator George Uthe's stalking & (homo)sexual harassment conduct against STRAIGHT CHRISTIAN MAN Carlos León, happening at 1414 Colorado in Austin, TX

This complaint documents State Bar Investigator George Uthe i's repeated continuing Stalking + (homo) sexual harassment conduct against me, STRAIGHT CHRISTIAN MAN Carlos León happening at 1414 Colorado in Austin TX creating a hostile workplace environment when I'm doing legal business in the building.

Texas Penal Code 42.072(a)(2,3D) Says Stalking is when on more than one occasion and pursuant to the same scheme or course of conduct directed specifically at another person, he knowingly engages in conduct that would cause a reasonable person to feel harassed.

The three most recent, escalating episodes follow:

Incident #1 - December 27, 2018

December 27, 2018, approximately 12:25 - 12:37 PM, I entered 1414 Colorado through the sliding doors at the main entrance, without calling ahead or letting anyone know ahead of time that I was going there. Therefore, no one at 1414 Colorado was officially expecting me there that day. Also, that was my one & only visit to 1414 Colorado that day.

Staying exclusively at the front desk receptionist area by the main entrance, I approached & spoke with receptionist Frank.

Specifically, I requested Frank contact BODA to update me on the status of my BODA appeal (#61234) of CDC

(3 of 30)

Grievance (#20180627)
against Elizabeth Cary Grace
which was wrongly classified
an Inquiry.

Frank contacted Jackie Truitt
by Instant Message, who
quickly replied by IM to Frank
with the update. This BODA
business was the only business
I was there to conduct and
the only business that I
spoke about with Frank,
Frank & I did not speak
about any non-BODA business.

After Frank verbally updated me
with Jackie Truitt's response,
I asked Frank to print out
a copy of his IM exchange
with Jackie for my records.

While Frank was doing that for
me, State Bar Investigator
George the walked up to
me, stood way too close to me,

staring at me in a sexually predatory manner, asking me verbally "How can I help you, Carlos?", in a flirtatious way.

So I ignored Uthe, got from Frank the printed hard copy of the IM exchange between Frank + Jackie (see attached copy), then left the building through the front doors that slide, walking away from Uthe, who was still standing there, where + when he shouldn't have been because BODA business is separate + independent from the State Bar of Texas.

(5 of 38)

Uthe's conduct was stalking + (homo)sexual harassment against me because:

1) Frank did not request Uthe to be there because the BODA update had nothing to do with him;

2) There was no security need for Uthe to be at Frank's desk because my request & behavior were respectful & appropriate, and Frank knows who I am by face & name because I have respectfully interacted with him many times previously in person at his desk;

3) I did not request anything from Uthe or anything that Uthe would bring to me or speak to me about re: CDC or State Bar business, because I was doing BODA business only;

4) Therefore, Uthe approached me uninvited, unwelcomed, & unnecessarily, allegedly to try refocusing my [redacted] professional attention away from my BODA business to

give him the personal attention he wanted from me;

5) Therefore, that was also a power/control game initiated by Uthe against me to try distracting me from what I was there to do (BODA business) to do what he wanted me to do (give him personal attention);

6) Therefore, Uthe tried getting me to answer his uninvited, unwelcome, unnecessary question to make me accommodate & serve him, though it's Uthe who is legally bound to answer my relevant professional questions to accommodate & serve me because he's a public servant per Texas Penal Code 1.07(a)(41)(A);

7) Therefore, Uthe tried flipping the true, legal power relation of me over him in that →

professional time & space.

Therefore, I defeated Uthe's verbal, psychological, & spiritual attack by not answering, responding to, or acknowledging his question and not acknowledging his presence. I simply left the building without saying a word to him or staring back at him.

Incident #2 - January 9, 2019

January 9, 2019 approximately between 9:45 and 10:15 Am, Uthe approached me just outside the large meeting room where the Committee on Disciplinary Rules & Regulations Public Hearing / Quarterly Meeting was being held, stuck a post-it note with written information on it on my notebook in my hands & told me verbally to "call your

brother."

Uthe's conduct was stalking + (homo)sexual harassment against me because:

1) What Uthe did + said at that moment had nothing to do with the CDRR public hearing/quarterly meeting I was there to attend + speak at, or any other State Bar business of mine;

2) I did not request from Uthe or any other State Bar employee any such information that Uthe tried forcing on me;

3) Uthe had no right to stick his post-it note on my personal, private property (the notebook) without first obtaining my explicit consent to do so, which he

(2 of 2)

did not have, which I would not have given him even if he had asked for it.

Further, Uthe also had no effective consent to stick his post-it note on my personal, private property because I am not a State Bar employee & do not work for him in any capacity

3) In fact, it's Uthe who works for me because he's a public servant per Texas Penal Code 7.67(a)(41)(A) meaning he is legally bound to serve me, a member of the public;

4) Sticking his post-it note on my notebook was an attempt to mark my personal, private property his;

5) Sticking his post-it note on my notebook in my hands was an unwanted, unnecessary, uninvited invasion of my personal space, crossing a personal boundary that he should never have crossed because he had no permission from me to cross it + because it's unprofessional;

6) Sticking his post-it note on my notebook was unwanted physical contact, which is expressly prohibited in the workplace, per State Bar Employee Handbook, p. 55, Prohibiting Harassment in the workplace section, paragraph 2, Bullet #3, lines 3 & 5 (See attached copy);

7) Sticking a post-it note on another person's notebook, especially while it's in his hands, is a flirtation more,

(11 of 30)

like what a teenage boy would do to a teenage girl in the hallway during passing period in high school to try getting her attention;

not only is that sophomoric flirtation act explicitly prohibited in the workplace, also on P. 55 lines 3+5 (see attached copy), but it was (the trying to treat me, an adult MAN, like a teenage girl which is disrespectful, insulting, ass-backwards, & wrong;

8) Also, telling me to call someone who has nothing to do with my State Bar business is not only outside (the's professional purview, but another attempt to control me to accommodate & serve him to do what he ~~[illegible]~~ orders without the legal power to enforce it,

[20 of 48]

9) Therefore, because it's Uthe who is legally bound to serve me because he's the public servant per Texas Penal Code 1.07(a)(41)(A), it was another attempt by Uthe to flip the true, legal power relation of ME over him;

(10) Also, Uthe bringing up an alleged family member that he claims I have is Uthe trying to introduce & mix up my alleged personal life outside the State Bar of Texas with my actual professional business at the State Bar of Texas, crossing the personal/professional line because the personal should be kept separate from the professional at the workplace, especially since I am not a State Bar employee, but a member of the public with no personal history or relation with

uthe inside or outside 14/4 Colorado.

11) Further, uthe claiming I have a brother I don't have was also an attempt to gaslight me, which I immediately called out to his face, telling him, "That's a lie!"

12) Also, uthe telling me to call a sibling he claimed I have was also uthe trying to act like some ~~father~~ older uncle figure to me, which is sick + wrong because uthe has no family ties or any other connection to me.

Plus, because uthe was flirting with me at the same time with the post-it note he stuck on my notebook in my hands, uthe's conduct →

reeked of homosexual incest and/or pedophilia, which are demonic, disgusting felony crimes for the lowest of the law.

Therefore, to defeat his sicho, verbal, physical contact, psychological, & spiritual attack, I immediately told Uthe to remove his post-it note from my notebook & not to ever try pushing any crap like that on me again that has nothing to do with State Bar business.

Uthe finally removed it, reluctantly, as if he & I were negotiating rules of engagement to some sicho homosexual power/control predatory game of his, abusing his official capacity as State Bar Investigator with certain law enforcement power.

(5 of 30)

However, there's no negotiation with evil; Uthe's stalking of ⇒

(homo) Sexual harassment ~~against~~ ~~by~~ ~~against me, contract by his conduct,~~

against me, a STRAIGHT MAN, is unlawful + has no place at the State Bar of Texas.

Yet, during the same interaction, Uthe called me "Carl" telling me my name had been legally changed, like Uthe is investigating me, though it's Uthe who is acting criminally.

Therefore, Uthe tried renaming me, which is an attempt to wrongly define + call me what Uthe wants, instead of rightly recognizing me for who I am + calling me my right, legal name - Carlos.

That's another attempt by Uthe to exert power over me he does not have to try confusing

+ controlling me to effeminate + emasculate me to gaslight + dominate me by trying to overwrite my healthy, sane, right-side up reality with Uthe's sick, insane, upside-down anti-reality abusive nightmare from hell. HELL NO.

Therefore, to defeat Uthe's sicko, verbal, psychological, + spiritual attack against me, I immediately corrected him, re-asserting who I am, telling him "My name is Carlos," like Keanu Reeves' character telling Agent Smith, "My name is Neo," after Smith ~~[illegible]~~ calls Neo, "Mr. Anderson," which Neo rightly rejects ~~[illegible]~~ - from the famous subway scene fight on the track in the movie "The Matrix," when Smith thinks he's about to kill Neo, right before Neo turns the

(Pg 30)

table on Smith, leaping
at of the way right
before the oncoming
subway train kills Smith.

"Vengeance is mine, I
will repay, saith the Lord."

- Romans 12:19

Incident #3 - January 10, 2019

January 10, 2019, approximately
15-30 minutes before the Stake
Bar Executive Committee meeting
started in the big meeting
room, I was sitting in a
chair in the waiting
area by the front desk
(by the main entrance)
reading God's word,
when Uthe approached me
uninvited again, telling me
not to eat any of the
breakfast buffet outside the

meeting room until Executive Committee members had first started making their plates.

Uthe's unnecessary, uninvited, unwelcome conduct was stalking + (homo)sexual harassment, as well as treating me like a child because:

1) I was not sitting anywhere close to the breakfast buffet;

2) I was not eating any breakfast buffet food yet, though I was there to attend + speak at the Executive Committee meeting;

3) I had not taken any breakfast buffet food yet;

4) I had not even walked by the breakfast buffet yet;

5) Being an adult MAN, I already know not to make the first

(17 of 38)

plate when the food spread is not paid for by me or explicitly for me as the invited guest of honor;

6) I have already attended & participated in several previous State Bar Executive Committee Meetings & Board of Director meetings so I already know & follow the appropriate, unwritten rules regarding when & how to feed myself at the catered breakfasts & lunches.

2 2 W @ In fact no one has ever said anything like that to me before at State Bar meetings because it's so out-of-line, insulting, disrespectful, & unnecessary;

7) Therefore, it was really about power & control, ☺

with Uthe trying to tell me what to do + when, though his opinion was unnecessary, uninvited, + unwelcome.

Also, Uthe approached me uninvited, + unnecessarily spoke to me, because he was trying to interrupt my reading of God's word to take my focus away from GOD + HIS word + put it on him (Uthe) to give him (Uthe) the personal attention he wanted from me that he knows I won't voluntarily give him because he knows I'll have nothing to do with him personally.

Another words Uthe tried using the cover of a professional excuse, his contrived need to tell me the "rules" about when

to partake the breakfast buffet, which was totally unnecessary to try forcing me to pay personal attention to him, which is totally pathetic + sicko;

8) Therefore, uthe again tried making me accommodate + serve him, though it's he (uthe) who is legally bound to accommodate + serve me because he's the public servant, per Texas Penal Code 1.07(a)(41)(A);

9) Therefore, uthe again tried flipping the true, legal power relation of ME over him, yet another attempt to gaslight me.

Therefore, to defeat uthe's verbal, psychological + spiritual attack, I did not

acknowledge it or him, did not respond to it or him, and did not stop reading God's word, Amen. I simply exercised my legal right to remain silent.

However, the apparently could not handle being ignored, not being in control of me, and not being ahead of the Lord. So he then told me, "You're going to have to deal with me," as if he could force himself on me & force me to submit to his will.

HELL NO.

(23 of 38)

Therefore, I ignored his verbal, non-physical threat, & him, by sitting silently in my chair, reading God's word.

However, the apparently couldn't handle that either because he then said to me, "We're

going to have to communicate",
as if he could force me
to acknowledge him or speak
to him against my will in
a non-business, not necessary,
non-emergency situation.

Therefore, ~~[illegible]~~ to defeat
the's continuing verbal,
psychological & spiritual
attacks, I simply
ignored him &
stayed focused reading
God's word silently &
peacefully in my chair.

After publicly making a fool
of himself yet again,
he finally walked away
from me when
everyone could see
his monologue was going
nowhere & I was
doing nothing wrong,
but everything right.

Because Uthe appeared to be Stalking me at the end of lunch, staring at me as I got a little more Indian yogurt for my pita bread, just like President-elect Sorrels ahead of me, and again as I was exiting the meeting room at the conclusion of the meeting, I approached the Security Corporal stationed at the front desk to ID Uthe + state my concerns about Uthe stalking me, [redacted]

Apparently scared by what I was telling the corporal, Uthe quickly moved from the northern wall of the bulding (about 50 feet from the front desk) to the corner of the front desk area along the eastern wall to try eavesdropping on what I was telling the corporal at the west end of the front desk

(2 of 2 pages)

area, which made it even easier for me to prove my point to the corporal who said that he'd talk to Uthe's supervisor.

However, Uthe's sicho stalking + (homo) sexual harassment of me, a STRONG STRAIGHT CHRISTIAN MAN, has gone way past simply being talked to.

Texas law + the State Bar Employee Handbook

According to the Texas Human Resources Management Statutes Inventory 2018-2019 Biennium, Chapter 1 - Standards of Conduct, page 1, each state agency is required to adopt a written ethics policy outlining standards of conduct for employees.

Per Texas Government Code, section 572.051(b) a ~~state~~ employee who violates an agency's ethics policy is subject to termination (See attached highlighted copy).

According to the State Bar Employee Handbook that the State Bar recently handed me, at my explicit request, pages 55-~~58~~ of the version dated February 1, 2016 address harassment + the accountability measures to stop + punish it (See attached highlighted copy).

Pages 55-56 is the PROHIBITING HARASSMENT IN THE WORKPLACE section. Specifically, that section says, "Harassment ... based on sex, ... religion, ... sexual orientation, ... or any other characteristic protected by applicable federal, state, or local law is unacceptable and will not be

(2 of 38)

permitted at the State Bar."

That section also says that, "Sexual harassment involves unwelcome and unsolicited... verbal or physical conduct of a sexual nature where: ... the conduct or speech has the purpose or effect of... creating a(n)...hostile... working environment," describing what Uthe repeatedly did + what Uthe created, as a result of his words + actions.

Under the RESPONSIBILITIES subheading in that section, page 55 says, "Any person may file a harassment... Complaint regarding incidents experienced personally ... in the workplace" meaning I am eligible to file this harassment complaint against Uthe, though I am not an

employee of the State Bar or associated with The State Bar.

Under that same subheading on page 56, it says, "Any individual found to have violated the policy prohibiting harassment will be subject to appropriate disciplinary action up to and including termination, regardless of whether or not such conduct is in violation of applicable state or federal law."

Pages 57-58 comprise the COMPLAINT PROCEDURE section. On page 57, it says, "The State Bar will promptly investigate all complaints of any violation of this policy ... and will take prompt and appropriate remedial action if deemed necessary by the State Bar," meaning my complaint must be quickly investigated, which is good & important.

(26 & 30)

So is the PROTECTION AGAINST RETALIATION subheading on page 58 which includes the following:

"It is against State Bar policy and unlawful to retaliate in any way against anyone who has lodged a Complaint of unlawful ... harassment, protecting me in theory + letter from the or anyone else retaliating against me for whistleblowing the's Stalking and (homo) sexual harassment conduct against me a STRONG STRAIGHT CHRISTIAN MAN.

And fortunately the Complaint Procedure does not stop the State Bar from taking needed swift action to defeat evil: ↓

[38 of 48]

"The Complaint Procedure should not be construed, however, as preventing, limiting, or delaying the State Bar from taking disciplinary action against any employee, up to and including termination, in circumstances where the State Bar deems such action appropriate."

Recommended disciplinary action

Therefore, based on State Bar Investigator George Othe intentionally & repeatedly creating a hostile working environment at 1414 Colorado when I'm doing legal business there by his continuing & escalating stalking and (homo)sexual harassment conduct against me, a STRONG STRAIGHT CHRISTIAN MAN who is a member of the public, the State Bar of Texas Should FIRE George Othe ASAP.

[39 of 48]

(39 of 48)

[12/27/2018 12:32 PM] Frank Huerta:
Hello Jackie, Carlos Leon is here for a status update on his appeal.
[12/27/2018 12:32 PM] Jackie Truitt:
Can you please tell him it will be considered on 1/10/19
no decision yet
[12/27/2018 12:33 PM] Frank Huerta:
Yes mam, will do.
[12/27/2018 12:34 PM] Frank Huerta:
Will the decision be made in the 10th?
[12/27/2018 12:34 PM] Jackie Truitt:
yes

(34 of 38)

(8E to EE) Carlos Leon - 1118 119

Note 29

tion, and counsel vigorously presented oral motion, which convinced trial court to conduct in camera review of letters before it denied motion. Perez v. State (App. 14 Dist. 1999) 5 S.W.3d 398. Criminal Law ⇐ 1903

Defense counsel was not deficient, in prosecution for telephone harassment, in failing to object by pretrial motion to evidence of trace of phone calls to victim's home rather than waiting to lodge objections during trial; when prosecutor mentioned trace during trial, counsel objected. Barrera v. State (App. 13 Dist. 1998) 978 S.W.2d 665, rehearing overruled, petition for discretionary review refused. Criminal Law ⇐ 1926

30. Continuance

Trial court did not abuse its discretion, in prosecution for telephone harassment, by denying defendant's eighth motion for continuance to provide time to subpoena witnesses and telephone records, where trial court granted defendant's seven previous motions for continuances, defendant had ample notice of trial date, and defendant had opportunity to obtain evidence in advance of trial. Perez v. State (App. 14 Dist. 1999) 5 S.W.3d 398. Criminal Law ⇐ 614(1)

§ 42.071. Repealed by Acts 1997, 75th Leg., ch. 1, § 10, eff. Jan. 28, 1997

Historical and Statutory Notes

Repealed § 42.071, proscribing stalking, was derived from Acts 1995, 74th Leg., ch. 657, § 2. See, now, V.T.C.A., Penal Code § 42.072.

§ 42.072. Stalking

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:

(A) bodily injury or death for the other person;

(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or

(C) that an offense will be committed against the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:

(A) fear bodily injury or death for himself or herself;

(B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;

(C) fear that an offense will be committed against the person's property; or

(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

(1) the laws of another state;

(2) the laws of a federally recognized Indian tribe;

(3) the laws of a territory of the United States; or

(4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.

(d) In this section:

(1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

(2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Added by Acts 1997, 75th Leg., ch. 1, § 1, eff. Jan. 28, 1997. Amended by Acts 1999, 76th Leg., ch. 62, § 15.02(e), eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 1222, § 2, eff. Sept. 1, 2001; Acts 2011, 82nd Leg., ch. 591 (S.B. 82), § 1, eff. Sept. 1, 2011; Acts 2013, 83rd Leg., ch. 1278 (H.B. 1606), § 2, eff. Sept. 1, 2013.

Historical and Statutory Notes

Acts 1999, 76th Leg., ch. 62, in subsec. (c), substituted "Chapter 71" for "Section 71.01".

Acts 2001, 77th Leg., ch. 1222, in subsec. (b), substituted "felony of the third degree" for "Class A misdemeanor" and substituted "second" for "third" degree.

Section 3 of Acts 2001, 77th Leg., ch. 1222 provides:

"(a) The change in law made by this Act applies only to an offense committed on or after the effective date [Sept. 1, 2001] of this Act. For purposes of this section, an offense is committed before the effective

Left of Left

Chapter 1
Standards of Conduct

Ethics Policy

Each state agency and institution of higher education is required to adopt a written ethics policy outlining standards of conduct for employees. The ethics policy should be distributed to each new employee no later than the third business day after the date of employment with the agency.[1] The Office of the Attorney General is responsible for developing and distributing a model policy that state agencies may use.[2] A state employee who violates an agency's ethics policy is subject to termination.[3]

Nepotism

Nepotism statutes focus primarily on prohibiting public officials from employing his or her relatives. Specifically, the nepotism statutes state that public officials are not allowed to appoint, confirm, or vote for the appointment or confirmation of a person to a position that is compensated from public funds or fees of office if either of the following conditions is met:

- If the relationship is within the third degree by consanguinity or within the second degree by affinity (see Table 1-1 on the next page); or
- The public official holds the appointment or confirmation authority as a member of a state or local board, the Legislature, or a court and the individual is related to another member of that board, Legislature, or court within a degree described within Table 1-1.[4]

Individuals are related by consanguinity if one is a descendant of the other, or if they share a common ancestor. An adopted child is considered to be the child of an adoptive parent for this purpose.[5] Individuals are related to each other by affinity if they are married to each other, or the spouse of one of the individuals is related by consanguinity to the other individual.[6]

(34 of 38)

[1] Texas Government Code, Section 572.051 (c).

[2] Texas Government Code, Section 572.051 (d).

[3] Texas Government Code, Section 572.051 (b).

[4] Texas Government Code, Sections 573.002 and 573.041.

[5] Texas Government Code, Section 573.022.

[6] Texas Government Code, Section 573.024 (a).

PROHIBITING HARASSMENT IN THE WORKPLACE

Harassment or discrimination based on race, sex, color, religion, national origin, age, military and/or veteran status, sexual orientation, gender identity, gender expression, disability, or any other characteristic protected by applicable federal, state or local law, is unacceptable and will not be permitted at the State Bar. Harassment includes discriminatory intimidation, insult, and ridicule where:

- the conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- the conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or
- the conduct otherwise adversely affects an individual's employment opportunities.

The State Bar's Equal Employment Opportunity Policy and state and federal law prohibit sexual harassment. The State Bar will not tolerate sexual harassment of any employee. Sexual harassment involves unwelcome and unsolicited sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where:

- submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- submission to or rejection of the conduct is used as the basis for an employment decision affecting the employee (e.g., demotion, promotion, performance evaluation or compensation); or
- the conduct or speech has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment. Conduct that is expressly prohibited in the workplace or involving co-workers not at the workplace includes: verbal abuse of a sexual nature; unwanted physical contact or contact of any nature, including flirtation, touching or propositions; displays of sexually suggestive, demeaning, insulting or intimidating objects, pictures or photographs ; sexually insulting or suggestive comments about an individual's body or clothing; and/or written, recorded or electronically stored or transmitted messages which are sexually suggestive, or in any manner demeaning, intimidating or insulting.

RESPONSIBILITIES

All employees and other individuals employed by or associated with the State Bar are responsible for maintaining a workplace free of harassment and/or discrimination. Any person may file a harassment and/or discrimination complaint regarding incidents experienced personally or observed in the workplace. It is the responsibility of all personnel to bring complaints to the State Bar's attention so that it can help resolve them. Never

assume that the State Bar is aware of inappropriate conduct that you have witnessed or experienced.

Any individual found to have violated the policy prohibiting harassment will be subject to appropriate disciplinary action up to and including termination, regardless of whether or not such conduct is in violation of applicable state or federal law. Any employee who believes they have been the subject of sexual or other harassment, or discrimination should follow the appropriate steps as addressed in the Complaint Procedure Policy within this Handbook.

(36 of 38)

COMPLAINT PROCEDURE

Each employee is responsible for creating an atmosphere free of discrimination and harassment. Any employee who experiences harassment or discrimination based on race, sex, color, religion, national origin, age, military and/or veteran status, sexual orientation, disability, or any other characteristic protected by applicable federal, state or local law, or believes he/she has been treated in an unlawful or discriminatory manner, should promptly report the incident.

The State Bar will promptly investigate all complaints of any violation of this policy with the utmost concern for confidentiality and will take prompt and appropriate remedial action if deemed necessary by the State Bar.

STEP ONE

The employee is encouraged to discuss the problem with his/her immediate supervisor as a first step. Supervisors will promptly report all complaints to the Director of Human Resources. If, however, the employee's complaint is regarding his/her supervisor, or for other reasons they are uncomfortable reporting the complaint to his/her supervisor, the employee may proceed directly to Step Two.

STEP TWO

If the problem is not resolved after discussion with the employee's supervisor, or other authorized person, or if the employee chooses to bypass their supervisor, the employee is encouraged to request a meeting with their Division Director or the Director of Human Resources. The Director of Human Resources will promptly investigate all complaints brought forward under this procedure. The employee will normally receive a response regarding his/her complaint within five working days of this meeting. If the employee believes that inadequate action is being taken to resolve the complaint, the employee should report his/her complaint directly to the Executive Director. Employees shall not knowingly provide or make false statements in any complaint or in the investigation of any complaint. The State Bar will take appropriate disciplinary action up to and including termination if it is determined that deliberately false accusations have been made.

STEP THREE

If the employee is not satisfied with the decision and wishes to pursue the complaint further, the employee may prepare a written summary of his/her concerns and request that the matter be reviewed by a State Bar committee composed of the Director of Human Resources, a member of senior management and a peer-level employee. Committee members will be appointed by the Executive Director.

The committee, after a full examination of the facts (which may include a review of the written statements and discussions with all individuals concerned and further investigation if deemed by the committee to be necessary), normally will advise the employee and others

involved of its decision within fifteen working days. The decision of the committee shall be final.

CONFIDENTIALITY

To the extent possible, every reasonable attempt will be made to maintain confidentiality during the course of an investigation. Any employees who acquire knowledge of an investigation are to keep such information confidential. The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting and investigation of any complaint, and to protect the reputation of any employee wrongfully charged with a violation.

A conflict between an employee's desire for confidentiality and the State Bar's duty to investigate may arise if an employee informs a supervisor about an alleged violation, but asks him or her to keep the matter confidential and take no action. While it may seem reasonable to let the employee determine whether to pursue a complaint, the State Bar must discharge its duty to prevent and correct a violation and reserves the right to conduct any investigation and take such other actions it determines is appropriate in its sole discretion.

PROTECTION AGAINST RETALIATION

It is against State Bar policy and unlawful to retaliate in any way against anyone who has lodged a complaint of unlawful discrimination or harassment, has expressed a concern about unlawful discrimination or harassment, or has cooperated in an investigation regarding allegations of discrimination or harassment. Therefore, the initiation of a complaint, in good faith, shall not under any circumstances be grounds for discipline. However, individuals who make complaints that are demonstrated to be intentionally false may be subject to disciplinary action, up to and including termination. Any employee who believes that retaliation has occurred should report the conduct immediately using the Complaint Procedure within this Handbook. The Complaint Procedure should not be construed, however, as preventing, limiting, or delaying the State Bar from taking disciplinary action against any employee, up to and including termination, in circumstances where the State Bar deems such action appropriate.

(38 of 38)

[46 of 48]

Frank Huerta

From: Frank Huerta
Sent: Monday, January 28, 2019 12:12 PM
To: Amy Turner
Subject: Question

Hello,

Mr. Carlos Leon is here in the lobby and would like an update (in Writing) as to what is being done about his complaint against George Uthe.

Frank H.

Update #1 - when I followed up in person at the State Bar of Texas at 1414 Colorado st, Austin, Tx on Feb. 1, 2019 at 1:00 pm, front desk receptionist Frank Huerta told me there was no response to his Jan. 28, 2019 email (See above) documenting my request for an official written response documenting State Bar's official disciplinary action against State Bar Investigator George Uthe for stalking + sexually harassing me, a STRAIGHT Christian Man at 1414 Colorado while doing legal business there.

- Carlos León

(47 of 48)

To watch the online video of me publicly & addressing The State Bar of Texas Board of Directors on Jan. 18, 2019 about State Bar Investigator George Uthe's Stalking + Sexual harassment against me, a STRAIGHT CHRISTIAN MAN, go to:

https://texasbar.com/content/NavigationMenu/AboutUs/StateBarPresident/BoardofDirectors/Board_Meeting_Videos/default.htm

then click on the link for the Jan. 18, 2019 Board of Directors meeting (video). My testimony is at the 12:00-14:45 mark (12 minutes - 14 3/4 minutes) [redacted] of the meeting.

– Carlos León