

1 CIT / ATTY

Cause No. DC-15-12517

CINDY STORMER, INDIVIDUALLY
AND ON BEHALF OF
THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

101ST JUDICIAL DISTRICT

DALLAS CRIMINAL DISTRICT
ATTORNEY SUSAN HAWK

DALLAS COUNTY, TEXAS

**ORIGINAL VERIFIED PETITION FOR REMOVAL FROM
OFFICE OF DALLAS DISRICT ATTONEY SUSAN HAWK
AND DISCOVERY REQUESTS**

To the HONORABLE JUDGE OF SAID DISTRICT COURT:

NOW COMES, Plaintiff, CINDY STORMER, individually and on behalf of the State of Texas (referred to as "Plaintiffs") and brings this Verified Petition for Removal of Office against Defendant DALLAS CRIMINAL DISTRICT ATTORNEY SUSAN HAWK "DA HAWK" and would show as follows:

**I.
PARTIES**

Plaintiff is a resident of Dallas County, Texas. The last three numbers of her Texas Driver's License are 430 and the last three numbers of her Social Security number are 104.

Defendant District Attorney Susan Hawk is a Dallas County resident and may be served with process at 133 N. Riverfront Boulevard, 11th Floor, Dallas, Texas 75207-4300 or wherever she may be found.

**II.
DISCOVERY**

Discovery is to be conducted under Level 3 of the Texas Rules of Civil Procedure.

II.
PLAIN STATEMENT

DA Hawk should be removed from office for incompetency. DA Hawk has demonstrated gross ignorance of official duties; gross carelessness in the discharge of those duties; unfitness and inability to promptly and properly discharge official duties, and official misconduct because of a serious physical or mental defect that did not exist during her election. DA Hawk's depression and severe mental illness incapacitates her ability to perform the duties of that office.

III.
LAW AND DEFINITIONS

The Local Government Code Provides:

REMOVAL BY PETITION AND TRIAL

(1) "District attorney" includes a criminal district attorney.

(2) "Incompetency" means:

(A) Gross ignorance of official duties;

(B) Gross carelessness in the discharge of those duties; or

(C) Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of the officer's election.

(3) "Official misconduct" means intentional, unlawful behavior relating to official duties by an officer entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of an officer to perform a duty imposed on the officer by law.

Local Government Code, SUBCHAPTER B. Sec. 87.011.

IV. INCOMPETENCIES

(1) Drug Addiction

DA Hawk has admitted that during her 2013 campaign she was treated for prescription drug addiction and abuse in an in-patient rehabilitation facility. The abused drug was similar to Adderall, a controlled substance. DA Hawk's addiction became exacerbated; lead to other mental illnesses, and was out of her control after the election.

(2) Mental Illness – Attention Deficit Disorder

DA Hawk has publically announced her profound Attention Deficit Disorder which has become remarkably more pronounced after her drug use and after the election.

(3) Mental Illness – Depression

DA Hawk has publically announced that she suffers from major depression for which she was treated in an in-patient rehabilitation facility. DA Hawk's treatment occurred after her election to office. In mid-July 2015 (seven months into her term as District Attorney) DA Hawk stopped appearing at work. On July 28, 2015, DA Hawk disappeared without telling any employees of the District Attorney's Office where she was. She was out for approximately ten weeks; refused to answer questions immediately upon her return, and never indicated where she was until she returned. DA Hawk's absence continued for weeks with the local news media referring to the situation as "desperately seeking Susan". At no time prior to her election had she ever claimed or suffered from major depression.

(4) Addiction to other drugs

Those close to DA Hawk have publicly acknowledged that she is also addicted to OxyContin and Hydrocodone. DA Hawk's habitual drug use and abuse has exacerbated her mental illness after the election.

(5) A Complete Break with Reality after the election

After her election to office, Dallas lawyer Bob Hinton, who is also DA Hawk's neighbor, said he and others have noticed bouts of paranoia and mistrust since DA Hawk became District Attorney in January 2015. "It has been obvious to those of us who know and love Susan that she has problems, emotional problems, and needs help," Hinton said to the news media. "We've tried to get her to recognize that and help her. It just appears to me that she ... has been in denial." Hinton said he and others tried to stage an intervention with DA Hawk in March 2015. Hinton said DA Hawk had a "break with reality." "She believed things that were not so," Hinton said. "Things were going on that were not rational."

(6) Paranoid Delusions after the election

After her election to office, there have been numerous instances of paranoid; psychotic and incompetent behavior. (See attached Stormer affidavit incorporated herein by reference).

After her election to office, on January 9, 2015, she unexpectedly terminated the Chief of the Checks Division, an extremely valuable key person in the administration of the District Attorney's Office (see attached Stormer affidavit).

After her election to office, Tommy Hutson, Former Technology Director, former investigator and employee with the District Attorney's office for over twenty-one years at the time was terminated on January 16, 2015. Hutson was an extremely valuable key person in the administration of the District Attorney's Office. He was called to DA Hawk's office and noticed her eyes had a "crazy" look. DA Hawk accused him of spying on her through her computer and demanding "I want to know why you are in my computer." She made this accusation because the words "Tommy's Wi-Fi" came up for a Wi-Fi connection when she would open her Wi-Fi connection on her computer (as any computer would that was near that Wi-Fi connection). She

also accused him of obtaining her digital signature (necessary to apply to the deputations of the Assistant District Attorney's and investigators) to steal funds from the forfeiture account. She then told him he had sent her photos of a black Tahoe following her. Just weeks before DA Hawk had ordered him to send her a list of district attorney employees, then refused to give him her email address to do so. In December 2015, after her election, Hutson was ordered to obtain the domain name "Dallas DA." In January, his doing so was another reason she gave for his termination. DA Hawk chastised Hutson at length for thinking she was "paranoid."

After DA Hawk's election to office, she suffered from paranoid delusions that the Administrative Chief, Judge Jennifer Balido, was conspiring with the First Assistant, Bill Wirskye against DA Hawk. DA Hawk forced Balido to resign in February 2015 just six weeks after placing Balido in the position of Administrative Chief. DA Hawk had repeatedly ordered Balido to make inappropriate, if not illegal, expenditures from public funds. Balido had repeatedly advised DA Hawk of inappropriate expenditures to the point of giving her written opinions regarding the same. Balido's position is a valuable key position in the administration of the District Attorney's Office.

After DA Hawk's election, in mid-March, 2015, DA Hawk suffered from paranoid delusions and accused her First Assistant, Bill Wirskye of breaking into her house, attempting to expose a compromising "blow job shot" photograph of her, and using the State forfeiture fund to have a key made to her house. Wirskye had never seen the "blow job shot" photograph. She then terminated the First Assistant. The First Assistant is a valuable key position in the administration of the District Attorney's Office.

After DA Hawk's election, when touring the District Attorney Forensic Lab DA Hawk asked Forensic Investigator Jonathan Hay if he would check her phone to be sure that no one could track her. She asked numerous questions pertaining to her own personal cell phone, but would

allow no one to fully answer her questions before interrupting to ask a new question. She asked how she could determine if anyone installed spyware on her own personal cell phone. When Hay looked at the phone as she had requested, she had paranoid delusions he was doing something improper; took her phone from him and stated “I am feeling some animosity here.” (See attached Santos and Hay affidavits.) Circa February 19, 2015, an employee within the Technology Division requested that Investigator Edith Santos conduct a forensic examination of a personal thumb drive to give DA Hawk proof he deleted no file on that day or prior days. Later the two forensic investigators were asked if they had been “reading her [DA Hawk’s] email or looking at her phone.” On Wednesday, June 3, 2015, DA Hawk fired Forensic Investigator Jonathan Hay without cause. On Thursday, June 4, 2015, Forensic Investigator Edith Santos was compelled to resign. On Monday, June 8, 2015, Santos was escorted from the District Attorney’s Office by an Investigator even though she had resigned. See Santos Affidavit attached hereto and incorporated herein as if set forth at length. Both were valuable key personnel to the District Attorney’s Office.

After her election to office, on June 3, 2015, DA Hawk unexpectedly terminated the employment of the District Attorney’s Office Community Manager, Cristal Retana. Later, DA Hawk addressed firing the Community Manager and explained that the Community Manager’s position was needed for increasing the salary of the Public Information Officer. Despite having been told numerous times in the past that the two positions of Community Manager and Public Information Officer were not related and could not be combined. DA Hawk’s many mental illnesses frequently prohibit her from comprehending basic concepts. This position was a key position in the office (see attached Stormer affidavit).

After her election to office, on June 5, 2015, DA Hawk not only expressed being glad about having fired 26-year employee, Investigator Jeff Savage two days earlier, but also

smiled and said "I'm happy about it" (his termination). DA Hawk said that she had fired Savage because Savage had spoken to reporter Tanya Eiserer before he was fired. Later, Eiserer indicated that she had never met Savage before she heard he was terminated. This is evidence of extreme mental illness. "Confabulation" is a memory disturbance, defined as the production of fabricated, distorted or misinterpreted memories about oneself or the world, without the conscious intention to deceive. DA Hawk imagined that Savage had talked to the reporter BEFORE the termination, AFTER she saw his interview on television with the reporter.

After her election to office, on numerous occasions DA Hawk has ordered that public funds be spent inappropriately and succeeded in accomplishing said orders. (See attached Stormer affidavit.). Her allies indicate that she would never have done so prior to the election. DA Hawk ordered that expenditures be made from an overdrawn account even though she was repeatedly advised that such an act would be inappropriate, if not illegal. (See attached Stormer affidavit). It is a breach of fiduciary duty to continue to encumber public funds from an account that has a negative balance or to encumber funds when there is no indication there will be the expected revenue. Tex. Penal Code. 32.46.

After her election to office, on September 14, 2015, DA Hawk kept a check of public funds for twenty-two thousand and five hundred dollars (\$22,500.00) in her possession for almost two months. She claimed that she thought it was her pay stub. (See attached Stormer affidavit.) This is inability to distinguish such a check from a pay stub is yet more evidence of her mounting and escalating mental illness and incompetence.

After her election to office, on September 18, 2015, DA Hawk terminated the employment of the Chief of the Administrative Division, Cindy Stormer for Stormer's failure to make inappropriate and illegal expenditures from public funds as DA Hawk had repeatedly

ordered. When DA Hawk was involuntarily committed to an in-patient institution and being treated for depression. Stormer made allegations of financial improprieties, misuse of public funds, and being ordered by DA Hawk to make illegal and improper expenditures of public funds and reported same to the authorities. (See attached Stormer affidavit). The Chief of the Administrative Division is a key position in the administration of the District Attorney's Office.

After the election, gross mismanagement due to DA Hawk's mounting mental illnesses, paranoid behavior and delusions have cost taxpayers and jeopardized public safety. Such mental illnesses have resulted in her inability to understand basic concepts, and gross incompetence. (See attached Stormer affidavit).

**V.
MOTION TO ISSUE CITATION**

On an *ex parte* basis, pursuant to TEX. LOC. GOV'T CODE ANN. 87.016 (a) & (d)¹, Petitioner requests the Court order issuance of a citation and service by certified copy of this Original Petition to Dallas County Criminal District Attorney Susan Hawk and require her to file an answer as required.²

**VI.
JURY TRIAL REQUESTED**

Petitioner requests a Scheduling Order setting the case for jury trial and dates upon which discovery is to be completed. In that regard, Petitioner hereby demands a trial by jury as required by the law³ and hereby tenders the jury fees.

¹ Section 87.016 – Citation and Order:

(a) After a Petition for Removal is filed, the person filing the Petition shall apply to the District Judge in writing for an order requiring a citation and a certified copy of the petition to be served on the official. TEX. LOC. GOV'T CODE ANN. § 87.016 (a).

² Section 87.016(d) – Citation of Officer:

(d) The citation shall order the officer to appear and answer the petition on a date, fixed by the judge, after the fifth day after the date the citation is served. The time is computed as it is in other suits.

³LOCAL GOV'T CODE ANN. 87.018

(a) Officers be removed only following a trial by jury.

**VII.
MOTION FOR TEMPORARY RELIEF AND/OR A
HEARING ON THE TEMPORARY REMOVAL**

Pursuant to TEX. LOC. GOV'T CODE ANN. § 87.017 (a) Petitioner seeks the temporary removal of DA Hawk from office pending trial of this matter.⁴ After the Court orders the issuance of the citation and service via certified copy of the petition, Petitioner ask the Court, *ex parte*, to remove this official on a temporary basis until the resolution of this matter. In the alternative, Petitioner requests the Court to set a hearing on the Temporary Removal of DA Hawk. The public needs assurance that the highest law enforcement offices will be faithfully executed while this matter is pending. There is an attorney in Dallas County, Texas qualified to hold said office on a temporary basis to allow this official to devote her time to defending herself in this suit.

**VII.
REQUEST FOR DISCLOSURES**

Plaintiff hereby requests that Defendant DA Hawk provide Plaintiff, through her attorneys, the information required under TRCP 194.2.

THIS IS NOTICE TO YOU THAT ALL DOCUMENTS PRODUCED BY YOU IN
RESPONSE TO DISCOVERY THROUGHOUT THIS CASE MAY BE USED BY US AT
SUBSEQUENT HEARINGS AND/OR AT TRIAL.

PRAYER

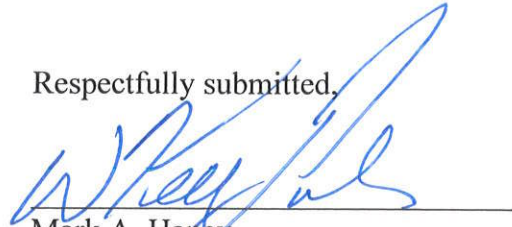
WHEREFORE, Petitioner prays that that this Honorable Court order the civil district clerk to issue citation along with a certified copy of this petition to be served on DA Hawk: further that

⁴ Section 87.017 – Suspension Pending Trial: Temporary Appointee:

(a) After the issuance of the order requiring citation of the officer, the district judge may temporarily suspend the officer and may appoint another person to perform the duties of the office. TEX. LOC. GOV'T CODE ANN. § 87.017.

the Court Order DA Hawk to appear and answer on a date fixed by the Court, after the fifth day in which the citation is served.⁵ Plaintiff would further pray that this Court temporarily suspend DA Hawk and appoint another qualified person to perform the duties of Dallas County Criminal District Attorney until this case may be tried before a jury, as well as any and all other relief, both general and special, at law or in equity, to which Plaintiff may show.

Respectfully submitted,



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ATTORNEYS FOR PLAINTIFFS

⁵ Local Government Code: Sec. 87.015

(d) The citation shall order the officer to appear and answer the petition on a date, fixed by a judge, after the fifth day after the date the citation is served. The time is computed as it is in other civil suits.

AFFIDAVIT OF CINDY STORMER

AFFIDAVIT AND VERIFICATION OF ORIGINAL VERIFIED PETITION FOR REMOVAL FROM OFFICE OF DALLAS DISTRICT ATTORNEY SUSAN HAWK AND DISCOVERY REQUESTS

STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned official, on this day appeared Cindy Stormer, who is known and first being duly sworn according to law upon her oath deposed and said:

“My name is Cindy Stormer; I am over the age of eighteen years and my mailing address is 3225 Turtle Creek Blvd., Dallas, Texas 75219. I have never been convicted of a crime, and I am fully competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct. Moreover, I have read the ORIGINAL VERIFIED PETITION FOR REMOVAL FROM OFFICE OF DALLAS DISTRICT ATTORNEY SUSAN HAWK and verify the facts recited in the Petition are true and correct to the best of my knowledge.”


Cindy Stormer, Affiant

I. Stormer’s Background

I served as the Chief of the Administrative Division of the Dallas District Attorney’s Office from March 2015 until September 2015. I was the former Chief of the Mental Health Division, overseeing the mental health trial docket in all criminal courts in Dallas County. I was the former DNA Attorney for Dallas County’s internationally famous Conviction Integrity Unit (investigating and re-evaluating hundreds of cases to determine if there were wrongfully convicted persons in Texas prisons, special emphasis on DNA, working on many exonerations). I am the author of two law related books *Texas Small Firm Practice Tools*, by James Publishing 2006 to date - a law book covering sixteen practice areas and *BrainStormer* (dealing logically, ethically, and efficiently with the mentally vulnerable and those with addictive tendencies in the criminal justice system) published 2015. I was the elected District Attorney for the 235th Judicial District, Cooke County Texas. I had a successful law practice for fourteen years. I was an Assistant City Attorney in Dallas where I was the Chief Attorney for the Dallas Police Department, and an Executive Officer in the Dallas Police Department, supervising many attorneys, clerks, and secretaries with various duties including: being in charge of the entire legal curriculum for the Dallas Police Academy, overseeing the budget, and much more. I was an Assistant District Attorney in Tarrant County from 1986 - 1989, where I handled criminal trials and appeals and much more. I have been a college instructor at different colleges teaching government, law, and criminal justice. I was a

police officer and in police work for ten years. I have made numerous presentations on the law to entities such as the Texas Association of Drug Court Professionals, State Bar Advanced Criminal Law course, Dallas Criminal Defense Lawyers Association, District Attorney's Office, Dallas Fire Department, Center for American and International Law, the American Bar Committee for Indigent Defense; the first legal delegation from U.S. allowed into Tibet; Texas District and County Attorney's Association; and I have had numerous publications. I have successfully handled many jury trials, trials before the court, thousands of criminal cases, and over three hundred appellate briefs and writs. I was selected by the Texas Department of State Health Services to assist in developing a Jail Based Competency Restoration program as mandated by the Legislature (SB 1475 in 2013) which resulted in Dallas receiving the grant for same 2014; I received the "Above and Beyond" award 2009, Dallas District Attorney's Office; I was on the Planning Committee for the State Bar Advanced Criminal Law Course (2006, 2007 and 2008); a Distinguished Alumni of Tarrant County College; Attorney Ad Litem of the Year, Court Appointed Special Advocates of North Texas, Inc. (representing abused and neglected children); I have been the president of the Cooke County Bar Association; President of the Cooke County Child Welfare Board; Founder and Former Director - Texas Association for Women Police; Former State Coordinator - International Association of Women Police; I hold hundreds of hours of police "in-service" police training, including the F.B.I. Academy in Quantico, Virginia; Outstanding Young Woman of America; Who's Who in American Law; Who's Who in America; top score in Trial Advocacy and Dean's List in law school; I am licensed in the United States Supreme Court; State Bar of Texas; United States District Court-Eastern District; United States District Court-Northern District; and much more.

II. Mental Illness Before the Election

District Attorney Susan Hawk did not appear to suffer from depression and did not require in-patient treatment for it before taking office as District Attorney of Dallas County (January 1, 2015). It was AFTER HER ELECTION TO OFFICE that she suffered a major depressive episode that resulted in her unexplained absence for weeks. I knew D.A. Hawk well before she was elected District Attorney of Dallas County. I practiced before her when she was a District Judge over the 291st Judicial District Court. I had seen her at social functions. Before she became District Attorney I knew of no instance where she suffered from major depression or from a mental illness so profound that it prohibited her ability to do her job.

III. Mental Illness after the Election

As the Administrative Chief of the Dallas District Attorney's Office I had more contact with her than any other person in the office as she was frequently in my office inquiring about finances and management. My office was next to hers and she was in my office several times per day. From March 2015 through July 2015 (she disappeared from the office July 28th, 2015), I observed her at the office in a floridly psychotic state or what appeared to be a drug induced psychosis on countless occasions. She had a complete inability to comprehend basic concepts.

She would briskly walk into my office and make demands and ask questions, then turn quickly and leave before I responded. When called to her office she would type on her computer while asking questions, reading stories on the internet or engaging in some other distracting conduct while her eyes wildly darted around the room. I never observed such behavior before she was elected as District Attorney.

IV. Financial Improprieties

District Attorney D.A. Hawk has committed numerous instances of trying to use public funds illegally. Most recently, Monday, September 14th, 2015, I discovered that she and First Assistant, Messina Madson, had in their possession a check for twenty-two thousand and five hundred dollars (\$22,500) apportionment funds from the Comptroller's Office in Austin and were keeping it from the Financial Services Division. We had been expecting the check for approximately two months. The Financial Administrator of the District Attorney's Office had been in contact with the Comptroller's Office in Austin about the missing check and had finally had to ask them to void the first check (which we did not know was in D.A. Hawk's possession) and issue a second check. The District Attorney stamp on the envelope indicated that the check, made out directly to "Susan Hawk", had been received by the District Attorney's Office on July 28. The envelope was addressed to "Susan Hawk". All such funds should go directly to the Financial Services Division. The First Assistant had received the check recently from D.A. Hawk. D.A. Hawk had been missing from the office since July 28th (the day the check came up missing) and rarely seen for the two weeks preceding that.

While I was the Chief of the Administrative Division (March to September 2015) these are some of the improper expenditures that D.A. Hawk ordered me to make from public funds (and it required many conversations to convince her not to make the purchases, to the point of drafting a written opinion advising that such expenditures were illegal): contributions, donations, supplementing salaries from the hot check fund depleted by the previous Administration (i.e. writing hot checks on the hot check fund), TV Eyes (a monitoring software for watching TV to be explained below), personal lawyer association dues, her personal Rotary dues, awards, security cameras not in the budget, Texas Association of District Attorney's Association dues for the entire office for \$43,750. etc.

I have offered to pay for items that D.A. Hawk has ordered out of my personal funds to keep from paying for it with public funds. D.A. Hawk continued to order me to make inappropriate expenditures during my tenure as Administrative Chief. The Administrative Chief prior to me had the same experience.

These improper expenditures (whether potential or completed) made me very uncomfortable, as does having to expose them now. While I was only eight months from retirement, I constitute the third person that D.A. Hawk has terminated from this position in a period of only nine months. In the seven years I have had the honor to work for the taxpayers of

Dallas County, I have had exemplary evaluations with absolutely no negative comments. I have never had a negative evaluation in my forty-year career (as an attorney and a police officer).

As the Chief of the Administrative Division, I had been tasked with responding to ten or more audits on the local, State, and federal level all while performing all the many regular duties of the position. I was entrusted with fifty million dollars' worth of budgets for the District Attorney's Office. While I served as check and balance against improper uses of public funds, there is now nothing between D.A. Hawk and the public funds she has tried to use inappropriately in the past. On Thursday, September 17th, 2015, the First Assistant asked me to pay for pizza with public funds. I explained once again that such expenditures were inappropriate (she was the fourth attorney to make that same request that this same pizza be paid with public funds). This is not the first time that the First Assistant has requested that food be paid from public funds. Such requests are made frequently. D.A. Hawk's personnel decisions have had direct negative impacts on the funds management in the Dallas District Attorney's Office.

V. Gross Mismanagement Resulting in Costs to Taxpayers

In D.A. Hawk's second week as District Attorney, January 9th, 2015, an Office meeting of all 450 employees was called at 3:30 P.M. At this meeting D.A. Hawk stated words to the effect of "your jobs are safe, each of you is here because you are good at what you do" and "we should all treat each other nicer." Immediately after the meeting the Chief of the Checks (Financial Crimes) Division was called to her office and terminated. The fired attorney was also a psychologist with not only a genius-level IQ, but also an IQ that was several points above the minimum level to be a genius. The fired attorney was both much loved for his personality and attitude, and highly respected for the skills and talents he displayed as an attorney. That attorney had been specifically brought in to the Dallas District Attorney's Office and trained to run the Checks (Financial Crimes) Division. That attorney disposed of over 500 felony cases a year (most felony prosecutors in Dallas average a little over one-hundred cases per year), while also handling misdemeanor cases, working in the Justice of the Peace courts, and supervising a staff of over twenty employees all at the same time. After that attorney was fired, the income of the Checks (Financial Crimes) Division dropped dramatically (by more than one-third).

VI. Hot Checks on the Hot Checks Fund

When a salary is supplemented from funds in the "hot check" fund, Dallas County payroll pays the money upfront and is then reimbursed by money from the District Attorney's Office. When I was put in charge of the Administrative Division in March 2015, I quickly discovered that the eighty-nine thousand dollars (\$89,000.00) was owed to Dallas County from the "hot check" fund. The money owed to the County from the check fund was for salary supplements paid by the County to members of the Watkins administration not reimbursed in the last six months of the previous administration. There were not sufficient funds in the "hot check" fund to pay that money back to Dallas County. From the time D.A. Hawk assumed the office of District Attorney, D.A.

Hawk had been supplementing the salary of Community Manager in an amount of one-thousand dollars (\$1,000.00) on a bi-weekly basis. D.A. Hawk had authorized that two thousand dollars (\$2,000.00) be paid per month to Community Manager from late January 2015 to June of 2015 when the hot check fund was overdrawn. **This is an approximate total of ten thousand dollars (\$10,000) D.A. Hawk expended or encumbered out of an overdrawn account, hot checks from the "hot check" fund.**

Upon learning of the aforementioned use of the "hot check" fund, I approached the Commissioner's Court and secured the supplementation of the Community Manager's salary from another source. That source of proper supplementation did not take effect until June 2015.

D.A. Hawk eventually fired the Community Manager. After the Community Manager had been fired, D.A. Hawk told me she had fired the Community Manager because the office needed the money. However, D.A. Hawk did not want to reimburse Dallas County, but was obsessed with getting the salary of the Public Information Officer raised. The Public Information Officer is the D.A. employee responsible for releasing information to the news media. Even though D.A. Hawk knew that the situation had been remedied regarding the source of the supplement to the Community Manager's salary, D.A. Hawk fired the Community Manager a mere ten (10) days before the corrected-salary situation was to take effect. The Community Manager was fired because of D.A. Hawk's own mistake.

Regarding the money owed to Dallas County from the "hot check" fund, the Dallas DA's Office did not pay that money back to Dallas County until just shortly before my employment was terminated. Before I left the office, in mid-September 2015 (and for the first time in D.A. Hawk's tenure) there was more money in the hot check fund than was owed to Dallas County.

In March 2015, D.A. Hawk called an emergency meeting of the entire D.A.'s Office, which was comprised of approximately 450 employees at that time. There was no apparent office-related reason for the meeting and no such reason was communicated during the meeting. D.A. Hawk made comments to the effect that people in the office talking about her and her personal life. D.A. Hawk cried at one point and stated something to the effect of "it's OK to cry because I'm a girl" and asked for confirmation from the audience by asking "right, girls?" D.A. Hawk then stated something about the people in the room not liking her and she didn't care whether they did or not. Her demeanor was childish and unprofessional. In light of how nothing of substance relative to the functioning of the D.A.'s office was discussed by D.A. Hawk at the meeting, the atmosphere of the meeting was very odd.

In light of the lack of substantive content of the meeting, I mulled over what the cost to Dallas County of having such a large, seemingly-unnecessary meeting would be because neither the assistant D.A.s nor the staff members were doing any or their work while attending the meeting. While I would be interested to see a precise analysis conducted by the Human Resources Department, a conservative estimate of the money wasted would attribute to assistant D.A.s lost money in an average amount of \$50 per attorney (250 attorneys) and perhaps one-half of that amount per staff member (200 employees). That meeting was undoubtedly not a good use of Dallas County funds.

A similar, less-than efficient use of the limited resources of Dallas County occurred regarding the budgeting process. D.A. Hawk called seven separate budget-related meetings of all the Administrative Chiefs, presumably so D.A. Hawk could tell all the Administrative Chiefs what D.A. Hawk wanted submitted in the budget requests. However, after the seventh meeting, D.A. Hawk gave the Administrative Chiefs no input and told them something to the effect of "all of you turn in your requests by Friday." All seven meetings proved to be unnecessary and of no benefit. The First Assistant, who was young and inexperienced and had never prepared a budget before, emailed to the Chiefs toward the end of the budget process asking them to resubmit their requests. They all resubmitted their requests. The legal assistant put the resubmitted requests in the notebook I had already prepared. This caused several days of extra unnecessary work for me to read the duplicated submissions. This is evidence of D.A. Hawk's numerous terminations resulting in inexperienced attorneys rising to high-ranking administrative positions resulting in more costs to the taxpayers due to mismanagement.

March 18, 2015 stands out because it was the only time I ever saw D.A. Hawk at the office late (I was frequently working late responding to the audits). On that day at about 6:30 PM, D.A. Hawk summoned me to her office by yelling out from her office. Since our offices were very in close proximity to each other, I could respond promptly to her having called for me. D.A. Hawk then demanded to know how much money was then in the "hot check" fund. I explained the negative balance status of the "hot check" fund, which prompted D.A. Hawk to angrily, scream "cut the shit." The Community Manager was present. D.A. Hawk then ordered me to obtain and compile all the bank statements and reconciliation statements that pertained to the "hot check" fund to demonstrate how it had been depleted. Such a process would require going back over a period of many months.

I explained to D.A. Hawk that the information was on the computers of employees and would have to be printed out from those computers. D.A. Hawk told me to have the printed reports on her desk by 8 AM the next day or "it's your job". I understood this to mean that I would lose my job. I had to call D.A.'s Office employees at night and inform them that they either had to come in at night or come in early enough the next morning so that all the documents could be printed out and on D.A. Hawk's desk at 8 AM. Regarding staff employees, such additional work requires Dallas County to pay compensatory time, which ultimately comes from the taxpayers of Dallas County.

At 8:30 AM the next morning, D.A. Hawk arrived, walked up to the front of my desk, and asked me, "That's not true what you told me yesterday, is it?" She was very angry and appeared to be suffering from some mental disorder. What is even more troubling is that she did almost the exact same thing each of the next three days, walking up to my desk and asking, "That's not true what you told me the other day, is it?" As for the documents gathered late at night and early in the morning as she had ordered, D.A. Hawk did not seem interested in those documents when they were provided to her. I had only been in the position of Administrative Chief for a few days. D.A. Hawk had been obligating a salary to be supplemented out of the "hot check" fund starting in January.

VII. Orders to commit an illegal act

Another such example that stands out involves the events of April 13, 2015. On that day, D.A. Hawk entered my office and outright ordered me to supplement the salary for the position of Public Information Officer and to supplement the salary from the "hot check" fund. D.A. Hawk angrily told me to "get it done." I advised her that such an expenditure was illegal and she snapped "make it happen, now." Once again (as on numerous occasions) D.A. Hawk appeared to be suffering from some type of psychosis. D.A. Hawk was ordering me to supplement the Public Information Officer position for four thousand dollars (\$4000.00). I was being ordered by D.A. Hawk to increase the cost/salary of that position by \$4000.00 a month and to do so out of that already-overdrawn "hot check" fund. I did not do this. I wrote a legal opinion to her dated April 14th advising that it might violate criminal law if she persisted in such an expenditure. She continued to order me to make such the expenditure. After conversations with her about how this could not be done, I wrote an additional legal opinion with the same information on April 17th and gave it to her. She also repeatedly ordered me to make such an expenditure from the State Forfeiture account. I was repeatedly advising her that that was an improper expenditure also.

Several times, she would ask me to do something for the first time and then snap "get it done."

In budget-related talks, D.A. Hawk advocated for trying to pay the Public Information Officer twice as much as the amount of the budgeted salary for the position. D.A. Hawk opined that she needed to pay such a high salary because she needed a high quality journalist for that position because such a journalist could better save D.A. Hawk's reputation. In the first nine months of her tenure as D.A., D.A. Hawk never filled that Public Information Officer position and it remains open. There are other Public Information Officer positions in Dallas County and each such position has the same salary level and salary limits as the other such positions.

Previously D.A. Hawk reported to the news media she could not fill the Public Information Officer position. On July 20, 2015 the position was not listed as being an open position on the County website. I checked in our Oracle system and it was not advertised. It has either not been filled because D.A. Hawk wants to pay far more than the allowable County salary or due to D.A. Hawk's paranoia about the public knowing what is going on in her office.

After D.A. Hawk's disappearance in July, the First Assistant advised the news media for weeks that D.A. Hawk was at work and attending meetings, i.e. employees are forced to do D.A. Hawk's bidding or risk losing their careers.

After numerous requests from D.A. Hawk to supplement salaries with funds from the State Forfeiture Account, and a response from me each time that that was not allowed by law, in April 2015, I gave D.A. Hawk a written legal opinion stating that it was not legal to supplement salaries with funds taken from the State Forfeiture Account. Days later, on April 23, 2015, D.A. Hawk came into my office and asked me if salaries could be supplemented by taking funds from the State Forfeiture Account. Consistent with the written legal opinion I had already provided to

her, I told D.A. Hawk that the law did not permit what she was proposing. This is evidence of her deteriorating mental condition. She cannot remember the content of recent conversations.

Also during the budget process, D.A. Hawk wanted me to argue for an additional Chief's position in the Appellate Division. A Chief's position is an Attorney Level Five, with an annual salary of more than one hundred thousand dollars (\$100,000.00). Adding such a high-level position to the Appellate Division would have resulted in the Appellate Division having eleven chief level positions. That would have meant that one-half of the Appellate Division would have been comprised of Chief-level positions.

On January 15, 2015, D.A. Hawk announced to the Behavioral Health Steering Committee (approximately 40 in attendance) "Cindy Stormer has done a fantastic job. The Mental Health Division is the Dream Team." On April 4th, 2015 D.A. Hawk told me "I had so much peace knowing that you're there. You're going to be a rockstar. I'm getting a lot of positive feedback about putting you in that position." When she called an office wide meeting to announce the replacement of First Assistant Wirsky, she had all the super chiefs, myself included, stand behind her and announced that those behind her had jobs for as long as they wanted.

On April 24th D.A. Hawk indicated that she wanted to purchase an internet software program called TV Eyes and wanted it paid out of the State Forfeiture account. The cost was two-thousand and four hundred dollars (\$2,400). This software allows a television to direct the watcher to specifically indicated programs in real time, e.g. when programmed for certain things, such as, the name "Susan Hawk" (or whatever subject the watcher chooses). The State auditors had been asking questions about such purchases. I was given a written memo with a list of ten D.A. employees who would watch TV at work to monitor for certain programs, including anything aired about "Susan Hawk." Just days earlier, on April 14th, 2015, the First Assistant came asking what this service was and stated that Watkins was using this to spy on Judge Hawk and "I'm going to do something about it."

On April 28th, I asked D.A. Hawk to be moved to another position in the D.A.'s Office. She said "no you are too valuable here ". I asked this more than once. The audits are endless, hours are long, there is insufficient staff to deal with the audits and the regular routine duties, plus the most obvious reason-the stress of having to deal with a severely, mentally ill individual on such a constant basis.

On April 28, 2015, D.A. Hawk asked me if there was any way to combine two positions so the Public Information Officer could be paid a yearly salary over one hundred thousand dollars (\$100,000.00). While we had engaged in the same conversation about the same subject on approximately ten occasions to that point, I again told D.A. Hawk that what she was proposing could not be done. These events were troubling not only because they amply illustrated how D.A. Hawk suffers from severe attention deficit disorder, but also because D.A. Hawk again ordered me to use the "hot check" fund to supplement the salary of the Public Information Officer. More recently (while D.A. Hawk was confined at a clinic in Houston for depression), our Human Resource Officer (an employee under my chain of command) contacted

the County Human Resource Office asking again how these two positions could be combined. I learned of this while attending Commissioner's Court. D.A. Hawk was continuing to ask employees other than myself to investigate this even though I had already instructed her repeatedly on the matter. This is evidence that she is still not well.

On another occasion, I wrote a legal opinion indicating that a specific monetary contribution was not appropriate from public funds. D.A. Hawk agreed. Later she went to the office accountant and told the accountant to make the contribution. The Administrative Division staff came to me confused about whether to make this improper expenditure. I went to D.A. Hawk and asked her if she was making that contribution and she said "I didn't tell (the accountant) to write the check, I only asked her when it would be written" then D.A. Hawk again agreed with me that the contribution should not be paid out of public funds. This illogical statement was further evidence of her deteriorating mental state.

VIII. Extreme Paranoia

On April 29, 2015, D.A. Hawk came to my office, closed the door, and said "I don't want any other positions going through Civil Service. This is turning my employees into civil servants." I assured her this was not correct and that all D.A. employees are employed "at will" (meaning they can be terminated without cause). D.A. Hawk continued to say that processing the positions through Civil Service was converting those employees into civil servants and "don't send anything to civil service." It was important to her to fire employees without cause. According to the rules and policies of Dallas County, all personnel changes go through the Civil Service Department. Without going through the proper channels, I could do none of the work to change, add, raise positions, etc. I reminded her I had been working for two months on some positions on the verge of coming up. I had another attorney explain to her that civil service did not mean they would become civil servants. D.A. Hawk continued to tell me she wanted nothing sent through the Civil Service Department.

On May 11, I provided D.A. Hawk with a list of questionable expenditures of which the Auditor's Office wanted answers. Most were regarding the Community Prosecution Unit and made before I took on the role as Administrative Chief. D.A. Hawk told me if there were any improper expenditures by the Community Prosecution Unit she would hold me responsible. After this Unit was established it was viewed by many as being a campaign tool. Though it is established under a Memorandum of Understanding indicating that it may only be used for pretrial diversion, it is frequently used for other activities i.e. organizing parade events, presentations in schools, attendance at community events, organization of the Citizens Police Academy, etc. The previous D.A. structured the D.A.'s Office so the Unit answered to the Special Fields Bureau Chief. D.A. Hawk moved the Unit to answer directly to her (see recent organization chart)

On May 18, 2015, I found on my desk an invoice for seven-hundred and fifty (\$750) to the Dallas Young Lawyers Foundation. D.A. Hawk ordered this be paid out of public funds. In response to D.A. Hawk's repeated requests that the invoice be paid out of public funds, I finally had to issue a written legal opinion explaining the inappropriate nature of the proposed use of the funds.

IX. Inability to Understand Basic Concepts

On another occasion, I provided to D.A. Hawk a memorandum indicating that eighty-nine thousand (\$89,000) was overdrawn on the hot check fund; she came back to my office and asked "so I can pay the Public Information Officer \$89,000 per year out of this account?" I reiterated to D.A. Hawk what I had told her multiple times in the past regarding how the "hot check" fund could not be used to supplement salaries until the "hot check" fund was no longer overdrawn. This is one of many examples that indicated that she could not understand simple and repeated explanations due to her rapidly decreasing mental function.

On May 29 when I was away from the office, D.A. Hawk asked the accountant to pay her Rotary dues. I had told her on two previous occasions that such personal dues would not be paid with public funds. (See opinion on TDCAA April 9 and Dallas Young Lawyer Association dues memo.) This prompted yet another legal opinion on June 1. The opinion was an attempt by me to protect the District Attorney employees from her inappropriate requests.

X. Psychotic Behavior affecting other County Offices

On June 1, 2015, D.A. Hawk ordered me to obtain a credit card in her name. D.A. Hawk desired to have such a credit card so her purchases on it could be made without oversight and "paid directly from the State forfeiture funds." It was not possible to have such a credit card as the card could not be paid directly out of that fund. Also, such an act would constitute a violation of County policy. When D.A. Hawk told me she wanted a credit card in her name paid directly from State forfeiture funds, my discomfort with the request compelled me to call the new County Purchasing Director, one Daniel Garza, to ask for his help in dealing with D.A Hawk's request. Garza came to the District Attorney's Office with his assistant and explained that it was improper for an elected official to have a credit card of any kind paid with County funds, as there was no procedure for oversight of such a potential situation. I was grateful to Garza and his assistant for their assistance. D.A. Hawk now claims she did not make such a request. This lapse of memory is yet another example of her break with reality.

On yet another occasion, D.A. Hawk ordered that –four-hundred dollars (\$400) of public funds be paid to KwanzaaFest in order she and the Community Prosecution Unit could attend this community function. The Community Prosecution Unit is obligated to only work on pre-trial diversion of defendants, any other activities would violate the Code of Criminal Procedure. The County Auditor and his assistant came to the District Attorney's Office and had a meeting with myself and D.A. Hawk and indicated that they would not approve such an expenditure. I was grateful to the County Auditor and his assistant of potentially paying public funds to KwanzaaFest.

On June 1st the First Assistant told me she needed to be present whenever I spoke to the County Budget Officer about the budget, more evidence of D.A. Hawk's paranoia.

As D.A., D.A. Hawk receives an eight-thousand four-hundred dollar (\$8,400) annual stipend from the county that pertains to her personal car use. This is besides her annual \$210,000

salary. On June 2, 2015, she told me she wanted to take an investigator car out of the County on June 9. Such cars are equipped with flashing lights, a siren, and a police radio. This would have constituted a violation of County policy unless it had been briefed to Commissioner's Court and was for a law-enforcement purpose only. The D.A.'s Office has ready access to a black Tahoe parked in the basement of the Frank Crowley Courts building used to escort her to appropriate functions. On another occasion, DA Hawk called me into her office and asked if she could use public funds to rent a car to attend a conference. Before I could answer her, DA Hawk literally hissed, "Because you always tell me 'no' to every single thing I ask for."

Sometimes when I was talking to attorneys in my office she would come in and ask what we are talking about. Once when I was out sick (which is a very rare thing) she came in and aggressively asked "what was wrong with you?" D.A. Hawk's inquiry did not seem like a benign question, but like she thought my having taken a sick day had been a ruse to cover up something.

When I first took the position of Administrative Chief four State auditors were in the office expounding thousands of questions and requesting thousands of documents, the budget was due, and many functions of the position had gone unattended because of the position having been left open and the lack of passing on of knowledge as the two Administrative Chiefs before me were fired. I was working long hours and occasionally needed to close my door to do the necessary work without distractions. When I would close my door D.A. Hawk would come and open it and stand outside my door staring at me through the one inch crack she had left between the door and the wall.

XI. Jeopardizing Public Safety

D.A. Hawk's paranoia has extended even to firing good, talented people doing important work for the District Attorney's Office and the citizens. On June 3, 2015, she fired an investigator, and a forensic investigator: Jonathan Hay, ACE (AccessData Certified Examiner), CBE (Black Light Certified Examiner), CCLO (Cellibrite Certified Logical Operator), LCE (Lantern Certified Examiner); and the Community Manager. Edith Santos, CFE (Certified Forensic Examiner), CFCE (Certified Computer Forensic Examiner), ACE, CBE resigned out of fear. None were given any excuse for the termination. D.A. Hawk then had Santos escorted from the building even though Santos had already submitted her two-week notice. The Trial Bureau Chief is now the only person D.A. Hawk brought with her on her transition staff. The Secret Service had loaned the District Attorney's Office computer software and equipment with a value of one-hundred and fifteen thousand dollars (\$115,000). When D.A. Hawk disbanded the Digital Forensic Unit all of the valuable and useful equipment had to be returned to the Secret Service. The County matched that with another approximately fifty-thousand dollars (\$50,000) in equipment, software etc.

As for the equipment from Dallas County, it is now sitting unused. On June 14th, D.A. Hawk inquired whether the D.A.'s Office could sell that computer equipment by sending the First Assistant to talk to employees of the District Attorney about how she could accomplish this. D.A. Hawk never discussed her attempts to sell this equipment with me. However, it is illegal for

any County employee to appropriate or sell County-owned equipment without going through the proper channels and procedures. It is well established that County property that is no longer being used must go through the Administrative Division and then be sent to the County Purchasing Department so it can be put up for sale at a public auction. It would have been highly illegal for any member of the D.A.'s Office to just sell the forensic computer equipment.

It is well known by anyone with an understanding of how any agency or business functions that every time an employee is lost there are costs to the employer for approximately three times the salary of the fired employee. Replacement employees must be trained, which costs the employer. Frequent staff turnover contributes to a decrease in the quality of services rendered and the speed with which such services may be rendered. Losing experienced employees results in losing institutional knowledge by the employer. For example, for six years I was the Chief of the Mental Health Division where one of my many functions was to keep those who have been found not-guilty-by-reason-of-insanity in the mental institutions where they belong. I knew of the facts in the cases and close relationships with many victims and we worked together to ensure the safety of Dallas County citizens. That knowledge is now lost to the citizens of Dallas County. I am no longer in that office to be alerted about such releases. Also I worked on the many audits for seven months. That work is now lost to the citizens and someone else must start over. D.A. Hawk's rash decisions regarding firing employees have only been detrimental to the ability of the D.A.'s Office to function at peak efficiency and are jeopardizing public safety.

Also the County pays the wrongfully terminated employee's unemployment. Staff turnover contributes to a decreased quality of services, and institutional knowledge is lost. The reason the Tarrant County District Attorney's Office, where I was once a prosecutor, is the best district attorney's office in the State, has such a good reputation, and the highest salaries in the State, is because the Tarrant County District Attorney who held the post for over thirty years did not fire people without very good cause. He hired the best and mentored them.

By my count there have been thirty to forty people fired by D.A. Hawk. That is a loss of 6 to 9% of the staff. The County lost the safety derived from the valuable work the forensic investigators were doing in the high intensity drug trafficking areas. The forensic investigators were monitoring cell phones and e-mails of criminals. Before Hay was fired and before Santos was escorted out of the building before her two-weeks had run out, both Hay and Santos had been asked if they had been monitoring D.A. Hawk's e-mails and/or phone. It has been estimated that the costs incurred by Dallas County regarding the losses of Hay and Santos and losing use of the valuable equipment loaned and the training in the use thereof is half of a million dollars. Losing these valuable investigators is evidence of D.A. Hawk's continued actions jeopardizing public safety. Also using this calculation, the four chiefs she has fired since taking office and the seven chiefs she fired just before taking office may have cost the County over five million dollars. This does not include the full thirty to forty terminations many of which were important and key personnel.

On June 3, 2015, D.A. Hawk released a new organization chart with the Community Prosecution Unit answering directly to her. She had previously indicated that she would create a Rehabilitative Justice Unit and put Community Prosecution (which is required by law to only do

pretrial diversion) under that newly created Unit. D.A. Hawk called a meeting with the Chief Public Defender, and several others were she announced her plan. However D.A. Hawk did not follow through with her plan she laid out in the meeting. D.A. Hawk had wanted me to pay for a tablecloth with public funds that would bear the words "Community Prosecution Unit". The cost was over three-hundred dollars (\$300). Then she changed the name of the Unit. First she said she would name it the Rehabilitative Justice Unit, then the Restorative Justice Unit (this was the name I put on the org charts that must be submitted when I submit the budget) and she finally settled with the name Reformative Justice Unit. That inappropriate expenditure of public funds would have served no purpose as she changed the name shortly after that idea.

Divert Court now answers directly to D.A. Hawk. Also, D.A. Hawk separated the Appellate Division from the Special Fields Bureau Chief. I had previously advised her not to do that as they were inextricably intertwined.

I once found D.A. Hawk's notepad on my desk. She sent another prosecutor to my office to retrieve it. Sometimes she would come to my office and order me to turn off my computer saying "people can hear us." Once she came to my office rambling rapidly about the appellate division. She suddenly stopped, glared at me and furiously stated "don't interrupt me." She continued glaring at me silently for an uncomfortable length of time.

On June 4, 2015, D.A. Hawk called and Administrative Chiefs meeting where she ordered the eleven super chiefs in attendance to shut off their phones, and then in an angry voice said "anyone running against me or helping someone who is running against me needs to get out now" there was a long uncomfortable pause, and then she repeated it. Which lead to another long and comfortable pause. Then she addressed each of us individually about why we should be loyal to her.

On another occasion, which occurred on June 5, 2015, D.A. Hawk not only expressed being glad about having fired 26-year employee, Investigator Jeff Savage (a well-liked and highly respected Investigator fired eight months before his retirement), but also smiled and said "I'm happy about it" (his termination). D.A. Hawk said that she had fired Savage because Savage had spoken to reporter Tanya Eiserer before he was fired. Recently Eiserer indicated that she had never met Savage before she heard he was terminated. This is evidence of extreme mental illness. "Confabulation" is a memory disturbance, defined as the production of fabricated, distorted or misinterpreted memories about oneself or the world, without the conscious intention to deceive. D.A. Hawk imagined that Savage had talked to the reporter BEFORE the termination, because she saw his interview on television with the reporter AFTER the termination.

Then, D.A. Hawk addressed firing the Community Manager and explained that the Community Manager's position was needed for increasing the salary of the Public Information Officer. Despite our having discussed this same subject in the past, I again told D.A. Hawk that the two positions of Community Manager and Public Information Officer were not related and could not be combined.

On June 26, 2015, D.A. Hawk called me to her office and said "you didn't tell me my State Bar Dues weren't paid". Payment of her State Bar Dues is her personal responsibility. When I informed D.A. Hawk I had previously had this discussion with her, she responded "well maybe you did." She had also previously left her campaign finance reports on my desk for me to prepare. I did not do so as I did not have the information about her personal finances. There are serious penalties and fines for failure to fill out such reports.

I told D.A. Hawk I needed information that only Edith Santos, Forensic Computer Investigator, had in order to respond to the Federal Forfeiture Review. D.A. Hawk said "well get her in here and let's talk to her." I had to remind D.A. Hawk she had Santos escorted out of the building after Santos submitted her resignation three weeks earlier.

Many, many times other attorneys in the office came or called me and asked me to convey information to D.A. Hawk. Employees are afraid to tell her things themselves. They are also afraid to even be seen in the Administrative Division on the eleventh floor of the D.A.'s office.

D.A. Hawk would request that attorneys do legal research and then when asked about it again later she would say "do we need that?"

The Administrative Chief's Position responded to the many audits, budget, supervising Financial Services (two accountants and an administrative assistant), Checks Division (6 attorneys, 5 investigators), Mental Health Division (4 attorneys), Technology, Records, Victim Witness, Grants, Human Resources, Truancy, Toll Tag, Court of Appeals 1 (1 attorney), Switchboard, Video Room, Support staff (130+), authorizing purchase orders, requests for payments (RFP)(vendors, witnesses, furniture, electronic equipment, notary, ammo, . . .), requests for reimbursements (employees, travel, . . .), Records of Material Received (RMR)(furniture, electronics, BIPP counseling, temp employees, etc.), forfeiture accounts, inventories, Oracle requisitions, briefings to Commissioners Court, travel requests, and much more (thousands of such requests, purchase orders, payments, . . .per year, sometimes hundreds per day) and countless other duties. D.A. Hawk moved requests for public information to the Civil Division to some very overworked attorneys. That was a movement from the Special Fields Bureau Chief position. That Special Fields Bureau Chief, level eight, position now only supervises two people. This example of allocation of duties is evidence of her mismanagement.

D.A. Hawk moved a level five attorney from the Civil Division to the Juvenile Division. The Civil Division is grossly overworked. The Juvenile Division has had declining numbers of cases year after year (a 36% decline in cases over the past ten years). The Budget Director requested an explanation for this move and she could not give one. The County Budget Department and the Commissioner's Court was very disappointed about this mismanagement.

D.A. Hawk has approached the staff in the Administrative Division frequently asking to sign for things without my knowledge or oversight. It is required by the Auditor's office that the Chief of the Division sign for such purchases.

On August 13, 2015, a letter was left on my desk to pay D.A. Hawk's attorney occupation taxes from public funds. Not only was it inappropriate to pay this with public funds, it was inappropriate to ask another attorney to do this work for her. I asked D.A. Hawk's secretary where the letter came from and she said the First Assistant gave her the letter and instructed her to give it. D.A. Hawk was still in an undisclosed rehabilitation facility and had been missing from the office since July 28th (and had not been seen by me for almost four weeks). I had only seen the First Assistant thirty minutes for the immediately preceding two-week period and had been told that the First Assistant was not in the office much for the last week of July either. My office is on one side of D.A. Hawk's and the First Assistant's office is on the other side. I walk past the First Assistant's office several times a day and we park near each other. The First Assistant was spending County time obtaining documents from D.A. Hawk while D.A. Hawk was in a facility (not only this letter in mid-August but also the \$22,500 apportionment check mentioned above in mid-September). I knew that D.A. Hawk had not been in the office much since mid-July; however, I learned virtually all other details about her absence from the media. Even with the absence of the D.A. (and the First Assistant) the office was running better than it ever had.

On August 13, 2015, I learned that the First Assistant had put a non-forensic investigator in Jonathan Hay's position. Hay's position was uniquely created through an agreement with federal authorities. The agreement was to pay the first year and then the County would take it up. I learned from the County Auditor's office that the position had been filled even though there were no funds from which to pay the salary. This position was lost when D.A. Hawk fired Hay's because the County had not yet claimed up. The County would have taken it up one month after D.A. Hawk fired Hay.

So many employees have been fired that it was necessary to hire from outside the office in August to keep from promoting prosecutors to the level of Chief that had just been with the office for three months. These rapid-fire terminations waste the time of other county officials to discuss the issues with the new employees, I had to have very lengthy meetings with the local auditors, State auditors, federal auditors, Budget Department staff, Purchasing Department staff, etc. Now the next person must take up the valuable time of these officials again. There is no retention or overlap in employment to allow institutional knowledge to be passed on. By firing three Administrative Chiefs in a nine month period, D.A. Hawk paved the way for her to make inappropriate expenditures.

D.A. Hawk claimed that she held the \$22,500 check (apportionment funds from Austin mentioned above) because she thought it was her pay stub. If D.A. Hawk cannot distinguish a \$22,500 check representing public funds from a personal pay stub, then this indicates yet another serious break with reality.

There is an atmosphere of terror, fear and intimidation in the Dallas D.A.'s office. It is unhealthy and unproductive.

There are many other instances of sick, psychotic behavior by D.A. Hawk. It is too frequent to document here. While I am very sympathetic to her mental illness, and wish her no ill will, she cannot resume the duties of that office or regain the public trust. It is particularly disturbing that she has terminated, without cause, three separate Administrative Chiefs. The position of Administrative Chief is that of the Chief Financial Officer of the District Attorney's Office and these rapid-fire terminations contribute to instability in an area where there is much room for vulnerability. D.A. Hawk has demonstrated gross incompetence, gross ignorance of official duties, gross carelessness in the discharge of those duties; and unfitness and inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist before or during her election. Such leadership is draining Dallas County resources, jeopardizing criminal cases and jeopardizing the safety of citizens.

On Friday, September 18th, D.A. Hawk's abuse of public funds was reported to the F.B.I., the State Whistleblower Hotline, the local Whistleblower Hotline, the Attorney General, the State Auditor's Office, the Dallas County Auditor's Office, the Department of Justice, the Dallas Police Department Public Integrity Unit, and others. Her erratic and psychotic behavior is costing the Dallas taxpayers dearly and she must be removed from office before she inflicts further damage.

STATE OF TEXAS
COUNTY OF TARRANT

FURTHER AFFIANT SAYETH NAUGHT.

SIGNED this the 13th day of October, 2015.

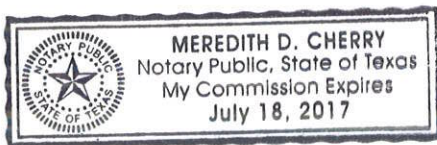


Ms. Cindy Stormer

SUBSCRIBED TO AND SWORN BEFORE ME, the undersigned authority, by Ms. Cindy Stormer on this the 13th day of October, 2015.



Notary Public



NO.

AFFIDAVIT

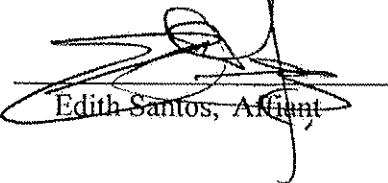
Regarding Dallas County District Attorney Susan Hawk

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned official, on this day appeared Edith Santos, who is known personally known to me and first being duly sworn according to law upon her oath deposed and said:

“My name is Edith Santos; I am over the age of eighteen years and my mailing address is 932 Peavy Rd Dallas, TX 75218. I have never been convicted of a crime, and I am fully competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.”


Edith Santos, Affiant

I, Edith Santos, joined the Dallas County District Attorney's Office in October 2006. I personally do not know Hawk. Prior to her election as District Attorney my only interaction with her had been requesting her signature for search warrants. As a Judge, I never experienced any odd behavior during my brief interactions with her.

When Hawk was elected District Attorney, I was assigned to the Digital Forensic Lab. It was a newly created division and Tommy Hutson was the Director at the time. The Digital Forensic Lab was officially opened in November 2014 and a Press Release sent to the media. The examiners in the digital forensic lab consisted of John Hay and me. In the creation of the lab, the Dallas County District Attorney's Office purchased two forensic workstations and some software and licensing and spent approximately \$55,000.00. I was advised that funds from the forfeiture funds were used to purchase the equipment/software. Both John Hay and I were assigned to the United States Secret Service Electronic Crimes Task Force.

I was a member of the task force since mid 2012. The USSS invested a lot of money and time in my digital forensics training. The following are some of the classes I attended at the National

Computer Forensics Institute or at the USSS Dallas Field Office and at the expense of the United States Secret Service and the Alabama District Attorney's Association.

Network Forensics Training April 2015
United States Secret Service

Basic Mobile Device Forensic Training April 2015
United States Secret Service

Certified Cyber Forensics Professional Training November 2014
United States Secret Service

Macintosh Forensics Training Program June 2014
United States Secret Service - NCFI

Web Hacking and Forensics Course April 2014
United States Secret Service

Basic Computer Evidence Recovery Training July 2013
United States Secret Service – NCFI

Basic Network Intrusion Training Program November 2012
United States Secret Service – NCFI

Certified Encryption Specialist August 2012
United States Secret Service – EC-Council

I was also invited to assist in teaching forensics at the National Computer Forensics Institute (NCFI) to Prosecutors and Judges all over the nation. All expenses including training and

teaching were paid for by NCFI. The following are some of the speaking/teaching engagements I have participated in.

Computer Forensics in Court – Prosecutors Class National Computer Forensics Institute, USSS	March 2015
Computer Forensics in Court – Prosecutors Class National Computer Forensics Institute, USSS	January 2015
Basic Computer Forensics Training – Prosecutor Dallas County District Attorney’s Office	July 2014
Dallas County Citizen’s Police Academy Cybercrime Overview Dallas County District Attorney’s Office	February 2014

Shortly after Hawk took office, Hawk visited the Digital Forensics Lab. This was my first interaction with Hawk. Tommy Hutson, the Director at the time, attempted to explain the division’s capabilities. Hawk though was distracted and kept asking questions about cell phones. For example, she asked whether or not it was true that SIM cards could be cloned and before anyone could answer she would ask another question. Then she gave her phone to forensic examiner John Hay and asked him if all of her setting were correct so no one could track her. Within seconds of giving John Hay her phone she began to continuously ask “what are you doing?” She asked this two or three more times even though John Hay was attempting to answer. John Hay had her phone in his hand in front of her the whole time. John told her that her settings were correctly set and all tracking was off. Towards the end of her visit she turned around to look at John Hay and simply stated, “I’m feeling some animosity here.” No one had any idea why she would say or sense that.

Shortly thereafter, I made arrangements so that she could meet with USSS Dallas Field Office Special Agent in Charge and Supervisory Agent over the Electronic Crimes Task Force. I wanted to make sure that Hawk understood what the Task Force brought to the Dallas DA’s Office and the citizens of Dallas County. Not only did the Task Force provide us both with training but also with the tools to perform our jobs. It is my understanding that NCFI invests about \$75,000 in equipment, training, travel, and accommodations for each person attending Basic Computer Evidence Recovery Training, which I attended in July 2013. This amount does not include the other trainings I have attended at NCFI. The program is designed so that when you finish the basic five week training course, you can return to your law enforcement agency with the training and equipment and be able to work digital forensic cases.

I briefly spoke to both Hawk and Chief Johnson after both attended the meeting at USSS Dallas Field Office. Both stated that they had a great conversation with the Special Agent in Charge and the Supervisory Agent. Hawk said to me "You guys are doing a great job. Keep up the good work." This was my second interaction with Hawk.

Around February 19th, 2015, an employee within the Technology Division came and asked for my assistance. The employee asked that I conduct a forensic examination of a personal thumb drive. The employee did not give me much detail about the events and only stated he wanted to give Hawk proof that he didn't delete a file on that day or prior days and asked me to recover any deleted files titled "AttachedPhones.txt." I conducted a forensic examination on the thumb drive and did not locate any files with that title as ever being saved, or erased on the thumb drive. The result of the examination was provided to the employee.

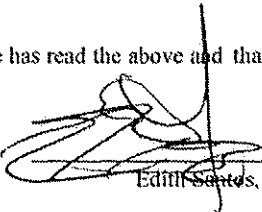
Approximately a week or two later, the Chief Investigator Randall Johnson came into the lab and asked if either John Hay or I had been "reading her email or looking at her phone." At first I was confused and didn't quite understand the question, I was taken off guard with such an odd question. I asked him who and what he was talking about. The Chief said, "The Judge's." I asked, "What?" in a disbelief tone and the Chief stated "I was directed to ask the question." I shook my head "no" and verbally told the Chief "No." It was then that I knew we would be her next target. I had previously heard through other employees about her bizarre, paranoid behavior such as continuously disconnecting the network cable to her county computer and disconnecting another employee's printer, but I hadn't experience that behavior until I was asked if I was reading her email or looking at her cell phone.

The weeks thereafter I feared that our section (Digital Forensics Lab) would be next, that her paranoia would lead us to being fired. That fear became reality on Wednesday, June 3rd, 2015. She called in John Hay, my partner in the lab and fired him. She gave him no explanation as to why she fired him. I was told later she didn't even know his name before calling him in. That very next morning on Thursday, June 4th, 2015 at approximately 10 am, after almost 15 years in law enforcement, I submitted my resignation to Assistant Chief Robert Miller since Chief Johnson was out. The evening of June 3rd I took my personal belongings home believing that she would not allow me to stay the last two weeks. Thursday afternoon I was told that she was going to allow me to stay my two full weeks. I worked all day Friday, and most of the day on Monday. On Monday, June 8th, 2015 at approximately 3pm, First Assistant Messina Madson and Chief Investigator Randall Johnson came into the lab and Messina stated that Hawk changed her mind and decided not to let me stay my full two weeks and that Randall would be escorting me out of the building. (Both Madson and Johnson were out of the office the week before, during the time period in which John Hay and other employees were fired.)


I explained to Chief Johnson that I needed to let someone know how to deal with all of the physical evidence that were in line to be processed. He had me call Bob Alvarado, Technology Director who took Tommy Hutson's place after he was fired. Alvarado came to the lab and I explained what was to be taken care of and how to contact the agencies to pick up their evidence and to instruct the agencies to take their evidence to another digital forensic lab since there was no one left at the office with our specialized skills to conduct such examinations. As I was speaking to both Alvarado and Johnson, the door to the lab opened and Hawk walked in and simply asked "What is going on?" I ignored Hawk and walked passed her telling Alvarado to follow me to the evidence room so that I can show him what was left in the evidence room and what evidence needed to go back to the agencies. After explaining what was left in the evidence room we walked back to the lab and Hawk had already left. This was my third and last interaction with Hawk.

STATE OF TEXAS
COUNTY OF DALLAS

Edith Santos, the Affiant above named, being duly sworn, says that she has read the above and that the facts set forth are true.


Edith Santos, Affiant

SUBSCRIBED AND SWORN before me 8 on October, 2015.


Notary Public, State of Texas



AFFIDAVIT OF JONATHAN HAY

NO.

AFFIDAVIT

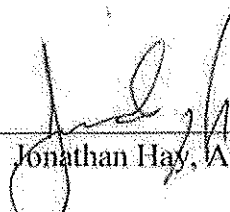
Regarding Dallas County, Texas District Attorney Susan Hawk

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned official, on this day appeared Jonathan Hay, who is personally known to me and first being duly sworn according to law upon her oath deposed and said:

“My name is Jonathan Hay and I am over the age of eighteen years. I have never been convicted of a crime, and I am fully competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.”


Jonathan Hay, Affiant.

My name is Jonathan Hay and I was employed as a Special Investigator / Digital Forensic Examiner with the Dallas County District Attorney's Office from August 19, 2014 to June 03, 2015. I was recruited by the District Attorney's Office to create and manage the first ever Digital Forensics Program in the Dallas County District Attorney's Office. My position carried the responsibilities of working with Edith Santos, another Special Investigator / Digital Forensic examiner, to create and manage the program, conduct forensic examinations of digital evidence in support of criminal investigations and prosecutions, provide guidance to law enforcement personnel and prosecutors on the proper collection of electronic devices and electronic records, the proper handling of evidence, obtaining search warrants, and analyzing any evidence collected from forensic examinations.

Prior to January 2015 my only interaction with Judge Susan Hawk was having testified in her court (291st District Court) and meeting with her to sign search warrants. I did not know her personally and I never witnessed any odd or unusual behavior. I had only heard positive statements about her and understood her to be a very competent Judge with an excellent reputation.

Prior to beginning employment with the Dallas County District Attorney's Office I served as a police officer for sixteen (16) years. Eleven (11) of those was spent as a detective and four (4) of those years was spent in a dual role as a detective and as a Digital Forensic Examiner assigned to

AFFIDAVIT OF JONATHAN HAY

the North Texas Electronic Crimes Task Force at the Dallas Field Office of the United States Secret Service. During those sixteen (16) years I received the Life Saving Award and was named Detective of the Year for 2007. I was nominated for Detective of the Year three (3) other years and I was nominated for Dallas County Law Enforcement Office of the Year one (1) year and Collin County Law Enforcement Officer of the Year one (1) year. I have obtained four (4) industry accepted computer and cell phone forensics certifications.

I hold a Bachelor of Arts degree in Criminology and Criminal Justice from the University of Texas at Arlington and I have completed post-graduate coursework at the University of Texas at Dallas.

My assignment with the Dallas County District Attorney's Office also involved my remaining a member of the same task force. In this capacity I was also sworn in as a Special Deputy United States Marshal. During my total of five (5) years assigned to the task force I attended multiple courses on computer forensics, cell phone forensics, network intrusion investigation, python scripting, and online social network investigations. I was a guest speaker at the 2014 United States Secret Service annual electronic crimes conference in Austin, Texas. I was scheduled to instruct a course at the 2015 Crimes Against Children Conference in Dallas, Texas at the time of my termination.

My training with the United States Secret Service included being assigned a large amount of equipment and software. While it is difficult to determine an exact dollar amount I would estimate that it was in the range of \$75,000.00 to \$100,000.00. I am also aware that the Dallas County District Attorney's Office spent approximately \$55,000.00 on equipment and software for the new Digital Forensics Program.

Judge Susan Hawk was elected as the District Attorney for Dallas County in November 2014. She took office on January 01, 2015. I was one of her supporters and looked forward at advancing the Digital Forensics Program during her administration.

In January 2015 Judge Hawk visited the Digital Forensics Lab to inquire why Edith Santos and I cooperated with KTVT channel 11 for a news story related to mobile spyware. We explained that it was a project approved by the previous District Attorney, Craig Watkins, prior to him leaving office (the work for the story was completed prior to Mr. Watkins leaving office and the story was set to air on the same date as the visit by Judge Hawk). This was my first interaction with Judge Hawk. At this time the Digital Forensics Lab fell under the Technology Division, which was supervised by Tommy Hutson. He attempted to explain the capabilities and functions of the lab; however, he was continually interrupted by Judge Hawk. She asked numerous questions pertaining to her own personal cell phone, but would never allow anyone to fully answer her questions before interrupting to ask a new question. She asked how she could determine if anyone installed spyware on her own cell phone. I attempted to answer her questions, but she interrupted me several times. I volunteered to look at the apps that were installed on her cell phone and to check the security settings. She handed her Apple iPhone to me, but somewhat quickly asked what I was doing. I held her cell phone in front of me while seated next to her and explained to her that no suspicious apps appeared to be installed and that all settings appeared to be set correctly. Towards the end of her visit Judge Hawk looked at me

AFFIDAVIT OF JONATHAN HAY

and stated, "I am sensing some animosity here." Soon after, Judge Hawk left the lab. To this day I have no idea why she made that comment to me. I discussed this with Edith Santos and Tommy Hutson and both advised they all did not know why she made this statement.

Tommy Hutson was unexpectedly fired shortly after that meeting. I was not informed of the reason for his termination.

Within the next few weeks I was informed that Judge Hawk would be visiting the Dallas Field Office of the United States Secret Service. Edith Santos contacted our supervisors at that office and scheduled the meeting. I was later made aware that Judge Hawk and Chief Investigator Randall Johnson met with the Special Agent in Charge of the Dallas Field Office. Chief Johnson told Edith Santos and I that the meeting went very well with Secret Service officials praising our work and dedication. Chief Johnson stated to us that Judge Hawk told him she was quite happy with the meeting and that she did not want to change anything with how we were managing our work.

Sometime between February and May 2015 (I simply do not recall the date) Chief Johnson entered the lab and asked Edith Santos and I if we were reading Judge Hawk's emails and/or if we had looked at her cell phone. I did not understand his question initially, but when he again asked if we were monitoring her communications I assured him we were not and that I did not understand why we would be asked this question. Chief Johnson apologized for the question and stated he had been instructed to ask.

On Tuesday, June 02, 2015 and Wednesday, June 03, 2015 I testified in a trial in the 291st District Court. The prosecutor was ADA Hilary Blake. In the weeks prior to the trial I met with ADA Hilary Blake on multiple occasions to prepare for the trial. ADA Blake praised my assistance, forensic work, and testimony.

On Wednesday, June 03, 2015, approximately two (2) hours after finishing my testimony I received a phone call from Assistant Chief Investigator Robert Miller asking if I was in the courthouse. He requested that I go to his office. Upon entering his office I was surprised to find Judge Hawk seated in the corner. She asked me to sit down. She then stated, "Mr. Hay, it is time we part ways. You may resign if you like, okay." She then instantly exited the office. I sat there stunned and looked at Assistant Chief Miller to ask for clarification that I was just fired. I then asked why this was occurring and what I had done to deserve this. Assistant Chief Miller instructed to walk with him back to the forensics lab. Once back in the lab, I informed Edith Santos that I had just been fired without being given a reason or an explanation. We asked Assistant Chief Miller why I was fired and he replied that he did not know either. He said when he attempted to ask Judge Hawk why I was being fired, Judge Hawk told him it was decision "above your pay grade" and that if he continued to question her decision he would also be fired. Assistant Chief Miller further told me that Judge Hawk had not remembered my name and only referred to me as "the guy that does stuff with cell phones." Before leaving the building I updated Edith Santos and Assistant Chief Miller of the examinations I was currently working on and of the evidence on my desk.

AFFIDAVIT OF JONATHAN HAY

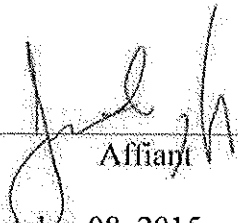
In the evening of Wednesday, June 03, 2015 Edith Santos called me to inform she would be submitting her resignation on Thursday, June 04, 2015. She stated that would no longer work in the current environment or work in fear of also being terminated without cause.

On Tuesday, June 09, 2015 I received a phone call from Chief Johnson. He stated I had been a valued employee and he did not know the reason for my termination. I told him I insisted upon receiving an honest explanation for my termination. As of October 08, 2015 I have not received a response.

Jonathan Hay

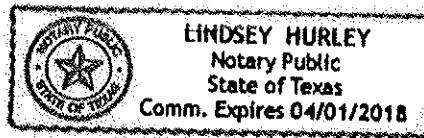
STATE OF TEXAS
COUNTY OF DALLAS

Jonathan Hay, the Affiant above named, being duly sworn, states that he has read the above statement and all facts set forth are true.



Affiant

SWORN AND SUBSCRIBED to before me by Jonathan Hay on October 08, 2015.





Notary Public, State of Texas

Cause No. _____

CINDY STORMER, INDIVIDUALLY
AND ON BEHALF OF
THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

_____ JUDICIAL DISTRICT

DALLAS CRIMINAL DISTRICT
ATTORNEY SUSAN HAWK

DALLAS COUNTY, TEXAS

PLAINTIFFS' FIRST REQUEST FOR PRODUCTION TO DEFENDANT

TO: Defendant, DALLAS CRIMINAL DISTRICT ATTORNEY SUSAN HAWK

NOW COMES Plaintiff in the above-styled and numbered cause and pursuant to Rule 196 of the TRCP, serves the following Requests for Production on Defendant, Dallas Criminal District Attorney Susan Hawk as set forth below:

I. INSTRUCTIONS

You are hereby notified that Plaintiff requests that, within fifty (50) days after the service of these requests, or shorter time as Ordered by the Court, Defendant must produce any and all of the documents and tangible things listed and described below, as they are kept in the regular or ordinary course of business or segregated according to each request, for inspection, copying, photographing, and/or videotaping, at the address of Plaintiff's attorneys set forth herein below:

1. For each document or other requested information that you assert is privileged, or for any other reason, excludable from discovery: (a) state the specific grounds for the claim of privilege or other ground for exclusion, and (b) reasonably identify that document or other requested information set forth in a privilege log.

2. For any requested information about a document that no longer exists or cannot be located, identify the document, state how and when it passed out of existence, or when it can no longer be located, and the reasons for disappearance. Also, identify each person having knowledge about the disposition or loss, and identify each document evidencing the existence or non-existence of each document that cannot be located.

II. DEFINITIONS

The following definitions shall have the following meanings unless the context requires otherwise:

1. "Plaintiff" means the Plaintiff, as set forth herein above.
2. "Defendant", "You" or "Your" means Susan Hawk, Individually.
3. "Document" or "Documents" means all written, typed, or printed matter and all magnetic or other records or documentation of any kind or description (including, without limitation, letters, correspondence, telegrams, memoranda, notes, records, minutes, contracts, agreements, records or notations of telephone or personal conversations, conferences, inter-office communications, e-mails, microfilm, bulletins, circulars, pamphlets, photographs, video, facsimiles, invoices, tape recordings, computer print outs, and work sheets), including drafts and copies not identical to the originals, all photographs and graphic matters, however produced or reproduced, all compilations of data from which information can be obtained, and any and all writings or recordings of any type or nature, in your actual possession, custody, or control, including those in the possession, custody, or control of any and all present or former directors, officers, employees, consultants, accountants, attorneys, or other agents.

III. NOTICE OF INTENDED USE OF MATERIALS/DOCUMENTS PRODUCED

Please be advised that Plaintiff intends to use the materials and/or documents produced by You in response to these Requests for Production at subsequent proceedings in this case, including, but not limited to, depositions, hearings, including summary judgment hearings, if any, and at trial.

IV. REQUEST FOR PRODUCTION OF DOCUMENTS AND TANGIBLE THINGS

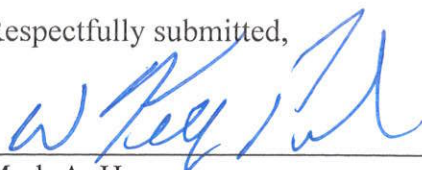
Plaintiff requests that the Defendant produce any and all of the requested documents and tangible things, as they are kept in the ordinary course of business or segregated according to each request, for inspection, copying, photographing, or videotaping, within fifty (50) days after service of these requests, or shorter time as ordered by the Court.

REQUEST FOR PRODUCTION NO. 1:

Copies of all medical reports and/or records of any doctor, clinic, hospital or health care provider concerning any treatment or examination received by you during the last twelve (12) months. In the alternative, please sign the medical authorization attached hereto.

RESPONSE:

Respectfully submitted,



Mark A. Haney
State Bar No. 08908480
mark@pulshaney.com

W. Kelly Puls
State Bar No. 16393350
kelly@pulshaney.com

PULS HANEY, P.L.L.C.
300 Burnett Street, Suite 160
Fort Worth, Texas 76102
Telephone: (817) 498-9911
Telephone: (817) 338-1717
Facsimile: (817) 332-1333

ATTORNEYS FOR PLAINTIFFS

AUTHORIZATION FOR THE RELEASE OF
MEDICAL AND/OR BILLING RECORDS

TO: _____ Dates of Services: _____

Patient : _____
Date of Birth : _____
Social Security No. : _____

I, the undersigned, authorize _____ to release, or allow access to for the purpose of making copies, any and all information from my medical records, including but not limited to, history and physical, operative reports, laboratory and pathology reports, consultation reports, discharge summaries, anesthesia records, operative notes, x-ray reports and/or images, emergency room records, face sheets, all billing and payment information, and any further or additional information included in his/her medical and/or billing records. I am hereby requesting the release of any and all of my medical records, as may be requested, to my attorneys listed above. This information is needed in connection with my legal representation, investigation, and/or prosecution of a claim.

The above described information is to be released to the law firm of Puls Haney, P.L.L.C. of Fort Worth, Texas 76102. I understand that the records are confidential and cannot be disclosed without this written authorization, except when otherwise permitted by law. Information used or disclosed pursuant to this authorization may be subject to re-disclosure by the recipient and no longer protected. I understand that the specific information to be released may include, but is not limited to: history, diagnoses, and/or treatment of drug or alcohol abuse, mental illness, or communicable disease, including Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS).

I understand that treatment or payment cannot be conditioned on my signing this authorization, except in certain circumstances such as for participation in research programs, or authorization of the release of testing results for pre-employment purposes. I understand that I may revoke this authorization in writing at any time except to the extent that action has been taken in reliance upon the authorization. I understand I may be charged a reasonable retrieval/processing fee and for copies of these records according to applicable law of the State of Texas.

THE TEXAS HEALTH AND SAFETY CODE, SEC. 181.154 - HB 300
(Required Disclosure)

Because our law firm gathers, stores, and electronically transmits medical records (Protected Health Information B PHI), we are required to post a notice to clients that their protected health information is subject to electronic disclosure.

Texas and Federal Law prohibits any electronic disclosure of a client=s protected health information to any person without a separate authorization form from the client for each disclosure. This authorization for disclosure may be made in written or electronic form or in oral form if it is documented in writing by our law firm.

The authorization for electronic disclosure of protected health information described above is not required if the disclosure is made: to another covered entity, as that term is defined by Section 181.001, or to a covered entity, as that term is defined by Section 602.001, Insurance Code, for the purpose of: treatment; payment; healthcare operations; performing an insurance or health maintenance organization function described by Section 602.053, Insurance Code, or as otherwise authorized or required by state or federal law. In other words, no further release is necessary for electronic disclosure to other health care providers, insurance company, governmental agencies, or defense lawyers representing adverse parties.

This authorization will expire two years from the date of signature unless the authorization is revoked prior to that time or unless otherwise specified.

Signed: _____
Printed Name: _____
Relationship to Patient: _____
Date: _____

Cause No. _____

CINDY STORMER, INDIVIDUALLY
AND ON BEHALF OF
THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

_____ JUDICIAL DISTRICT

DALLAS CRIMINAL DISTRICT
ATTORNEY SUSAN HAWK

DALLAS COUNTY, TEXAS

PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANT

TO: Defendant, DALLAS CRIMINAL DISTRICT ATTORNEY SUSAN HAWK

NOW COMES Plaintiff in the above-styled and numbered cause and, pursuant to Rule 197 of the Texas Rules of Civil Procedure, serves the following Interrogatories on the Defendant, Dallas Criminal District Attorney Susan Hawk as set forth below:

I. INSTRUCTIONS

You are notified that Plaintiff requests that, within fifty (50) days after the service of these Interrogatories, or shorter time as Ordered by the Court, Defendant must serve answers to each of the interrogatories set forth below.

1. Objection based on Asserted Privilege. Pursuant to TRCP Rule 193.3(a), for each document or other requested information that you assert is privileged from discovery, please state in response to a particular interrogatory: (1) that information or material responsive to the interrogatory has been withheld; and (2) the privilege or privileges asserted.

2. Response. Pursuant to TRCP Rule 197.2(a), the Defendant must answer each interrogatory separately, fully, in writing, and under oath, and serve such responses on Plaintiff's

attorneys not later than fifty (50) days after service of these interrogatories, or shorter time as order by the Court.

II. DEFINITIONS

The following definitions shall have the following meanings as used in this first set of interrogatories, unless the context requires otherwise:

1. "Plaintiff" or "Plaintiffs" means the Plaintiffs, as set forth herein above.
2. "Defendant," "You" or "Your" means the Defendant set forth above in the style of the case.
3. As used herein, the term "Incident" shall mean the incident made the basis of this suit.
4. As used herein the term "Identify" or "Identification" shall mean to provide the names, addresses, and telephone numbers of the individuals or the name, address, phone numbers and primary contact persons for the entities involved. If an individual or employee is no longer employed by you or any of the entities included in a response is no longer doing work with you please provide, in addition to the other requested information, the last known address and/or phone numbers.

III. DUTY TO AMEND OR SUPPLEMENT

Pursuant to TRCP Rule 193.5, the Defendant, Dallas Criminal District Attorney Susan Hawk, is under a duty to amend or supplement her answers to interrogatories that are incomplete or incorrect when made, or, although complete and correct when made, are no longer complete and correct. Defendant must amend or supplement her answers reasonably promptly after discovering the necessity for such amendment or supplement.

IV. INTERROGATORIES

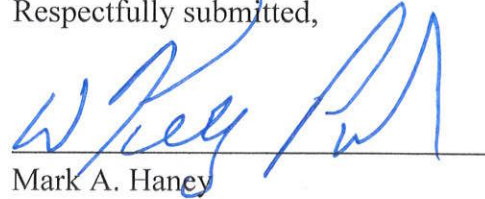
INTERROGATORY NO. 1:

For each doctor, hospital, clinic, or other health care provider by whom or at which you have been treated or examined during the last twelve (12) months immediately preceding the receipt of these written Interrogatories, please state:

- (a) the name, address, and telephone number of each person or institution;
- (b) the date upon which you visited each such person or institution; and
- (c) the specific reason for which you were treated or examined by or at each such person or institution.

ANSWER:

Respectfully submitted,



Mark A. Haney
State Bar No. 08908480
mark@pulshaney.com

W. Kelly Puls
State Bar No. 16393350
kelly@pulshaney.com

PULS HANEY, P.L.L.C.
300 Burnett Street, Suite 160
Fort Worth, Texas 76102
Telephone: (817) 498-9911
Telephone: (817) 338-1717
Facsimile: (817) 332-1333

ATTORNEYS FOR PLAINTIFFS

CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____ COURT (FOR CLERK USE ONLY): _____

STYLED _____ (e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:	Names of parties in case:	Person or entity completing sheet is:
Name: <u>W. Kelly Puls</u> Email: <u>Kelly@pulschaney.com</u> Address: <u>600 Burnett St. #160 Ft. Worth TX 76102</u> Telephone: <u>817-338-1117</u> City/State/Zip: _____ Fax: <u>817-332-1333</u> Signature: <u>[Signature]</u> State Bar No: <u>16393350</u>	Plaintiff(s)/Petitioner(s): <u>Cindy Stormer, ind. + on behalf of the State of Texas</u> Defendant(s)/Respondent(s): <u>Dallas County Criminal District Attorney Susan Hawk</u>	<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____
Additional Parties in Child Support Case: _____ Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____		
[Attach additional page as necessary to list all parties]		

2. Indicate case type, or identify the most important issue in the case (select only 1):

Civil			Family Law	
Contract	Injury or Damage	Real Property	Marriage Relationship	Post-judgment Actions (non-Title IV-D)
<input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <input type="checkbox"/> Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <i>Malpractice</i> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <i>Product Liability</i> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <i>Divorce</i> <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocal (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input checked="" type="checkbox"/> Other: <u>Chapter 87</u>			
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate & Mental Health <i>Probate/Wills/Intestate Administration</i> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____			

3. Indicate procedure or remedy, if applicable (may select more than 1):

<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input checked="" type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover
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4. Indicate damages sought (do not select if it is a family law case):

Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees
 Less than \$100,000 and non-monetary relief
 Over \$100,000 but not more than \$200,000
 Over \$200,000 but not more than \$1,000,000
 Over \$1,000,000