

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

- 1. Name:** State full name (include any former names used).

Joseph David Brown (Joe)

- 2. Position:** State the position for which you have been nominated.

United States Attorney for the Eastern District of Texas

- 3. Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

200 S. Crockett, Suite 116A
Sherman, TX 75090

- 4. Birthplace:** State date and place of birth.

1970; Sherman, TX

- 5. Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Southern Methodist University School of Law, 1992 – 1995
J.D., 1995

The University of Texas at Austin, 1988 – 1992
B.A., Government, 1992

Grayson County College, Denison, TX, 1987 – 1988
No degree received

- 6. Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

COMPENSATED EMPLOYMENT

The State of Texas
200 S. Crockett, Ste. 116A
Sherman, TX 75090
Criminal District Attorney for Grayson County (Title changed on January 1, 2005 from
Grayson County Attorney. No change in jurisdiction or responsibilities.)
2001 – present

The Law Office of Joseph D. Brown
115 S. Travis
Sherman, TX 75090
Self-employed attorney
1999 – 2000

Cowles & Thompson, P.C.
901 Main Street, #3900
Dallas, TX 75202
Associate Attorney
1995 – 1999

Home Place Partners, L.P.
P.O. Box 2212
Sherman, TX 75091
Property Management for family owned business
2005 – present

UNCOMPENSATED EMPLOYMENT

Sherman Education Foundation
2701 Loy Lake Road
Sherman, TX 75090
Board Member, 2013 – present
President, 2016 – present

Boy Scouts of America, Circle Ten Council
8605 Harry Hines Boulevard
Dallas, TX 75235
Board Member
2015 – present

Grayson County Children's Advocacy Center
910 Cottonwood
Sherman, TX 75090
Board Member, 2002 – present

President, 2002 – 2004, 2006 – 2007

One Home Place Management Co. LLC
P.O. Box 2212
Sherman, TX 75091
Member/Manager, 2005 – present

Sapphire Group, LLC
4708 N. FM 1417
Sherman, TX 75092
Board Member, 2011 – present
President, 2015 – present

Texas Juvenile Justice Department
11209 Metric Boulevard
Austin, TX 78758
Board Member
2009 – 2014

Texas District and County Attorney's Association
505 W/ 12th St., #100
Austin, TX 78701
Board Member
2004 – 2010

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Boy Scouts of America, Circle Ten Council, Texoma Valley Region, Volunteer of the Year Award, 2014

Sherman Ex-Student Association Distinguished Student Award, 2012

Mothers Against Drunk Drivers (MADD), Special Recognition Award for DWI Enforcement, 2011

Texas Association of Counties, County Best Practices Outstanding Achievement Award for Special Prosecution/ Jail Diversion Program, 2007

Children's Advocacy Centers of Texas Professional Leadership Team Excellence Award, 2006

Texas Monthly Magazine, "Rising Star in Prosecution," 2004, 2005

Order of the Barristers, SMU School of Law, 1995

Completed Dallas Whiterock Marathon, 2004

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Grayson County Bar Association, member 2000 – present
President, 2009 – 2010

Dallas Bar Association, member 1995 – 1999

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

State Bar of Texas, admitted 1995. Active. No lapse in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court for the Eastern District of Texas, admitted 1999. Active. No lapse in membership.

United States Court for the Northern District of Texas, admitted 1996. Active. No lapse in membership.

Admitted to practice in all state courts in the State of Texas since 1995.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards,

panels, committees, conferences, or publications.

Paul Brown Inn of Court, Sherman, TX
Member, 2012 – present

Sherman Kiwanis Club, Sherman, TX
Member, 1999 – present; President, 2008

National Rifle Association
Member, various years since 2000

Ducks Unlimited
Member, various years since 2000

Church of Christ, Sherman, TX.
Member, 1980 – present; Deacon, 2008 – present

In addition, I have made financial contributions to charitable organizations over the years. Such organizations may list me as a member by virtue of my financial contribution. I have not listed above any organizations to which I gave funds and did not otherwise participate in programmatic activities.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.**

Kiwanis International limited membership to men until 1987. Both men and women have been welcomed as members during the time I have been a member of the organization.

Otherwise, to my knowledge, none of these organizations discriminates or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.**

I have done my best to identify all books, articles, reports, letters to the editor, editorial pieces and other published material, including through a review of my

personal files, and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

“Don’t Reward Cartels By Making Asset Forfeiture Harder,” Editorial Essay, Fort Worth Star Telegram, February 17, 2017. Copy supplied.

“Without Asset Forfeiture, A Lot of Bad Guys Will Get To Keep Their Crime Money,” Editorial Essay, The Dallas Morning News, February 17, 2017. Copy supplied.

“Changes to Asset Seizure Procedures Would Harm Crime Fighting,” Editorial Essay, The Houston Chronicle, February 22, 2017. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.**

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.**

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

In April of 2017, as Criminal District Attorney for Grayson County I testified very briefly (less than 2 minutes) at a hearing of the Texas House Criminal Justice Committee in opposition to proposed changes to the Texas civil asset forfeiture law. Copy not available.

On March 16, 2017, as Criminal District Attorney for Grayson County, I issued an opinion request letter to the Attorney General of Texas regarding whether affidavits of adverse possession must be filed by a county clerk in Texas. Copy supplied.

On February 15, 2016, I issued an opinion memorandum to all Grayson County business owners setting out my office's policy on enforcement of state gambling laws. Copy supplied.

On February 12, 2016, I issued an opinion memorandum to the local agent of the Texas Alcoholic Beverage Commission regarding the legality of certain alleged gambling devices. Copy supplied.

On July 31, 2012, I issued a letter on behalf of Grayson County responding to a demand by the Freedom From Religion Foundation of Madison, Wisconsin that Grayson County remove the term "In God We Trust" from its website. Copy supplied.

On October 9, 17, and 19, 2009, I issued a series of opinions to Grayson County elected officials, and requested the opinion of the Texas Attorney General, regarding the legal authority of the Grayson County Commissioners' Court to amend the county budget in a manner alleged to be an unconstitutional encroachment on the authority of local elected officials. Copies supplied.

On November 19, 2008, I issued a legal opinion and a request to the Texas Attorney General's Office for an opinion regarding the legal authority of a county government to provide health insurance benefits for certain members of the county's Juvenile Board. Copy supplied.

On July 7, 2007, I issued a legal opinion to a local constable regarding the authority of the Grayson County Commissioners' Court to require that the constable drive a marked vehicle in the course of performing his duties. Copy supplied.

On June 8, 2007, I issued a legal opinion to the Grayson County Sheriff regarding the legal authority of members of a volunteer Sheriff's Posse to carry firearms. Copy supplied.

On January 16, 2007, I wrote a letter to the local state representative in my jurisdiction requesting that he sponsor legislation to require the suspension of a driver's license for a person convicted of the offense of manslaughter when the offense involved the operation of a vehicle. Copy supplied.

On October 16, 2006, I wrote a letter to the local state representative in my jurisdiction requesting that he sponsor legislation to provide a legal procedure for inmates in a penal institution to plead guilty in absentia. Copy supplied.

On May 22, 2002, I wrote a letter to the deputy mayor of the City of Sherman requesting compliance with certain provisions of the Texas Open Meetings Act. Copy supplied.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.**

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of personal files and searches of publicly available electronic databases. I often speak about the work of my office, law enforcement issues, and public service. I frequently use the text of a speech from a prior event, speak without notes, or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may other materials I have been unable to identify, find, or remember. I have located the following:

September 25, 2017
Texoma Valley Boy Scouts Pack 7
Western Heights Church of Christ, Sherman, TX
Copy supplied.

January 21, 2017
Grayson County Mental Health Forum
Austin College, Wright Campus Center, Sherman, TX
Copy supplied.

July 8, 2016
Grayson County Police Academy Graduation
Grayson College, Center for Workplace Learning, Denison, TX
Copy supplied.

July 6, 2016
Sherman High School Business Law Class
Sherman High School, Sherman, TX
Copy supplied.

March 17, 2016
North Texas Crime Commission Legislative Panel Meeting
Rockwall County Courthouse, Rockwall, TX
Copy supplied.

October 27, 2014

Denison Professionals Lunch Group
Insurance agency, Denison, TX
Copy supplied.

October 21, 2014
North Texas Crime Commission Legislative Committee Meeting
Prestonwood Country Club, Plano TX
Copy supplied.

August 14, 2014
Hurricane Creek Rotary Club
Hurricane Creek Country Club, Anna, TX
Copy supplied.

July 19, 2014
Grayson County Police Academy Graduation
Grayson County College Center For Workplace Learning, Denison, TX
Copy supplied.

January 29, 2013
Grayson Rotary Club
Kelly's Restaurant, Sherman, TX
Copy supplied.

January 3, 2012
Sherman Rotary Club
Grandy's Restaurant, Sherman, TX
Copy supplied.

March 19, 2011
Grayson County Bar Association
Kelly's Restaurant, Sherman, TX
Copy supplied.

March 18, 2011
Denison Rotary Club
St. Luke's Episcopal Church, Denison, TX
Copy supplied.

July 21, 2010
North Texas Crime Commission Legislative Committee
Prestonwood Country Club, Plano, TX
Copy supplied.

June 21, 2010
Grayson County Republican Party Executive Committee

Grayson County Republican Headquarters, Sherman, TX
Copy supplied.

February 10, 2010
Grayson County Police Academy
Grayson County College, Denison, TX
Copy supplied.

July 8, 2009
Unknown group
Unknown location
Copy supplied.

February 25, 2009
Texas District and County Attorney's Association
Unknown location
Copy supplied.

August 9, 2008
North Texas Legal Assistants Association
Kelly's Restaurant, Sherman, TX
Copy supplied.

May 8, 2008
Van Alstyne Teen Council
Unknown location
Copy supplied.

November 29, 2007
Grayson County Bar Association
Kelly's Restaurant, Sherman, TX
Copy supplied.

August 2, 2006
Denison Kiwanis Club
Arlene's Restaurant, Denison, TX
Copy supplied.

October 28, 2005
Whitesboro Lions Club
Don's Barbeque Restaurant, Whitesboro, TX
Copy supplied.

July 18, 2005
Whitesboro Rotary Club
Unknown location

Copy supplied.

May 25, 2006
Unknown civic group
Unknown location
Copy supplied.

May 1, 2004
Grayson County Purple Heart Club
Unknown location
Copy supplied.

- e. **List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.**

As an elected district attorney for the past seventeen years, I have given many interviews with local television and print media. I have attempted to identify all responsive interviews and locate all responsive clips or transcripts. Despite these efforts, there may be other materials that I have been unable to identify. I have identified the following:

July 27, 2017
KXII Television
Criminal charges against Breanna Harmon
Interview found at: <https://youtu.be/z8Wdb0xbc0I>

August 21, 2016
The Herald-Democrat
Charity Basketball Game
Copy supplied.

January 18, 2016
North Texas Talks
2016 Election Campaign
Interview found at: <https://youtu.be/sLNfBo6e0g0>

December 30, 2013
The Herald-Democrat
Biographical interview
Copy supplied.

March 2013
Texas Monthly
Death penalty prosecution of Andre Thomas

Copy supplied.

November 28, 2012
The Herald-Democrat
Death of former U.S. District Judge Paul Brown
Copy supplied.

August 8, 2012
KXII television
Arrest of Randy Travis
Interview found at: <https://youtu.be/PxZVKPpeeSA>

November 10, 2011
The Herald-Democrat
My appointment to the Texas Juvenile Justice Department
Copy supplied.

Spring 2011
Dallas Morning News
2011 Texas criminal justice legislative priorities
Copy supplied.

September 3, 2009
The Herald-Democrat
My appointment to the Texas Youth Commission
Copy supplied.

August 8, 2008
The Dallas Morning News
Multiple fatality bus crash
Copy supplied.

2008
Sherman Today
Biographical article on 100 year old local lawyer
Copy supplied.

October, 2007
Info Magazine
Biographical Interview / Death Penalty Prosecution – Andre Thomas
Copy supplied.

October 22, 2006
The Herald Democrat
Retirement of U.S. District Judge Paul Brown
Copy supplied.

November 2006
Info Magazine
Enforcement of Driving While Intoxicated offenses
Copy supplied.

July 18, 2006
The Herald Democrat
Altercation between judge and television news reporter
Copy supplied.

July 16, 2006
The Herald-Democrat
Sentencing of local attorney
Copy supplied.

February 16, 2006
The Herald-Democrat
Appointment of new Assistant District Attorneys
Copy supplied.

September 29, 2005
The Dallas Morning News
State District Judge Laurine Blake
Copy supplied.

2005
The Herald Democrat
State District Judge Laurine Blake
Copy supplied.

February 20, 2005
The Herald Democrat
Prosecution costs of State of Texas v. Andre Thomas
Copy supplied.

January 14, 2005
The Dallas Morning News
Plea agreement negotiations in State of Texas v. Miroslaw Jozwiak
Copy supplied.

August 25, 2003
The Texas Lawyer
District Attorney's Office policies
Copy supplied.

March 13, 2003
The Herald Democrat
Changing the name of prosecutor's office from County Attorney to District Attorney
Copy supplied.

Unknown date, 2003
The Herald-Democrat
Charity fundraiser for Grayson County Children's Advocacy Center
Copy supplied.

2003
The Herald-Democrat
Methamphetamine enforcement legislation
Copy supplied.

July 28, 2002
The Herald-Democrat
Domestic violence prosecution
Copy supplied.

April 24, 2002
The Herald-Democrat
Civil litigation against Life Tech ambulance service
Copy supplied.

January 2001
The Herald-Democrat
My transition into the Grayson County Attorney's Office
Copy supplied.

13. **Public Office, Political Activities and Affiliations:**

- a. **List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.**

Grayson County Attorney, 2001 – 2004
Elected, office abolished 1/1/2005

Grayson County Criminal District Attorney, 2005 – present
Elected

Both of the above positions involved the same jurisdiction and duties.
The only substantive change was the name of the office.

Board Member, Texas Youth Commission, 2009.
Appointed by Texas Speaker of the House Tom Craddick.

Board Member, Texas Juvenile Justice Department, 2009-2014.
Appointed by Texas Governor Rick Perry.

Both of the above position involved the same responsibilities. In 2009, the Texas juvenile justice system was reorganized, and the governing board reformulated and renamed.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.**

I have been elected as a delegate to the state Republican Party convention on several occasions since 2000.

I was the local coordinator in Grayson County for the campaign of Greg Abbott for Attorney General of Texas in 2006.

I have supported and occasionally endorsed candidates in Grayson County over the last 16 years. These candidates include John Cornyn for United States Senate (2002, 2008, 2014), Ted Cruz for United States Senate (2012), Laurine Blake for 336th District Judge (2004), Larry Phillips for District 61 State Representative (2004-present), Craig Estes for State Senate (2002), Carol Siebman for Grayson County Court at Law Judge (2002, 2006, 2010), Keith Gary for Grayson County Sheriff (2006, 2014), Tim McGraw for Grayson County Judge (2006, 2010), Jim Cross for Grayson County Commissioner (2012), Trent Bass for Grayson County Judge (2014), Kelly Ashmore for District Clerk (2010).

14. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:**
- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;**

I have not served as a judicial law clerk.
 - ii. whether you practiced alone, and if so, the addresses and dates;**

The Law Office of Joseph D. Brown
115 S. Travis
Sherman, TX 75090
1999 – 2000

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.**

Cowles & Thompson, P.C.
901 Main St., #3900
Dallas, TX 75202
Associate Attorney, 1995 – 1999

The State of Texas
200 S. Crockett, Suite 116A
Sherman, TX 75090
Grayson County Attorney, 2001 – 2004
Criminal District Attorney of Grayson County, 2005 – present

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.**

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.**

From 1995 to 1999, as an associate attorney for the law firm of Cowles & Thompson, P.C., I represented clients, almost exclusively defendants, in civil litigation in the north Texas area.

In 1999, I returned to my hometown to run for election for the office of Grayson County Attorney. During the last part of 1999 and in 2000, I operated my own solo law practice handling a broad variety of civil and criminal matters while campaigning for office.

Since 2001, I have served as the elected chief prosecutor for Grayson County, Texas, handling criminal prosecutions of all levels and the civil representation of Grayson County. The position in which I serve changed names in 2005 from the Grayson County Attorney to the Criminal District Attorney of Grayson County. The duties and responsibilities did not

change.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

From 1995 to 1999, as an attorney for Cowles and Thompson, P.C., my typical clients were individuals and companies including doctors, nursing homes, apartment complexes, trucking companies, and individual motorists who were defendants in civil litigation. My representation of these clients was usually pursuant to an insurance policy held by the client.

During 1999 and 2000, while operating a solo law practice and running for office, I handled a broad variety of matters, mostly for individuals. I handled family law and employment law matters, represented defendants in criminal cases, and represented individuals in general civil litigation.

Since 2001, I have represented the State of Texas and Grayson County, Texas as the chief prosecutor and chief civil attorney for the County.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

i. Indicate the percentage of your practice in:

- 1. federal courts;**
- 2. state courts of record;**
- 3. other courts;**
- 4. administrative agencies**

From 1995 to 1999, as an attorney for Cowles & Thompson, P.C., I appeared in court occasionally:

- | | |
|------------------------------|-----|
| 1. federal courts | 5% |
| 2. state courts of record; | 85% |
| 3. other courts; (municipal) | 10% |
| 4. administrative agencies | 0% |

During 1999 and 2000, while operating a solo law practice, I appeared in court frequently:

- | | |
|------------------------------|-----|
| 1. federal courts | 10% |
| 2. state courts of record; | 75% |
| 3. other courts; (municipal) | 10% |
| 4. administrative agencies | 5% |

Since 2001, as the County Attorney and Criminal District Attorney of Grayson County, I have appeared in court occasionally:

- | | |
|------------------------------|------|
| 1. federal courts | 0% |
| 2. state courts of record; | 100% |
| 3. other courts; (municipal) | 0% |
| 4. administrative agencies | 0% |

ii. Indicate the percentage of your practice in:

- 1. civil proceedings;**
- 2. criminal proceedings.**

From 1995 to 1999, as an attorney for Cowles & Thompson, P.C

- | | |
|-------------------------|------|
| 1. civil proceedings; | 100% |
| 2. criminal proceedings | 0% |

During 1999 and 2000, while operating a solo law practice

- | | |
|-------------------------|-----|
| 1. civil proceedings; | 50% |
| 2. criminal proceedings | 50% |

Since 2001 as the County Attorney and Criminal District Attorney of Grayson County

- | | |
|-------------------------|-----|
| 1. civil proceedings; | 15% |
| 2. criminal proceedings | 85% |

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried 27 cases to verdict. In 15 cases I was the sole counsel. In nine cases I was lead counsel. In three cases, I was co-counsel. I have argued three cases in state appellate courts.

i. What percentage of these trials were:

- | | |
|---------------------|-------------|
| 1. jury; | 100% |
| 2. non-jury. | 0% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

15. Litigation: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. State of Texas v. Jimmy Ray Wallace (2016)
Cause #066170
397th District Court of Grayson County, The Honorable Judge Brian Gary

Co-Counsel: Hong-Oanh Hunt
200 S. Crockett, Sherman, TX 75090
(903) 813-4361

Opposing Counsel: Joe Smith
208 S. Elm, Sherman, TX 75090
(903) 813-4870

This case was a murder prosecution of a defendant who shot his girlfriend in a car during an argument while passing through Grayson County. The defendant lived in Central Texas, was a gang member, and had a history of violence against the victim. While driving through Sherman, the defendant followed an off-duty ambulance into a Wal-Mart parking lot and requested help for his girlfriend who was mortally wounded in the front seat with a gunshot wound to the head. The defendant told authorities that he was so high on alcohol and drugs that he cannot remember how his girlfriend was shot and only remembered hearing a bang while they were stopped at an unknown nearby location.

I served as lead counsel at trial, handling jury selection, opening statement, witness examination, and argument. The defendant was convicted and sentenced by jury to life in prison. The defendant's appeal is pending.

2. State of Texas v. Rickey Trent Stanley (2014)
Cause # 062945

397th District Court of Grayson County, The Honorable Judge Richard Mays sitting by special assignment.

Co-Counsel: Donnie Carter
200 S. Crockett, Sherman, TX 75090
(903) 813-4361

Opposing Counsel: Gaylon Riddels
201 S. Travis, Sherman, TX 75090
(817) 372-6022, (903) 893-2878

This was a murder prosecution of a defendant who, after previously being convicted of two DWI offenses and released on bond for a third offense, drove a vehicle through a traffic accident scene while intoxicated, striking and killing a Grayson County Sheriff's Deputy who was directing traffic. The defendant denied he was intoxicated and alleged that the accident was unavoidable due to the lighting conditions and the failures of law enforcement to provide adequate warnings at the scene. The defendant was convicted and a life sentence was assessed by a jury. My role was as first chair trial counsel, handling jury selection, opening statement, witness presentation, and argument. The defendant's direct appeal was denied. Stanley v. State, 470 S.W.3d 664 (Tex. App. 2015).

3. State of Texas v. Billy Wayne Holt (2013)

Cause #061513

59th District Court of Grayson County, The Honorable Judge Rayburn Nall

Co-counsel: None

Opposing Counsel: Robert T. Jarvis
123 W. Houston, Sherman, TX 75092
(903) 892-8500

This case involved a prosecution for charges of Theft Over \$200,000 and Misapplication of Fiduciary Property. The defendant, while holding a power of attorney over his elderly mother, stole and misapplied more than \$200,000 of estate assets. The victim's family reported the offense directly to the District Attorney's Office, and my investigator and I conducted the investigation of the offense, including multiple witness interviews and the acquisition of voluminous bank records. I retained and worked with a forensic accountant to develop a financial summary of the fraud. I was the lead and sole attorney at trial, presenting all aspects of the case. The defendant was convicted by a jury, but committed suicide prior to punishment verdict.

4. State of Texas v. Marvin Wayne Graves (2011)

Cause #059700

15th District Court of Grayson County, The Honorable Judge Jim Fallon

Co-Counsel: Joel Durrett (deceased)

Opposing Counsel: Joe Smith
208 S. Elm, Sherman, TX 75090
(903) 813-4870

This was a murder prosecution of defendant who shot and killed his estranged girlfriend at a local bar. The defendant claimed he acted involuntarily when a witness grabbed the weapon he was pointing at the victim. The defendant was convicted and sentenced to 90 years in prison by jury. My role was as first chair trial counsel, handling jury selection, opening statement, witness presentation, and argument. The defendant's conviction was affirmed on direct appeal. Graves v. State, 2012 WL 2106532 (Tex. App. 2012).

5. State of Texas v. Patricia Dunlap McMillion (2009)

Cause #057504

15th District Court of Grayson County, The Honorable Judge Jim Fallon

Co – Counsel: First Assistant District Attorney Kerye Ashmore
200 S. Crockett, Sherman TX 75090
(903) 813-4361

Opposing Counsel: Robert T. Jarvis
123 W. Houston, Sherman, TX 75092
(903) 892-8500

This case was a murder prosecution of defendant who shot her estranged husband and transported his body to the swamps of Louisiana. The victim was missing for several days before his body, which was damaged by animal activity, was discovered in a bayou. The victim's body was identified by the custom labeled orthotic inserts in his shoes. The defendant denied involvement. My office worked with the Texas Rangers to obtain incriminating phone records, and to obtain a recording of the defendant confessing to the crime in a surreptitiously recorded conversation with a relative of her boyfriend, who was a co-defendant in the case. The defendant was tried by jury, convicted, and sentenced to 80 years in prison. My role was as trial counsel in an active second chair capacity. including opening statement, presentation and cross examination of witnesses, and argument. The defendant's conviction was affirmed on direct appeal. McMillion v. State, 2011 WL 2028214 (Tex. App. 2011) and 2016 WL 145700 (Tex. App.2016).

6. State of Texas v. Douglas John Wise and Jason Edward Whitten (2008)

Cause #056215 and #056213

336th District Court of Grayson County, The Honorable Judge Laurine Blake

Co-counsel: Joel Durrett (deceased)

Opposing counsel (Defendant Whitten): Joey D. Fritts
303 W. Cherry, Sherman, TX 75090
(903) 870-0394

Opposing counsel (Defendant Wise): James Morris
100 N. Travis, Sherman, TX 75090
(903) 868-1995

This case involved two separate jury trials for co-defendants who had, while high on methamphetamine, broken into the neighboring house of a female college student and raped and confined her while burglarizing the home. Both defendants were convicted on multiple counts and sentenced by separate juries to life in prison. My role was as first chair trial counsel on both trials, conducting jury selection, opening statement, witness presentation, and argument. Defendant Whitten's direct appeal was denied. Whitten v. State, 2009 WL 2246128 (Tex. App. 2009). Defendant Wise's direct appeal was denied. Wise v. State, 2009 WL 2648389 (Tex. App. 2009).

7. State of Texas v. Andre Lee Thomas (2005)

Cause #051483

15th District Court of Grayson County, The Honorable Judge James R. Fry

Co-Counsel: Kerye Ashmore
200 S. Crockett, Sherman TX 75090
(903) 813-4361

Opposing Counsel: R. J. Hagood, (deceased)

This case involved a capital murder prosecution of a defendant who stabbed to death his wife and two young children. The defense claimed that the defendant was not guilty by reason of insanity, as evidenced by the bizarre and brutal nature of the crime. Testimony involved multiple mental health experts. The defendant was convicted, and the death penalty was assessed by the jury. The case remains on appeal.

My role was as trial counsel in an active second chair capacity including jury selection, opening statement, presentation of witnesses and argument. The defendant's conviction was affirmed on direct appeal by the Texas Court of Criminal Appeals. Thomas v. State, 2008 WL 4531976 (Tex. Crim. App. 2008). The defendant's post-conviction writs of habeas corpus were denied. Ex Parte Andre Lee Thomas, 2009 WL 693606 (Tex. Crim. App. 2009), Ex Parte Andre Lee Thomas, 2010 WL 1795738 (Tex. Crim. App. 2010), Thomas v. Director, 2016 WL 4988257 (E.D. Tex. 2016).

8. Lot 39, Section C, Northern Hills Subdivision, Grayson County, Texas v. State (2002)

Cause #99-1526

59th District Court of Grayson County, the Honorable Judge Rayburn Nall

Co-counsel: None

Opposing Counsel: David M. Stagner
108 N. Travis, Sherman, TX 75090
(903) 892-1048

This case involved the seizure and civil forfeiture of a house and land used in drug crimes. The trial judge awarded forfeiture of the property, and the property owner appealed to Court of Appeals, claiming that the Texas constitutional and statutory homestead exemption protected his property from forfeiture. The trial court's order of forfeiture occurred prior to my taking office. However, I handled the appeal, including the appellate brief and oral argument before the Court of Appeals. In a published opinion on a matter of first impression, the Court of Appeals upheld the forfeiture. Appellate opinion found at Lot 39, Section C, Northern Hills Subdivision, Grayson County, Texas v. State, 85 S.W.3d 429 (Tex. App. 2002) (pet. denied).

9. State of Texas v. Arthur Earl Papay (2002)

Cause #05-01-01124 in the 5th Court of Appeals, Dallas

Cause #046099 in the 59th District Court of Grayson County

The Honorable Judge Rayburn Nall

Co-counsel: Jodi Brown
2150 S. Central Expressway, #200
McKinney, TX 75070
(903) 267-2977

Opposing counsel: R.J. Hagood (deceased)

This was a prosecution of the defendant for Aggravated Sexual Assault of his 3-year-old daughter. The defendant was convicted at trial and sentenced to 60 years in prison. Upon the defendant's request, the trial court granted a new trial based upon ineffective assistance of counsel. The state appealed. I was lead counsel on appeal, writing the appellate brief and arguing before the Court of Appeals. The trial court's granting of a new trial was upheld by the Court of Appeals. State of Texas v. Papay, 2002 WL 176359 (Tex. App. 2002). The case was re-tried, and the defendant was again convicted and sentenced to 60 years in prison. The appellant's second conviction was affirmed on appeal. Papay v. State, 2003 WL 22862649 (Tex. App. 2004).

10. State of Texas v. Lester Leroy Bower (1984-2016)
Cause #033426, 033427, 033429
15th District Court of Grayson County, The Honorable Judge James R. Fry and
The Honorable Judge Jim Fallon

Co-Counsel: Karla Baugh Hackett
200 S. Crockett, Sherman TX 75090
(903) 813-4361

Opposing Counsel: Anthony Roth (deceased)

This case involved a capital murder prosecution of a defendant who shot four men to death in an airplane hangar during the theft of an ultralight aircraft. A jury assessed the death penalty in a 1984 trial, and the defendant's direct appeal was denied prior to my administration. I supervised the appellate process of defending this verdict through multiple state and federal writ claims over a 15 year period. During the appeals process, the defendant made claims of actual innocence, alleging that the victims had likely been killed in a drug deal gone wrong. The defendant requested post-conviction DNA testing and submitted an affidavit from a woman who alleged that she had heard her ex-boyfriend admit to the murders. The defendant's multiple post-conviction writs of habeas corpus were denied. Bower v. Stephens, 612 Fed. Appx. 748 (5th Cir. 2015), Bower v. Dredke, 145 Fed. Appx. 879 (5th Cir. 2005), Ex Parte Bower, 2014 WL 2601725 (Tex. Crim. App. 2014), Ex Parte Bower, 2012 WL 2133701 (Tex. Crim. App. 2012). The defendant was executed in 2016. In addition to supervising the appellate process, I personally handled local, regional, and national media relations.

- 16. Legal Activities: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)**

As Criminal District Attorney, over the past 17 years, I have personally conducted many grand jury investigations and supervised the prosecution of thousands of criminal cases. I have provided legal counsel to other county officials and managed Grayson County's civil litigation.

Soon after taking office in 2001, I organized a community-wide effort to create a Children's Advocacy Center in Grayson County. This charity, which opened in 2003, was established to provide coordination of the investigation, prosecution, and treatment of child abuse. I served as the first President of the board of directors, and have remained on the board of directors and active in the management of the center.

In 2006, during a time of significant jail overcrowding, I created a unit of special prosecutors focused on jail population reduction. This unit, made up of local attorneys who contracted with my office to serve as prosecutors part-time, successfully reduced the local jail population to a manageable level, saving millions of dollars, and was awarded a “Best Practices Outstanding Achievement Award” from the Texas Association of Counties Leadership Foundation.

From 2009 until 2014, I served as a board member of the Texas Youth Commission and the Texas Juvenile Justice Department. This state board is responsible for the administration of the state juvenile prison and probation system throughout Texas. I served as the chairman of the Safety and Security Sub-committee for the majority of my time on the board, which focused on facility safety and policies of the organization which protected the safety of youth and staff members.

In 2009, I implemented a program in Grayson County to provide the resources for, and to encourage law enforcement officers in Driving While Intoxicated cases to secure roadside search warrants to obtain blood samples of DWI suspects. This effort required the cooperation and coordination of local judges, hospitals, prosecutors, and officers, and has significantly improved the prosecution of DWI offenses.

In 2016, I organized and led the effort to create a Veterans’ Court to provide a specialized treatment and sentencing structure for United States Veterans with criminal cases related to psychological conditions resulting from their service.

- 17. Teaching: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.**

I have not taught courses at institutions of higher learning.

- 18. Deferred Income/ Future Benefits: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.**

As an elected state employee, I am a beneficiary of a state pension plan through the Employee Retirement System of Texas. Beginning in 2020, I will be eligible to begin receiving payment.

- 19. Outside Commitments During Service: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.**

None.

- 20. Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See my SF-278 as provided by the Office of Government Ethics.

- 21. Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached net worth statement.

- 22. Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In the event of a potential conflict of interest, I will consult with the ethics officials in the Executive Office for United States Attorneys, Department of Justice

- 23. Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Since 2008, as a deacon in my church of over 500 members, I oversee the church's

“Helping Hands” ministry, which provides help to church and community members needing assistance with physical needs in their homes, such as house repairs and yard upkeep. In this capacity, I helped in 2011 to organize a disaster relief ministry for the church which has sent teams of 20 to 40 people to approximately one dozen disaster sites, including relief work in Tuscaloosa, Alabama; Joplin, Missouri; Moore, Oklahoma; West, Texas; Center Point, Alabama; Canton, Texas, and the recent storm damage in south Texas due to Hurricane Harvey. I have travelled on a majority of these trips and coordinated the efforts. The time spent on these activities varies with the need, but averages approximately three to five hours per week.

In 2014, I began volunteering for the local Boy Scouts of America district. I served as the local “Friends of Scouting” Chairman in 2014 and 2015, overseeing the local fundraising effort for the Boy Scouts. In 2015, I was elected to the governing board of the regional Circle Ten Council of the Boy Scouts of America. These activities require three to five hours of work per month.

I have volunteered on the board of the Sherman Education Foundation since 2013, and currently serve as board president. In this capacity, I help to raise and spend funds in support of Sherman, Texas public school system. The funds raised provide school children with equipment, supplies, and experiences which are not funded through public funding sources. These activities require three to five hours of work per month.

Since 1999, I have been a member of the Sherman Kiwanis Club, serving at various times as a board member and president. As part of this service organization dedicated to “Serving the Children of the World”, I have volunteered at many fundraising activities, and since 2010 have served as the chairman of the club’s annual bicycle rally. These fundraising efforts support the club’s scholarships and charitable donations to local children’s charities. These activities require three to four hours of work per month.

AFFIDAVIT

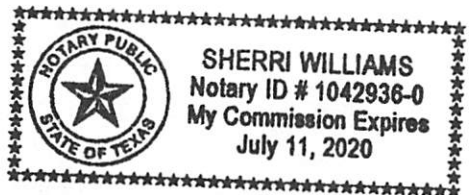
I, Joseph D. Brown, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

10/25/17

(DATE)

Joseph D Brown

(NAME)



Sherri Williams

(NOTARY)