

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Ryan Kelley Goeb Patrick
Ryan Kelley Goeb

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

Unites States Attorney for the Southern 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.

5051 Westheimer, Suite 1200
Houston, TX 77081

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

1979; Washington, D.C.

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.

South Texas College of Law Houston, J.D. May 2006 (attended January 2004 to May 2006)

Baylor University, B.B.A. May 2001 (attended August 1997 to May 2001)

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

HooverSlovacek, LLP
5051 Westheimer, Suite 1200
Houston, TX 77081
Senior Counsel
4/2017 – present

Law Office of Ryan Patrick, PLLC
PO Box 572
Houston, TX 77001
Sole Practitioner
1/2017 – present

District Court Judge
177th District Court
1201 Franklin, 7th Floor
Houston, TX 77002
Adult Probation Committee 2014 – 2016
Justice Information Management Systems Chair 2013 – 2016
9/2012 – 12/2016

Harris County District Attorney's Office
1201 Franklin, 6th Floor
Houston, TX 77002
Assistant District Attorney
Major Offenders Division 2010 – 2012
Vehicle Crimes Section 2008 – 2009 (on call duty 2008 – 2011)
Felony Trial Bureau 2007 – 2008, 2010
Misdemeanor Trial Bureau 2006 – 2007
Welfare Fraud Intern 2005
1/2005 – 9/2012

KSEV Radio
11451 Katy Freeway, Suite 215
Houston, Texas 77079
Substitute Host/Substitute Producer
5/1997 – 11/2006

Harris County Republican Party
7232 Wynnwood Lane
Houston, TX 77008
Political Director
4/2002 – 1/2004

Dr. Kyle Janek for State Senate
Houston, TX

Campaign Aide
(no longer exists)
11/2001 – 3/2002

NONCOMPENSATED

Orlando Sanchez for Mayor
Houston, TX
(no longer exists)
Campaign Aide
5/2001 – 11/2001

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.

Three awards from M.A.D.D. for drunk driving prosecutions, 2009 – 2011
Order of the Barristers, 2006

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.

Houston Bar Association, Member, 2006 – present

Houston Young Lawyers Association, Member, 2006 – present

Galveston Bar Association, Member, 2013 – Present

Texas Center for the Judiciary, Member, 2012 – 2016

National Judicial College, Member, 2012 – 2016

American Judges Association, Member, 2012 – 2016

Christian Legal Society, Member, 2012 – 2016

Texas District and County Attorneys Association, Member, 2006 – 2012

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 November 2006 (no lapses 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.

Southern District of Texas District/Bankruptcy Courts, admitted January 2017 (no lapses in membership)

Texas State Courts, admitted November 2006 (no lapses in membership)

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.

The Federalist Society

Member approximately 2012 – present

Downtown Houston Pachyderm Club

Member approximately 2011 – 2016

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.

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.

The following is a list of works that I authored or co-authored unless otherwise noted. I have done my best to identify all responsive published material, including through a thorough review of my personal files and searches of publicly available electronic databases. Despite these efforts, there might be other materials that I have been unable to identify, locate, or remember.

Sewage Liability, a Messy Business. Abode Magazine, September 2017. Copy supplied.

DWI: McNeely & Waiting On Villarreal, State Bar of Texas 41st Annual Advanced Criminal Law Course, July 2015. 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.

I have done my best to identify any reports, memoranda, or policy statements I prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I have not located anything responsive to the question.

- 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:

Testimony before the Texas Senate Criminal Justice Committee in my capacity as former Assistant District Attorney on prosecuting opioid cases in Texas, October 30, 2012. Video located at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=11&clip_id=956

- 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 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 be other materials I have been unable to identify, find, or remember. I have not located any records responsive to this question.

- 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 Assistant District Attorney, I frequently gave interviews about cases and law enforcement matters to newspapers and other local media. I have sought to identify all responsive interviews and locate all responsive clips or transcripts. Despite my efforts, there may be other materials that I have been unable to identify. I have located the following:

Pokemon No Go: How Lawyers Are Spoiling The Fun With the World's Latest Craze, Law360.com, July 22, 2016. Copy supplied.

Taylor Mania Snarls Downtown Traffic, Disrupts Courts, Houston Chronicle, September 9, 2015. Copy supplied.

Patrick's Son to Swear Him in as Lieutenant Governor, Houston Chronicle, January 19, 2015. Copy supplied.

Democrat Judges Elected With Obama May Soon Be Ousted, Houston Chronicle, September 30, 2012. Copy supplied.

Accused dealer, 68, Tied to 'Doctor Shopping' for Pills, Houston Chronicle, June 22, 2012. Copy supplied.

Man Accused of Fraudulently Obtaining 10,000 Pills in Three Months, Houston Chronicle, May 16, 2012. Copy supplied.

New Law Puts Heat on Doctor Shoppers, Houston Chronicle, March 18, 2012. Copy supplied.

Growth Hormone Bust in Kingwood a First for the Area, Houston Chronicle, February 7, 2012. Copy supplied.

2 Charged With Fraud in Separate Pill Mill Cases, Houston Chronicle, January 18, 2012. Copy supplied.

13 Charged in Crackdown on Pill Mill Clinics, Houston Chronicle, October 13, 2011. Copy supplied.

Trio Accused in 'Pill Mill' Kept Jobs Despite Earlier Allegations, Houston Chronicle, April 1, 2011. Copy supplied.

Doc Conspired With Clinics on Illegal Pain Pills, Feds Say, Houston Chronicle, March 30, 2011. Copy supplied.

Suspect Had Four Prior Drunken-Driving Convictions, Houston Chronicle, February 27, 2009. Copy supplied.

Prosecutor: Driver in Fatal Harris Crash Had Triple Legal Limit, Houston Chronicle, January 5, 2009. 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.

I was a local precinct chair, appointed by the local Republican Party

Executive Committee, in approximately 2006. I also had responsibility for running my precinct's 2006 primary election.

- 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.

Harris County Republican Party

I was the Political Director. I primarily supervised the hundreds of precinct chairs and organized the quarterly meetings.

3/2012 – 1/2014

Dr. Kyle Janek for Texas Senate

Campaign aide that generally coordinated voter contact by block walking and hosting events.

12/2012 – 3/2012

Orlando Sanchez for Mayor (Houston)

Body man/campaign aide for candidate

5/2011 – 12/2011

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;

I practice indigent felony criminal defense as a solo practitioner since January 2017 at 5051 Westheimer, Suite 1200, Houston, TX 77081.
 - 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.

HooverSlovacek, LLP

5051 Westheimer, Suite 1200

Houston, TX 77081

Senior Counsel
4/2017 – present

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PO Box 572
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Felony Trial Bureau 2007 – 2008, 2010
Misdemeanor Trial Bureau 2006 – 2007
Welfare Fraud Intern 2005
1/2005 – 9/2012

- 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 2006 to 2012, I was an Assistant District Attorney in Harris County. I handled cases from traffic tickets to capital murders. For approximately the first year in the office, I handled cases in traffic court and misdemeanor cases.

In the felony trial bureau on and off from 2008 to 2010, I handled

every conceivable felony offense from drug cases to murder cases. In this position I was in court daily and trial once a month or more. In 2009, I was assigned to the Vehicle Crimes Division. In this position I investigated, charged and tried vehicle fatality cases and helped coordinate DWI blood draw "no refusal" weekends with local police departments. From 2009 to 2012, I was also a volunteer to be the on call prosecutor with Vehicle Crimes. On call 24 hours day, local law enforcement would call with case specific questions. Additionally, I would go to the site of fatality crashes and begin the investigation at the scene with the officers, advising on evidence collection, search warrants and charging decisions.

From 2011 to 2012, I was assigned to the Major Offenders Division of the Special Crimes Bureau. Here I primarily handled large-scale drug investigations and prosecutions. I was also the head of the District Attorney's fight of prescription drug diversion.

I became a District Court judge on September 10, 2012. Until January 31, 2016, I was the presiding judge over a state district court. My docket was 100% felony criminal cases.

Since January 1, 2017, I have been in private practice. Nearly all of my practice is devoted to felony criminal representation.

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

From 2006 to 2012, I represented the State of Texas. From 2012 to 2016, I was a District Court judge. Since January 2017, I primarily represent indigent felony clients.

- 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.

Regarding the following, I appeared in court on a daily basis as a prosecutor and near daily basis in private practice.

- i. Indicate the percentage of your practice in:
 - 1. federal courts; 0%
 - 2. state courts of record; 100%
 - 3. other courts; 0%
 - 4. administrative agencies 0%

ii. Indicate the percentage of your practice in:

1. civil proceedings; 2%
2. criminal proceedings. 98%

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.

As an assistant district attorney, I tried 49 cases to verdict, all as primary or sole counsel.

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.

None

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. Burdine

1232631

The Honorable Susan Brown, 185th District Court

Date of Representation: 2011

Co-Counsel: None

Opposing Counsel: Jimmy Phillips
515 N. Velasco Street
Angleton, TX 77515
979-849-8511

Based on the probable cause of the case, it was initially filed as a Capital Murder. However, I tried it as a first degree Murder because under the law in 1985, the state was unable to make a death/non-death election; the jury would have to be death qualified and that was not a realistic or equitable outcome. I was the sole prosecutor on the case from its pretrial stage through the verdict. A jury sentenced the defendant to life in prison. He did not appeal.

2) State of Texas v. Omoruyi

1277536, 1220072 01-10-00545-CR not designated for publication
The Honorable Hazel Jones, then of the 338th District Court
Date of Representation: 2010

Co-Counsel: None

Opposing Counsel: Emmanuel Nwuli
6420 Hillcroft #205
Houston, TX 77081
713-981-9494

The defendant was arrested with a 14-year-old runaway after it was determined that the defendant was her pimp. The defendant ran a fairly complex organization of girls, including legitimate cover jobs. The defendant's own statements that were contradictory and his insistence that the runaway was older than she really was contributed to his conviction. The jury sentenced him to 12 years on the charge of Compelling Prostitution of a Minor, and he later plead guilty to a charge of Aggravated Sexual Assault of a Child after the jury initially hung on that charge. The conviction was upheld on appeal by the Texas 1st Court of Appeals.

3) State of Texas v. Ryan

1177027, 1177028 01-10-00138-CR not designated for publication
The Honorable Hazel Jones, then of the 338th District Court
Date of Representation: 2010

Co-Counsel: None

Opposing Counsel: Mark Hochglaupe
917 Franklin
Houston, TX 77002

713-228-0034

The defendant and a codefendant were charged with Aggravated Sexual Assault and Aggravated Kidnapping. The defendants picked up the victim and her friend, offering to give them a ride. The defendants then pulled a gun and forced the victim to perform oral sex. The victim's friend began to have a panic attack, and they left her on the side of the road near a factory where she called police and gave a plate number and description. The defendants then took the victim to an empty house where they sexually assaulted her multiple times during the night before dropping her off at a tow truck lot in an industrial part of town.

From charge to trial, I handled all aspects of the case, including locating one of the victims out of town. Additionally, under Texas law, a jury can reduce the charged offense if they find a victim was released in a "safe place". The jury rejected that argument from the defense. A jury convicted and sentenced the defendants to 12 years and 5 years in prison respectively. The Texas 1st Court of Appeals upheld the conviction on appeal.

4) State of Texas v. Boyance

1161348 01-10-00089-CR not designated for publication
The Honorable Hazel Jones, then of the 338th District Court
Date of Representation: 2010

Co-Counsel: None

Opposing Counsel: Joe Owmbly
405 Main Street #809
Houston, TX 77002
713-984-4877

The defendant was charged with the murder of his girlfriend. The defendant committed the murder in front of two of the victim's four children, with the eight-year-old daughter pretending to be asleep during most of the fight. The eight-year-old later drew a picture of the attack at the police station and the admission of this drawing was the sole issue on appeal.

At trial, and on appeal, the defense primarily argued that the drawing by the girl was an out of court statement and was overly prejudicial. However, at trial, once the defense aggressively questioned the young girl about her recollection, the trial court and appellate court agreed that not only was the evidence admissible, but it also constituted a prior consistent statement and the defense opened the door to its admission.

Finding the defendant guilty, the jury sentenced the defendant to 50 years in prison. The conviction was upheld on appeal by the Texas 1st Court of Appeals.

5) State of Texas v. Benevides

1225222, 1225223 14-10-00768-CR not designated for publication
The Honorable Hazel Jones, then of the 338th District Court
Date of Representation: 2010

Co-Counsel: None

Opposing Counsel: Rick Gonzales
8878 Gulf Freeway #420
Houston, TX 77017
713-429-1971

The defendant was charged with Aggravated Sexual Assault of a Child and Indecency with a Child after allegedly assaulting his niece for years. The girl's two half-brothers were also investigated but because they were minors at the time, and the investigation took too long to conclude once they were adults, Texas juvenile law did not allow their prosecution. The judge sentenced the defendant to two 20-year sentences.

On appeal, a key issue was the fact the two half-brothers were not charged. The defense asked the jury to question why I was prosecuting the uncle and not the two half-brothers for the same allegations. In rebuttal, I called the juvenile intake prosecutor who testified to the relevant timelines for investigations of minors once they became adults, and the statutory bar to prosecution that uniquely applied in this case. The conviction was upheld on appeal by the Texas 14th Court of Appeals.

6) State of Texas v. Wyatt

1182847, 1182848, 1182895, 1185370, 1177028 14-10-00872-CR not designated for publication
The Honorable Hazel Jones, then of the 338th District Court
Date of Representation: 2010

Co-Counsel: None

Opposing Counsel: Joe Varela
2500 E TC Jester #247
Houston, TX 77008
713-957-0440

The defendant carjacked the victim in a shopping center parking lot. A few days later, a DWI patrol unit saw the car speeding and was told by dispatch the car was stolen. A high-speed chase ensued. After 20 minutes of chase, the defendant

bailed out of the car and ran into his girlfriend's apartment where he briefly took her hostage, smoked a gram of crack, and then pretended to be asleep in bed. The jury sentenced the defendant to sentences of 10, 20, 20 and 75 years for Possession of a Controlled Substance, Evading Arrest in a Motor Vehicle, Unauthorized Use of a Motor Vehicle and Aggravated Robbery.

A main point on appeal was testimony of a similar robbery at sentencing. The jury heard from another victim who, while she could not make an identification, was carjacked in the same manner, with the same language, from the same parking lot a few days prior. Items from her car and other similar robberies were found in the apartment. The judge initially ruled that the prosecution had not made a case that this additional robbery was admissible. During a break in the trial right after her ruling, I found case law that directly contradicted the Judge's ruling and made the case that the value of the items the victim identified as hers was probable cause for petty theft and thus admissible. The appellate court agreed. The conviction was upheld on appeal by the Texas 14th Court of Appeals.

7) State of Texas v. Burns

1226943, 01-10-00986-CR not designated for publication
The Honorable Hazel Jones, then of the 338th District Court
Date of Representation: 2010

Co-Counsel: Samantha Knecht
Harris County DA
1201 Franklin, 6th floor
713-755-5800

Opposing Counsel: Steven Greenlee
4303 Whippoorwill
Missouri City, TX 77459
832-443-6294

The victim was a drug dealer in south Houston. The defendant was living in a room of the victim's house when they got into an argument over a missing crack rock. The defendant picked up an axe and struck the victim in the head from behind while he was sitting on the couch. The defendant then continued to strike the victim's head with the axe with at least 11 swings of the handle. Finding him guilty of murder, a jury sentenced the defendant to 45 years in prison. The conviction was upheld on appeal by the Texas 1st Court of Appeals.

8) State of Texas v. Wilson

1181380, 14-09-00731-CR not designated for publication
The Honorable Susan Brown, 185th District Court
Date of Representation: 2009

Co-Counsel: None

Opposing Counsel: Dorian Cotlar
9219 Katy Freeway, #200
Houston, TX 77024
713-236-0717

The defendant was leaving an Astros game when he struck and killed a state transportation worker with his car. The defendant had a blood alcohol content over the legal limit. The defendant had a prior drunk driving conviction from New Mexico and a Public Intoxication charge locally. Convicted of Intoxication Manslaughter, a jury sentenced him to 15 years in prison.

Proving the prior offenses was the issue most contested on appeal. The prosecution used the front page of the local paper from 1994 we received from the local library to prove the prior offense from New Mexico. For the Public Intoxication charge, the arresting officer was able to recall the defendant from memory. The defendant was known to travel with many dogs, and the officer remembered having to corral and secure the dogs when animal control was unavailable. The conviction was upheld on appeal by the Texas 14th Court of Appeals.

9) State of Texas v. Price

1243463, 01-09-01082-CR not designated for publication
The Honorable Mike Anderson (deceased), 262nd District Court
Date of Representation: 2009

Co-Counsel: Todd Keagle
United States Attorney's Office
111 Broadway
Del Rio, TX 78840
830-703-2025

Opposing Counsel: Dan Hennigan
140 Bayou Bend
League City, TX 77573
281-333-2933

The defendant, on parole for his fourth DWI, struck head-on and killed the victim on a two-lane road. The defendant had high levels of soma, and hydro-codeine in his system. The victim also had alcohol in his system but was under the legal limit. Under Texas law, the defendant was charged with Felony Murder. A third DWI, let alone a fifth, is a felony.

The evidence was straightforward, but it was important to make sure the jury did not think the prosecution was overreaching. Additionally, the jury did learn that the victim had been drinking too. Clear eyewitness testimony and hours of jail phone calls from the defendant to his mother talking about the case, including about his own intoxication, derogatory comments about the deceased and the judge, prevented any plausible alternate theory from influencing the jury.

A jury found the defendant guilty of Murder, and the judge sentenced the defendant to life in prison. The conviction was upheld on appeal by the Texas 1st Court of Appeals.

10) State of Texas v. Hatcher

11344130, 14-08-00661-CR not designated for publication
The Honorable Susan Brown, 185th District Court
Date of Representation: 2008

Co-Counsel: Colleen Barnett
Harris County DA
1201 Franklin, 6th floor
713-755-5800

Opposing Counsel: James Simms
440 Louisiana #900
Houston, TX 77002
713-521-3000

The defendant, who was already an inmate in the Harris County Jail, assaulted multiple jailers and deputies by squirting urine and feces from his cell door pan hole with a shampoo bottle. The defense made a claim of not guilty by reason of insanity, but multiple state doctors testified that the defendant was malingering.

On cross-examination, the defense expert did not know the Texas definition of criminal insanity and admitted to only seeing the defendant once shortly before trial. He also agreed with the prosecution's theory of the case that assaulting jailers the way the defendant did was not something an "insane" person would do, but was one of the few ways he could attack the jailers without access to any other weapons.

A jury convicted the defendant of Assault of a Public Servant and sentenced him to 53 years in prison. The conviction was upheld on appeal by the Texas 14th Court of Appeals.

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.)

My work as the lead prosecutor in prescription drug diversion and with the Vehicle Crimes Division are the two most significant areas I have pursued.

While assigned to Major Offenders, I was the lead state prosecutor focusing on pill mills and doctor shopping in the Houston area. Along with the DEA, I directed the Texas Medical Board, Texas Board of Pharmacy, Texas Nursing Board, and local police in investigating, criminally charging and administratively sanctioning doctors, pharmacies and drug crews.

Working with Vehicle Crimes, I was an on call resource and appeared at dozens of scenes in fatal crashes, many times more than one per night. Harris County was one of the first jurisdictions in the country to have specially trained on call prosecutors able to assist at the scene and over the phone in real time. Too often the responding officers lacked specific crash reconstruction training. Crash reconstruction investigators would then be unable to do their job after the crash. Additionally, the laws regarding blood draws were quickly evolving, and prosecutors were there to make sure protocols were followed. For crashes blocking main roads, the fire department was often quick to move evidence and hose the roadway, making complicated evidence scenes worse. For many of the cases, I worked on them from the time of the incident through the plea or trial. These complex cases often required on-location grand jury subpoenas and search warrants.

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.

None.

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.

None.

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.

No.

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.

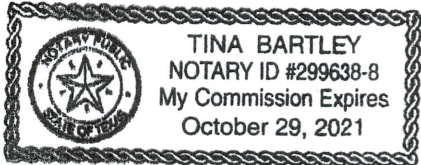
Until January 2017, my entire legal career has been devoted to public service and much of my work benefited disadvantaged persons. As a judge, Texas ethics cannons did not permit any outside pro bono work. However, I have judged multiple mock trial tournaments, often making my courtroom available, and in private practice working at reduced or no rates for some family law ad litem work.

AFFIDAVIT

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

10/25/17
(DATE)

[Signature]
(NAME)



Tina Bartley
(NOTARY)