I am going to take the risk of stating that I already know what the Associate Judge's ruling on Chad Pinkerton's motion for sanctions, first amended motion for sanctions, supplemental and second supplemental motion for sanctions and nearly 70 exhibits—will be. Guilt, because the right standard of "presumed innocent" and "presumed to have acted in good faith" was not applied. Guilty because the Associate Judge decided I as guilty before hearing the evidence, but only considering Chad Pinkerton's one sided, dishonest twisting of my words on the record, which he admits, stating his job is to twist and distort.

I will invoke my right to appeal.

The primary basis for my appeal?

Failure to apply the appropriate standard – presumption of good faith, which I never got, but instead, the associate judge said (off record) that the standard he would use would be what a reasonably prudent attorney would have thought, rather than what I would have thought. He is applying the standard of negligence, which is not sufficient for sanctions, rather than something more, to my behavior.

I will not use the associate judge's name because I believe in the utmost integrity of the judicial process and esteemed judges sitting on the bench. I just don't believe in judicial infallibility or the idea that a slick trial lawyer cannot deceive a judge through subtle means that go almost undetected—judicial slights of hand, a lack of true candor to the court.

Chad Pinkerton mocks a judge openly on Youtube for daring to hold him in contempt—which he did not refer himself to the Bar for, while having the audacity to somehow stitch together a knowing falsity that I accused the court of conspiring with his associate, something I would never do and have not done in 19 years. I further dispute that I have ever done anything to merit sanctions, whether the slick lawyer was able to convince the court to assess the same, as Pinkerton appears to have done in this case.

Pinkerton accuses me of making threats to achieve an advantage in a civil proceeding while driving me out of a case to leave my client without legal representation—all to win because he has only "lost" a case three times in his lifetime. I did not once

have the advantage nor did I view my actions likely to bring anything remotely nearing an advantage, but simply to try to level the playing field by exposing the lies, not knowing I never had a prayer of accomplishing this. Our judges are overworked and I understand being overwhelmed more than most Health problems have plagued me from time to time in my career, hindering my effectiveness as a lawyer. In this case, the constant ambushes and lack of notice combined with the frustration of enduring what I believed was forum shopping all the while I am called a "crazy attorney" even by the Associate Judge—for believing in such a ludicrous proposition.

I received no presumption of good faith; rather, I was required during the case and sanctions hearing to provide "substantial evidence" to prove my statements were true, rather than sufficient evidence to prove I had a foundation for believing what I did. My conduct was viewed in hindsight after both judges had ruled rather than from the snapshot in time in what I did believe at the time.

Aware that the associate judge made his decision long before I even filed a response, I simply gave up and resigned myself to the question of what my punishment would be--before the hearing began, weary of having to fight the same uphill battle once more under circumstances that suggested I was damned no matter what I did.

Even if I had sufficient time to gather the key evidence among the 2 feet high papers we had drafted, my counsel did not. I do not believe she appreciated how overwhelmed I was until she felt the same way, overwhelmed to complete the task in the time allotted.

The associate judge became increasingly irritated when I asked for additional time to secure an attorney or allow my attorney to be ready, when there was no emergency that mandated we go forward in the middle of my client's case. I complained at the first hearing that I felt ambushed and this feeling never truly subsided because Chad Pinkerton was rushing the court to judgment based upon trash rather than evidence, which presumed my guilt and exposed the court to inadmissible, prejudicial minutia on Facebook and a blog published by an unknown author slandering me—while I was prevented from even having a carefully put together affidavit from being considered.

I was not afforded the same loose standard of admissibility that Chad Pinkerton was and my conclusion was The Associate Judge was inappropriately influenced by the shock and awe tactics of Pinkerton which he knew were inappropriate and not properly introduced into the record. When I confronted Pinkerton about legitimate

“contempt” he describes being threatened with and/or found in by Judge Stephen Baker --our Associate Judge in Galveston, who allegedly treated him like a 5 year old, stating that he stood up as the court ordered him to sit down because he “stands up” for his clients—which is itself an offensive violation of the Bar Rules. This Youtube video , suddenly revealed to me his motive in spending $50,000 only to get the Galveston case transferred to Harris County.

He blew up in rage when I mentioned it in Court, all the while putting forth an overwhelming pile of defamatory statements which should never have been allowed into evidence and bringing up irrelevant information about my attorney to further prejudice the proceeding. After I stated that his associate engaged in gaslighting, he gave the court evidence of it!

The entire proceeding was supposed to be his burden of proof, but it became my burden, as if a presumption of bad faith (looking in hindsight) was the standard by which my conduct was consistently measured. Pinkerton never proved his burden but relied on distorting my words, twisting my statements in emails that he solicited concerning bad conduct or of his client—to suggest I defamed his associate or client, while at the same time stating that he was not asserting a civil cause of action for defamation to avoid providing the requisite level of proof. He even admitted that he was twisting my statements and attempting to paint me in a box, when I stated that he was doing it. This suggested a lack of candor, all the while he denied that his associate engaged in judicial slights of hand. Strong language, yes. False, no.

I have never been in a court case with as sensitive and desperate of needs as this one, where every attempt to introduce legitimate evidence is rebuffed because it is not substantial enough to even allow my witnesses to talk. When my process server took the stand, the associate judge inquired as to what he was going to say before just letting him say it and evaluating what he said. He so intimidated the other process server, the man backed off of stating that My opposing counsel lied to him, choosing the safe path of stating that he had made a mistake as to what The opposing counsel said.

I could feel hesitation to even come testify, but managed to get Andy Garza to show up anyway. I somehow knew that before the day was over, he would recant his statement and I would look bad in some way, when I had Mr. Garza sign an affidavit as to what he observed and what My opposing counsel said (she did not know where her client lived, when she put on an entire case about where he lived 2 weeks earlier which contradicted this)—suddenly was beyond his ability to recall.

I purposefully did not speak to Mr. Garza about his statement but took it in good faith and avoided contact (as relied to me by Mr. Wayne Echelmeyer) to avoid the appearance of impropriety. I honestly did not believe he would appear without a subpoena, but I gave him that choice, only to hear him say that he did not have his glasses on when he signed the affidavit, such that he signed the affidavit without even knowing its contents. Why would I presume anyone would swear to an affidavit that they had no even read or asked someone to read to them? I came out looking bad when I did not ever misrepresent anything to the Court.

My opposing counsel was always given the benefit of the doubt while I was given the task of providing substantial evidence of good faith, which is not the standard to which an attorney is to be held in assessing the propriety of awarding sanctions. I was given the impossible task of proving good faith after the fact according to what a reasonable attorney should have thought by the time the evidence was closed and two courts had made their decision.

The Associate Judge stated on the record that "two courts" had ruled upon the venue issue and asked whether I continued to take issue with the ruling. I suppose on some level, I can't shake the feeling that evidence was not considered by the Court because the Court did not find it substantial enough to even allow it in the record. At a hearing objecting to my motion for leave to file photographs under TRE 107, I had ten minutes to finds substantial evidence to justify him opening the evidence again, consisting of date stamped photographs that contradicted a calendar made the grandmother, and found two photographs in ten minutes. The entire basis of my motion for leave for additional time was that I did not have time to complete the task and the associate judge held that two photographs was not substantial enough to consider.

I knew before the hearing even started that I had been found guilty and it was a matter of what my punishment was going to be. Punitive damages are necessarily based on bad faith--the jury is shielded from considering other bad acts to prove habit or routine practice on the time in question. It is only during the damages phase that the jury is given evidence of habit or routine practice to establish damages, not liability.

Chad Pinkerton used prior court sanctions that I continue to maintain were unjust and have appealed--to convince the associate judge without even the benefit of a trial—that I was guilty of the acts complained of, rather than first proving that I acted in bad faith and then, asking the court to fashion an appropriate sanction based upon a pattern of conduct that shows measures are required to motivate deterrence.

So, what was so slanderous and defamatory for me to introduce a youtube video he put on the internet for the world to see, of him bragging of being held in contempt for standing and refusing to sit before A judge? It was not false, but rather, true and it is a clear violation of the ethics rules, but somehow slander to Pinkerton, when the definition of slander requires that a matter be false and I have a privilege to defame under the litigation privilege, such that I cannot be held civilly liable for damages. My counsel argued that Chad Pinkerton was using a round about method of suing me for a cause of action he could not maintain to get relief he should not have been awarded. She was mocked for it.

Pinkerton never established a causal nexus between my conduct and the administration of justice under TransAmerican Petroleum but instead, simply said that my conduct caused $30,000 in attorneys' fees, the bulk of the $50,000 incurred in the case to lodge a venue WAR, simply because he wanted vengeance for my daring to tell the court my opposing counsel was showing a lack of candor to the court.

My opposing counsel and Chad Pinkerton both did this, yet I was the one to humbly admit that I should not have used such strong words and could tell that unless I openly poured out a contrite heart and that I was sorry for what I had done, I was going to be sanctioned all the more harshly. I determined by the time the hearing began that unless I just admitted fault, my punishment would be stronger.

God gives grace to the humble and opposes the Proud. I still know that God is a righteous judge and I am relieved that he cannot be misled. To be clear, I am not alleging the judge did anything wrong, because I know that Chad Pinkerton will twist plain English and allege otherwise. I am alleging that Chad Pinkerton did the same thing he associate seems to have done that I couldn't prove—demonstrated a lack of candor to the Court.

How can one person accuse a judge of conspiring to do something with the opposing counsel while at the same time, committing fraud on the Court? Isn't it true that a judge cannot conspire with someone who is deceiving them? Isn't the accusation of fraud on the court an implicit suggestion that the court did not know they were being lied to? Yet, somehow I can be guilty of saying both at the same time?.

I knew that convincing the court that I acted with the good faith belief that my counsel was deceiving the court and presenting perjured testimony (again strong words, which became stronger with each mocking gesture my opposing counsel used

to show me she was above the law, including laughing, giggling and gesturing to her client, who mouthed obscenities to get my client off task and make her intimidated to the point of being unable to testify)—was an impossible task, so I folded my cards and chose humility to avoid greater wrath that would occur when I did not show remorse. I knew before the hearing that Pinkerton had so prejudiced the court with inadmissible slander that I did not have a prayer, so I did the thing any reasonable attorney would do, whether I felt I had done anything wrong or not. I just decided to take my lashes

I never acted in bad faith and The Associate Judge did not even examine my evidence before his mind was irretrievably made. He continued to demand evidence, but regardless of what I brought forth, it was not substantial enough. I have never been in any court proceeding where eyewitness testimony was not afforded some weight even if negligible, but in this case it was the defining characteristic.

I was put in the impossible bind of proving by substantial evidence that My opposing counsel did not commit a crime all the while I complained of being ambushed by her lack of or insufficient notice, causing me to make mistakes I never would have made if given sufficient time to respond. I was told I had no evidence but not given a reasonable opportunity to defend myself with that very evidence.

This case involved a flurry of pleadings that I had no idea were coming whereas my opposing counsel spent one month+ getting situated to ambush me--requiring me to stay up 72 hours just to respond, where the sleep deprivation itself would cause anyone to commit mistakes. Then despite my pleas of ambush, I would be picked apart by the mistakes caused by the ambush that were largely unavoidable.

The associate judge said he did not want me to feel ambushed and gave 24-48 hour extensions to go through 10,000 photographs and date stamp them for comparison with a witness' two years of preparation of a calendar designed to falsely suggest that my client did not have custody of her children, when everyone knew that was false. At least that's what this reasonable attorney believes.

When I brought forth the evidence, it was not permitted to even be admitted because it was deemed not substantial enough. Although the court signed an order striking my pleading which eliminated the damage they allege occurred to My opposing counsel's reputation, everyone in the room denied the order was signed and I know I saw it with my own eyes because it's in my file.

I was expected to know that "reside" with a child of which you have actual possession DOES NOT MEAN ACTUAL POSSESSION OF THAT CHILD, BUT INCLUDES YOUR AGENT HAVING ACTUAL POSSESION, when possession by the parent in Harris County was a prerequisite to venue Existing, when most of the caselaw doesn't even discuss venue disputes between counties but different states. Not once was a case referred to by My opposing counsel or Pinkerton suggesting that reside with a child of which you have actual possession included situations where you did not actually have actual possession of a child. I was using plain English, rather than a definition that certainly appeared to be the opposite of having actual possession in Harris County—constructive possession. The cases say a constructive residence is not enough and that's what less than actual possession kind of looks like, but not today.

I was intimidated by off the record comments that my statements were crazy and if he were me, I should would do whatever it takes to settle the matter, and suggestions that judgment had already been pronounced so I should tread lightly, while my opposing counsel was on a witch hunt in return for "not knowing who he is" and unwilling to accept an apology because that was not what he had in mind, but vengeance. I know Judges do not like discord among attorneys and do not want allegations that they lied on the record, but my duty to alert the court of disciplinary violations?

I was made to know that filing counter sanctions was a bad idea—one that I would pay for. I ended up feeling afraid to remain steadfast in my contentions in favor of admitting defeat to avoid more severe punishment in a battle I cannot win. I am almost embarrassed that I was fearful to defend myself and capitulated.

I used strong words because I was outraged justifiably at the dishonesty going on around me while my client was on the edge of despair and their client was twisting the knife, refusing to comply with the temporary orders their attorney got behind my back by allowing her to visit her children, talk to them or even know how they were doing.

I felt desperate to stop these lawyers from steamrolling my fragile client and pushing her further into darkness to a point where nobody could reach her. Desperate times require desperate measures. Much like probate court, where I am begging for relief in emergency TROs because I am watching women die of starvation and drugging-- that never comes and becoming increasingly more distressed watching the suffering, I was compelled by emotion to act and then punished because my language and word choice was poor!

I am the punished for making a bad decision despite the desperation I felt at the time coloring my perspective. I am in a NO-WIN situation, where punishment will be visited on me because I dared to throw myself on the railroad tracks to save another person. No I am no martyr. I am simply human. I have a heart and a conscience and I cannot avert my eyes to save my own behind at someone else's expense.

Judge Norma Venso once told me that I would have to put space in between these cases (discrimination against disabled children, of which my son was one) or I would kill myself because "I care too much." I wish sometimes that I had a steel heart like these attorneys who manage to get me sanctioned for pointing out their dishonesty. Should the Bar punish someone for caring too much and sending harsh emails when the emails did not prejudice the administration of justice, but merely upset the opposing attorney? Should a court reward the ability to look good simply because acting perfect on all occasions is the politically correct (though immoral) thing to do?

Should I be punished for not acting politically correct in an emergency? After all, my opposing counsel insists it was an emergency and that's why they could not afford me the decency of notice and the chance to participate.

Chad Pinkerton gave the Court the lawyer's creed, which are aspirational goals we are encouraged (and I strive) to meet, recognizing that we won't always hit the mark—to prove I did something wrong.

I admit I make mistakes mistakes when I am in desperate circumstances, so I am going to have to find a way to shut off the heart valve or I am doomed. I am simply unable to look completely composed when I feel as if I am falling apart inside because I am watching someone I care for deeply suffer. I am deeply moved by other people's pain and I suppose that is my Achilles' heel that keeps getting me cornered. I am DEFINITELY GUILTY of caring too much and having a hard time separating those strong feelings from an objective viewpoint a person who did not care at all would have.

I might not be suitable for family law or any area of law that involves true human suffering because I get nabbed every time. I suppose time will tell after I have been poked and prodded with mental examinations requested by malicious attorneys like Chad Pinkerton, who demanded that I be jailed like a criminal for more than six months for having the audacity to say his attorney lied. He admitted that he had selfish motives in the emails the associate judge read, but that wasn't factored into the equation.

He said "apparently, [I] don't know who he is" and then proceeded to make me regret not knowing it so that it never happens again. Now I know why so many attorneys withdraw in his cases. Zealous advocacy is not permitted, nor is the truth if it doesn't suit him.

I am held to an exacting standard while he deliberately violated Rules 10 and 13 by falsely representing to the Court that I was on probation for killing someone, He had instant access to court documents to verify that slander in a five minute search—and it's no problem. It's not substantial enough.

In the end the truly zealous and honest lawyer is punished while the lying lawyer is rewarded with attorneys' fees? That is the system we have designed—it rewards a lack of ethics and punishes those who speak the truth too harshly. I don't think this is ever what we intended but no wonder the public despises us. We have deliberately become a den of thieves valuing dishonesty over all of the values we claim to cherish.

I believe the judge was manipulated by the subtle slights of hand of Chad Pinkerton and his law firm—who played the victim role with "cry me a river" in the background. Yet, I was the only one who heard the tune.

I now have a completely different understanding of the "right to remain silent" and concept that "anything you say can and will be used against you." At the same time, I feel blessed that I have enough awareness to see the things I do.

And in the end, I trust that my God is God of justice, a God of wrath and a God of vengeance, so I need not worry about the outcome, because His grace is sufficient for every need.

My how lost a person could be to suggest that me asking for prayer on Facebook was some kind of admission of wrongdoing. Wow. I am one of the fortunate ones after all.