 [Click to print](#) or Select '**Print**' in your browser menu to print this document.

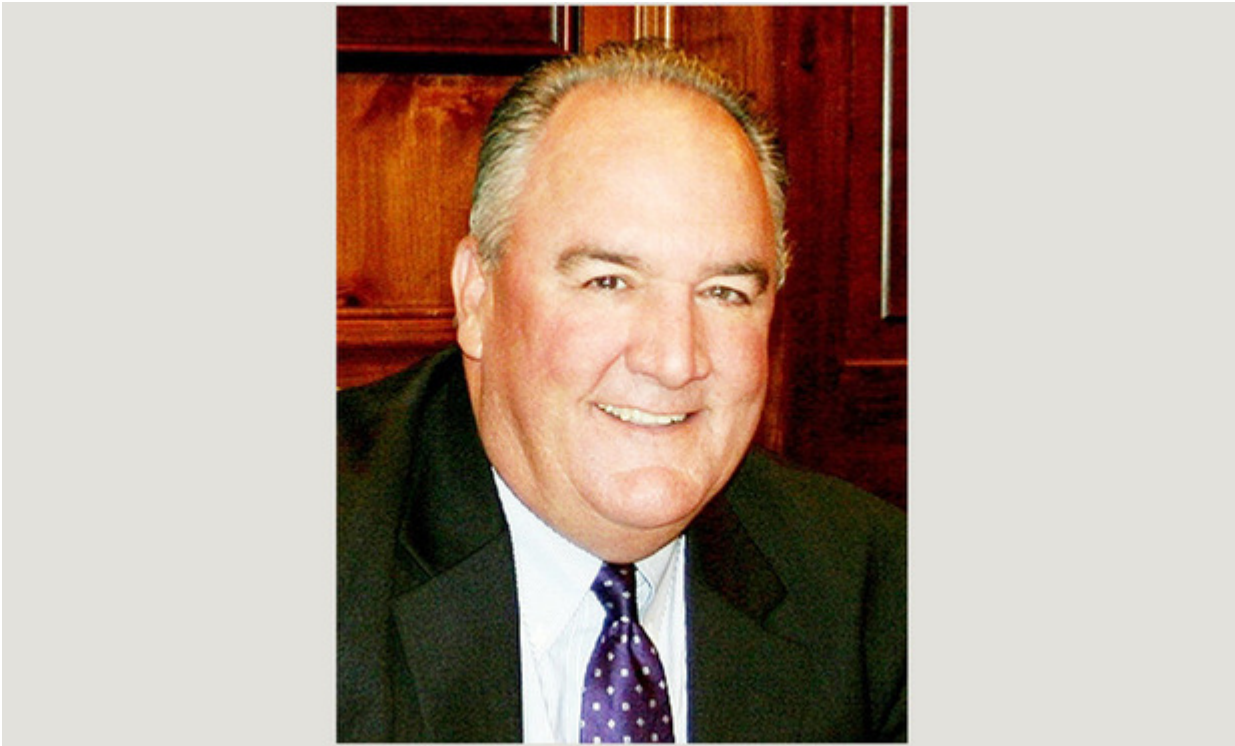
Page printed from: <https://www.law.com/texaslawyer/2019/08/14/sanction-texas-judge-interfered-in-cases-to-help-his-ex-court-coordinator-whos-now-district-clerk/>

---

# Sanction: Texas Judge Interfered in Cases to Help His Ex-Court Coordinator, Who's Now District Clerk

“He was inappropriately interfering in the judicial function of my office and my court, and I told him as much,” said retired Wood County Judge Bryan Jeanes, who filed a judicial complaint against 402nd District Judge Jeffrey Fletcher of Wood County. “He was crossing a barrier by trying to handle cases to benefit his court administrator.”

By Angela Morris | August 14, 2019



## 402nd District Judge Jeffrey Fletcher of Wood County

---

Judges are not supposed to use their power to advance personal interests.

But that's what 402nd District Judge Jeffrey Fletcher of Wood County did, according to the Texas Commission on Judicial Conduct, which issued a private warning (<http://www.scjc.state.tx.us/disciplinary-actions/private-sanctions/fy-2018/priv-warn-and-oea-of-a-di-6618/>) saying the judge "lent the prestige of his judicial office to advance the private interests of his court administrator and her family."

Fletcher interfered in a probate matter, trying to get a hearing expedited, because the delay was negatively impacting a relative of his then-court coordinator Donna Huston, according to former Wood County Judge Bryan Jeanes, who filed the complaint behind Fletcher's sanction. He also interfered in a DWI case against Huston's sister, trying to get it transferred into his court, so he could "chew her ass out" and give her no special treatment, according to the complaint.

When asked to comment about the private warning, Fletcher hung up on Texas Lawyer and didn't return subsequent calls or an email seeking comment.

His former court administrator, Huston, has since risen to public office, having been elected Wood County district clerk in 2018. She declined to comment.

The Texas Commission on Judicial Conduct issued the private warning to Fletcher last summer, but the facts are just coming to light because of the downfall of another public official (<https://www.law.com/texaslawyer/2019/08/05/report-ex-texas-d-a-jim-wheeler-was-under-investigation-for-sexual-harassment-when-he-resigned/>), Wood County Criminal District Attorney Jim Wheeler.

Wheeler resigned as district attorney in October 2018 to avoid being prosecuted for Class A misdemeanor official oppression for allegedly sexually harassing his first assistant district attorney, Angela Albers (<https://www.law.com/texaslawyer/2019/08/07/female-texas-prosecutor-speaks-out-about-alleged-sexual-harassment-by-ex-da/>), according to disclosures uncovered through a Texas Public Information Act request.

But the investigation report that led to his resignation also showed that Wheeler had raised his own concerns about Fletcher. It showed Wheeler had talked with the Texas Department of Public Safety's Texas Ranger Division about the judge's alleged improper interference in a DWI case that Albers was prosecuting within another judge's court.

Wheeler had also spoken to the former judge, Jeanes, in November 2017 about "a possible Whistleblower Act violation and possibly even an official oppression question," the complaint said, involving "improper communication between the district judge and one of his prosecutors."

That prosecutor, Albers, is the same one who accused Wheeler of sexual misconduct. But at the time, Wheeler allegedly told Jeanes he thought Albers was experiencing a hostile work environment because of her conversations with Fletcher and Huston, said the complaint.

Wheeler's office recused itself from the DWI case, and Jeanes appointed an attorney pro tem.

Albers told Texas Lawyer it was Wheeler's decision to recuse the office, and declined to comment about the conversations with Fletcher and Huston that had allegedly created the hostile work environment.

## **Multiple complaints**

Jeanes' judicial conduct complaint shows Wheeler wasn't the only local official allegedly concerned about Fletcher's judicial conduct and that the DWI wasn't the only case in which the judge allegedly meddled.

"He was inappropriately interfering in the judicial function of my office and my court, and I told him as much," said Jeanes, who served 12 years as the county's nonlawyer constitutional county court judge before retiring in 2018. "He was crossing a barrier by trying to handle cases to benefit his court administrator."

Jeanes' complaint, which the retired judge emailed to Texas Lawyer, claimed Fletcher's first interference in Jeanes' court was in a probate matter in the fall of 2017.

## Read the complaint:

November 18, 2017

Narrative on Cause # 13,183 covering 8/24/17 to 10/2/17

Probate Cause # 13,183 was filed as a Muniment of Title hearing on 8/24/17 by attorney James Paul "Hop" Wheeler in Wood County, Texas. Case was set on the 9/11/17 docket by County Court Administrator Kari Perkins by his request. On the morning of 9/11/17 the hearing was cancelled as Mr. Wheeler determined that the case should have been filed originally as an Application for Letters Testamentary hearing. Mr. Wheeler then refiled the case as an Application and contacted my office on 9/12/17 to reset the hearing and was told that Ms. Perkins was out of the office due to a death in her family and would be back on 9/18/17. Mr. Wheeler said that he would contact her upon her return.

On or about 9/19/17, Mr. Wheeler reset the hearing for 10/2/17 with assistance from Ms. Perkins. On 9/20/17 District Judge Jeff Fletcher came to my office and requested that this same hearing be expedited, if at all possible, because his Court Administrator Donna Huston was concerned about a relative of hers being negatively affected by the hearing delay. I explained to Judge Fletcher that the case had been refiled on 9/11/17 and that the time frame for the citation to run would not end until 9/25/17 so that was the earliest that the hearing could be held and that I was to be out of the state until 10/2/17 which was the next available hearing date. Unknown to me at that time was that Ms. Huston had already contacted Ms. Perkins in my office requesting the same expedition of the case and had been told the same answer.

On 9/22/17 Mr. Wheeler Perkins in her office w Page 1 / 2  
there to make one final  
explained to Mr. Wheeler again that I had no available option prior to 9/25/17

"Fletcher came to my office and requested that this same hearing be expedited, if at all possible, because his Court Administrator Donna Huston was concerned about a relative of hers being negatively affected by the hearing delay," the complaint said.

Huston called Jeanes' court coordinator asking for a quicker hearing, and later, Fletcher approached the coordinator in a parking lot, asking her to email Jeanes' court orders, according to the complaint.

Also, an attorney in the probate matter was "being pressured from above to rush this thing," according to Jeanes' complaint.

"I didn't think that was appropriate," said Jeanes, who has since moved to Collin County to be closer to his grandchildren. "He shouldn't have been involved at all."

### Extraordinary request

The second case in which Fletcher allegedly interfered was the DWI case, where Huston's sister was the defendant.

Jeanes' complaint claimed his office got a motion and order on Oct. 18, 2017, to transfer the case to Fletcher's court. It was stamped with the signature of Angela Albers, then-assistant district attorney.

Jeanes said he became suspicious and denied the transfer.

"This motion and order submission seemed out of the ordinary," his complaint said.

## Read Jeanes' report:

November 18, 2017	
<u>Narrative on Cause # 39,292 covering 9/25/17 to 11/16/17</u>	
<p><b>Criminal Cause # 39,292 was filed as a Class A Misdemeanor DWI 2<sup>nd</sup> on 9/25/17 by the Criminal District Attorney's Office of Wood County, Texas. The case was set on the 10/10/17 Arraignment Docket of Misdemeanor Cases pending in the County Court of Wood County. A Waiver of Arraignment was filed 10/10/17 with the court by Defense Attorney Donna Broom on this cause and requested waiver was granted that same day by County Judge Bryan Jeanes.</b></p>	
<p><b>On 10/18/17 a Motion and Order to Transfer was received by the office of the County Judge requesting transfer of Cause # 39,292 from the Wood County Court to the 402<sup>nd</sup> District Court of Texas. This motion and order was submitted by the Wood County Criminal District Attorney's Office under a "stamped signature" of Angela Albers, Wood County Assistant District Attorney. This motion and order submission seemed out of the ordinary because there was no associated felony offense filed against this defendant and because of the "stamped signature".</b></p>	
<p><b>Wood County J Fletcher had in</b></p>	<p><b>Judge Jeff ases, on any same defendant,</b></p>
<p>Page 1 / 5 defendant with</p>	<p>would not be transferred without a signed agreement by both judges. This</p>

Typically, Jeanes would transfer misdemeanor cases to Fletcher's court only if there was a felony charge against the same defendant. In this case, there was no felony and therefore no need for a transfer.

Also, Albers usually signed court documents by hand in blue ink, instead of using a stamp, like the one that appeared on the documents sent to Jeanes, according to the complaint.

In his judicial complaint, Jeanes said Albers told him she hadn't stamped her name on the transfer motion, and that she didn't know who had done so.

In an interview with Texas Lawyer, Albers confirmed Fletcher had initiated the transfer request but said she does not believe the judge fraudulently stamped her signature on the motion.

"It was probably one of these girls in the office," Albers said. "That was not done with an ill intent."

Jeanes' complaint said Fletcher later visited Jeanes' office to ask why Jeanes had denied the transfer. Jeanes said he expressed concern about the source and validity of the transfer motion.

"Judge Fletcher responded that he had instigated the transfer request," according to the complaint. "He explained that he had heard that the defendant was 'running all over the county saying that she wasn't worried and that she had this in the bag,' and he had wanted the case transferred so that he could 'chew her ass out' and show her that she would receive no special treatment," said the complaint.

According to the complaint, Jeanes told Fletcher the DWI defendant wouldn't get special treatment. Jeanes added that he asked who had done the defendant's magistration, and Fletcher had said he didn't know.

"I later learned that Judge Fletcher had magistrated this charge," said the complaint narrative. Jeanes said he also later learned that the defendant was Huston's sister.

## **Wheeler Intervened?**

The district attorney at the time, Wheeler, allegedly planned to file a judicial complaint against Fletcher, according to Jeanes.

Jeanes said he told Wheeler at a November 2017 meeting that he was preparing a report about Fletcher, and that he was willing, after he'd finished his own complaint, to sign off on a joint complaint with Wheeler.



**Former Wood County  
Criminal District Attorney  
Jim Wheeler.**

"I did file my complaint," Jeanes said in an interview. "I was not aware he ever filed any complaint."

Wheeler declined to comment and hung up on Texas Lawyer before hearing questions about the Fletcher complaint.

His attorney and father, James Paul Wheeler, told Texas Lawyer that he didn't have a copy of any complaint against Fletcher and didn't know whether the judge faced discipline.

"My understanding is that overall, [Jim Wheeler] was very supportive of Judge Fletcher, and remains so," James Wheeler said.

## **Judicial discipline**

The judicial conduct commission sent Jeanes a letter ([https://drive.google.com/file/d/16b6XD6dqiS\\_VOgAqI7L74-XTy1h\\_i2my/view?usp=sharing](https://drive.google.com/file/d/16b6XD6dqiS_VOgAqI7L74-XTy1h_i2my/view?usp=sharing)) that said the commission considered his complaint against Fletcher at a regularly scheduled meeting.

Jeanes emailed the letter to Texas Lawyer.

"After a thorough review and investigation of the issues you raised in your complaint, the commission voted to issue the judge a private sanction," said the July 6, 2018, letter.

That same date appears on a private warning ([https://drive.google.com/file/d/1KBVJ3n6hvr5p8RhMFbHAR-fZT\\_eFPUdt/view?usp=sharing](https://drive.google.com/file/d/1KBVJ3n6hvr5p8RhMFbHAR-fZT_eFPUdt/view?usp=sharing)), not listing any judge's name, posted on the commission's website.

"It's obviously in response to my filing the complaint," Jeanes said.



The private warning said, "The judge lent the prestige of his judicial office to advance the private interests of his court administrator and her family, failed to comply with the law and maintain professional competence in the law, improperly failed to recuse himself, and engaged in improper ex parte communications."

The warning also said the judge repeatedly tried to expedite a hearing in a probate matter in another court by talking with the court and its staff.

According to the warning, the judge did the magistration of his court administrator's half-sister in a criminal case. The judge pressured a prosecutor to transfer that criminal case to his court, communicated to the prosecutor his dissatisfaction with the terms of a plea agreement, and "directed her to impose certain conditions on the sentence," said the warning, which found the judge violated five judicial conduct rules, and ordered additional education.

"I personally would have wanted it to be a public admonishment, rather than a private one," Jeanes said. "But I understand when you get in the arena of a district judge, they are not as quick to call them on the carpet."

### **Related stories:**

**Report: Ex-Texas DA Jim Wheeler Was Under Investigation for Sexual Harassment When He Resigned**

**(<https://www.law.com/texaslawyer/2019/08/05/report-ex-texas-d-a-jim-wheeler-was-under-investigation-for-sexual-harassment-when-he-resigned/>)**

**Female Texas Prosecutor Speaks Out About Alleged Sexual Harassment by Ex-DA (<https://www.law.com/texaslawyer/2019/08/07/female-texas-prosecutor-speaks-out-about-alleged-sexual-harassment-by-ex-da/>)**

---

Copyright 2019. ALM Media Properties, LLC. All rights reserved.