

TY CLEVINGER  
21 Bennett Avenue #62  
New York, New York 10033

telephone: 979.985.5289  
facsimile: 979.530.9523

tyclevenger@yahoo.com  
Texas Bar No. 24034380

November 1, 2016

Mr. Coty Siegert, District Attorney  
Robertson County District Attorney's Office  
P.O. Box 409  
Franklin, Texas 77856

*Via facsimile*  
(979) 828-3300

Re: Robertson County Grand Jury

Mr. Siegert:

[REDACTED], the vice foreman of the Robertson County Grand Jury, recently contacted me regarding my July 9, 2016 letter to the grand jury. Mr. [REDACTED] said he told you after the grand jury's August meeting that I needed to appear before the grand jury. According to him, you said that you could not subpoena me to testify, but you would call me to see if I was willing to appear.

We both know that you have not tried to call me since August. In fact, you have steadfastly ignored my phone calls and emails to you over the last few months. Had you called (or responded to my calls), I would have informed you that the grand jury most certainly can subpoena me, regardless of whether I am outside of Texas. Earlier this year, for example, the Collin County Grand Jury issued a subpoena for me, I voluntarily accepted service by email in New York, and I traveled to Texas to testify concerning an investigation of Texas Attorney General Ken Paxton.

Let's be honest about what is really going on here: you are trying to protect Bryan F. "Rusty" Russ, Jr. and his corrupt political enterprise. For most of this year, my clients and friends in Robertson County have warned me that you switched your allegiance to Mr. Russ and his cronies, but I did not want to believe it. Time and again I gave you the benefit of the doubt, but at some point one's hopes must yield to reality.

And let's discuss that reality. My July 9 letter to the grand jury sets forth a legal and factual basis for bringing organized crime charges against Mr. Russ and his cronies, including 82<sup>nd</sup> District Judge Robert M. Stem. If you are obstructing the grand jury in order to protect Mr. Russ, Judge Stem, et al., then you can be charged with engaging in organized criminal activity yourself. *See* Texas Penal Code §7.02. For that reason, I ask that you and Judge Stem recuse yourselves from further grand jury proceedings and permit the appointment of a district attorney *pro tem*.

If you do not recuse yourself before the next grand jury meeting, then by copy of this letter I urge the grand jury to demand the appointment of a district attorney *pro tem*. The Thirteenth Court of Appeals has held that “[a] judge has the authority, *as well as an obligation*, to appoint an attorney pro tem to assist a grand jury that intends to criminally investigate the district attorney.” *In re Guerra*, 235 S.W.3d 392, 414 (Tex.App.–Corpus Christi 2007, *orig. proceeding*)(emphasis added), disapproved on other grounds by *In re Blevins*, --- S.W.3d ----, 2013 WL 5878910 (Tex. 2013). In other words, the grand jury has the right to assistance from outside counsel when it is investigating the district attorney.

Finally, I must ask what Mr. Russ offered you in exchange for your soul. What exactly was the price for your integrity? Remember that John Paschall was not untouchable, and neither are you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ty Clevenger', with a long horizontal flourish extending to the right.

Ty Clevenger

cc: Robertson County Grand Jurors  
The Hon. Robert M. Stem, District Judge  
82<sup>nd</sup> District Court of Robertson County