



**GREG WILLIS**  
**CRIMINAL DISTRICT ATTORNEY**

COLLIN COUNTY COURTHOUSE  
2100 BLOOMDALE ROAD, SUITE 100  
MCKINNEY, TEXAS 75071  
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[www.collincountyda.com](http://www.collincountyda.com)

April 23, 2015

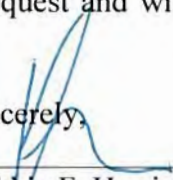
Ty Clevenger  
tyclevenger@yahoo.com

**RE: *Public Information Act request for "the letter, email, or other communication whereby Mr. Willis asked the Rangers to investigate Mr. Paxton, as well as any reply received from the Rangers or the Texas Department of Public Safety", and "any rough drafts of the April 9, 2015 press release, as well as any any emails or other communications exchanged for the purpose of drafting the press release."***

Dear Mr. Clevenger:

Per your request, I am able to make a partial response to your request made to this office on April 17, 2015. In the materials that I have gathered so far, I have located a letter which memorializes the discussions between the District Attorney's office and the Texas Rangers to have the Texas Rangers investigate Ken Paxton. I have contacted the Texas Rangers, since they are the agency handling this investigation, and they have no objection to the release of this letter. I am still working on the remainder of your request and will answer it in accordance with the Public Information Act.

Sincerely,

  
\_\_\_\_\_  
Debbie F. Harrison  
Assistant District Attorney  
Civil Division  
[dfharrison@co.collin.tx.us](mailto:dfharrison@co.collin.tx.us)  
SBN 00790829

Enclosures



**GREG WILLIS**  
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April 14, 2015

Major Dewayne Dockery  
Company B, Texas Rangers  
350 West IH 30  
Garland, Texas 75043

***Re: Referral of criminal complaint against Ken Paxton***

Dear Major Dockery:

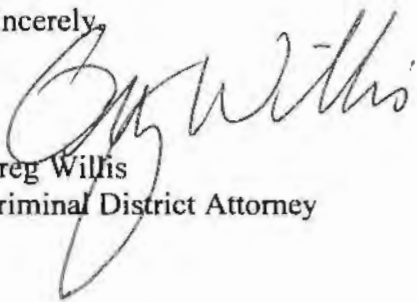
I am requesting the Texas Rangers investigate any and all violations of the Texas Securities Act regarding Ken Paxton. In that regard, here are three pages of materials related to a securities-related criminal complaint against Mr. Paxton.

The materials indicate that the conduct in question occurred in 2012 - therefore your agency should act promptly on this matter due to the general three-year statute of limitations for felony offenses. Please also include within the scope of your investigation any relevant information from both the Texas State Securities Board and the Travis County investigation.

Once this matter has been fully investigated by your agency and filed with this office, my intention is, as it has been from the start, to have a special prosecutor handle this matter.

I appreciate your assistance in this matter. If you have any questions, please do not hesitate to contact me at 972-548-4330.

Sincerely,

  
Greg Willis  
Criminal District Attorney

GW/db  
Enclosures

# Texans For Public Justice

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609 West 18th St., Suite E, Austin, Texas 78701 , PH:(512) 472-9770 ,  
E-Mail: [tpj@tpj.org](mailto:tpj@tpj.org) , Web: [www.tpj.org](http://www.tpj.org)

April 6, 2015

Mr. Greg Willis  
Collin County District Attorney  
Collin County District Attorney's Office  
2100 Bloomdale Rd., Suite 100  
McKinney, TX 75071

Complaint re: Kenneth Warren Paxton, Jr.

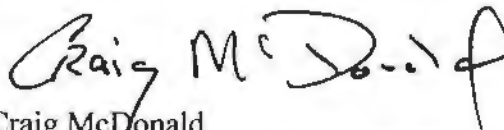
Dear Mr. Willis,

The enclosed complaint seeks an investigation and potential prosecution of Kenneth Warren Paxton, Jr. for criminal felony offenses related to his activities as an investment advisor representative for Mowery Capital Management, LLC. The apparent criminal activities appear to have been committed within Collin County.

The public record appears to make unambiguously clear that Mr. Paxton violated provisions of the Texas Securities Act in 2004, 2005 and 2012 by failing to register as an investment adviser representative of Mowery Capital Management as the law requires. On its face, such conduct by Mr. Paxton rises to a criminal felony offense. Mr. Paxton's conduct demands a thorough and independent investigation.

We further believe that as a friend and business associate of Mr. Paxton that you should recuse yourself from this matter. To ensure independent and impartial judgment, you should forward our complaint to the proper judicial authority to appoint an independent special prosecutor to investigate Mr. Paxton's conduct.

Respectfully,



Craig McDonald  
Director, Texans for Public Justice

THE STATE OF TEXAS §  
  §  
COUNTY OF COLLIN §

KNOW ALL PERSONS BY THESE PRESENTS:

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**COMPLAINT**

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TO THE DISTRICT ATTORNEY OF SAID COUNTY:

NOW COMES the undersigned complainant and, pursuant to article 2.04 and article 2.05 of the Texas Code of Criminal Procedure, hereby makes the following complaint:

My name is Craig L. McDonald, my date of birth is March 15, 1950, and my address is 1102 Live Oak Ridge, Austin, Texas, 78746, United States of America. I am of sound mind and capable of making this declaration. I have good reason to believe, and do believe, that:

Kenneth Warren Paxton, Jr.  
Attorney General of the State of Texas,

at times between 2004 and 2012 A.D., in the County of Collin and State of Texas, committed one or more offenses in violation of Section 12.B of The Texas Securities Act and against the peace and dignity of the State.

I have reason to believe, and do believe, that at times between 2004 and 2012 in the aforesaid county and state, the aforesaid Kenneth Warren Paxton, Jr. violated Section 12.B of the Texas Securities Act by acting as an investment advisor representative of Mowery Capital Management, LLC, a registered investment advisor located in Texas. While acting as an investment advisor representative for Mowery Capital Management as defined by Section 4.P of the Texas Securities Act, Kenneth Warren Paxton, Jr. was not registered as an investment adviser representative of Mowery Capital Management with the Securities Commission as required by law.

The basis of my belief that Kenneth Warren Paxton, Jr. violated the Texas Securities Act is embodied in Disciplinary Order No. IC14-CAF-03 entered by the Securities Commissioner on May 2, 2014. The findings of fact detailed in the order support the conclusion that on more than one occasion Mr. Paxton solicited potential clients for Mowery Capital and was compensated by Mowery Capital for a percentage of the management fees collected from each client successfully solicited by Mr. Paxton. The disciplinary order agreed to and signed by Mr. Paxton is a clear admission that he violated Section 12.B of the Securities Act.

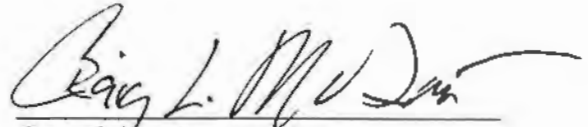
Section 29.1 of the Texas Securities Act provides as follows:

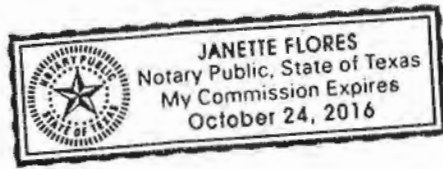
“Penal Provisions. Any person who shall:...1. Render services as an investment adviser representative without being registered as required by this Act shall be deemed guilty of a felony of the third degree.”

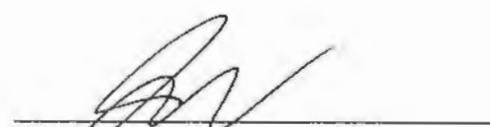
The foregoing facts and law establish that Paxton has admitted to behavior that constitutes a crime under Texas law, specifically, a third degree felony.

I hereby declare under penalty of perjury that the foregoing is true and correct.

EXECUTED IN Travis County, State of Texas, on this, the 2nd, day of April, A.D. 2015.

  
Complainant



  
Notary