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April 25, 2016

The Hon. Coty Siegert, District Attorney
Robertson County, Texas
Via email attachment: cotysiegert@robertsoncounty.org

Mr. Robert Moossy, Chief
Criminal Section, Civil Rights Division
U.S. Department of Justice
Via facsimile: (202) 514-8336

Mr. Mark Frazier, Chief
U.S. Attorney's Office (WDTX), Waco Division
Via email attachment: mark.frazier@usdoj.gov

Re: City of Hearne, Texas

Gentlemen:

I represent Milton Johnson, the former mayor of Hearne, Texas, and I write on his behalf to request a criminal investigation. Mr. Johnson was one of several residents of Hearne who organized an initiative petition to force a forensic audit of city finances. According to Mr. Johnson, he submitted petitions bearing the signatures of 517 residents to the city secretary on March 21, 2016.

Normally, the city secretary forwards such petitions to the county elections administrator, who then verifies that the petitioners are registered voters of the City of Hearne. On this occasion, however, City Attorney Bryan F. "Rusty" Russ, Jr. intercepted the petitions and initially held them at his private office, thereby preventing them from being verified.

Mr. Russ later submitted some petitions to the elections administrator on April 7, 2016. According to an April 8, 2016 letter from the elections administrator, however, the pages that he submitted contained only 318 signatures rather than 517 signatures. As a result of the reduced number of signatures, the initiative will not be eligible for placement on the ballot.

If Mr. Russ (or anyone else) tampered with the petitions in order to remove signatures, then they should be subject to prosecution under state and federal law. *See, e.g.,* Texas Penal Code §37.10 (tampering with a government record) and 18 U.S.C. §242

(deprivation of rights under color of law). I request that you refer this matter to the appropriate investigators.

Thank you for your consideration.

Sincerely,

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

Ty Clevenger