

CASE NO. 16-cv-692

LESLIE WAYNE SHIPMAN	§	IN THE DISTRICT COURT
	§	
VS.	§	SOUTHERN DISTRICT/TEXAS
	§	
DAVID SOWELL, Et al	§	HOUSTON DIVISION

WITNESS' AFFIDAVIT

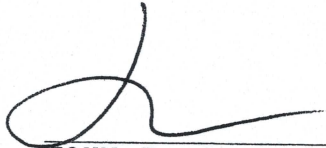
BEFORE ME, the undersigned authority, personally appeared **JOHN T. QUINN**, a person known to me, and after being duly sworn, deposed as follows:

"My name is **JOHN T. QUINN**. I am over eighteen (18) years of age (dob 07-06-53). I am competent to make this affidavit and the facts contained therein are true and correct and to the best of my knowledge and belief. I am making this statement freely and voluntarily, and hereby state that the following would be my sworn testimony at a trial regarding these matters.

"I am one of the attorneys representing **LESLIE WAYNE SHIPMAN** in Case No. 16-cv-692. Shortly after we filed the complaint in this case, I went to a court hearing in Grimes County Justice Court, Pct. 3 on March 22, 2016. This court is primarily a traffic court. I have been to this court over 100 times in my career as a defense attorney. On March 22, 2016, I appeared on behalf of two clients, Julian Alfred (Case No. 2016-000090/Driving in Left Lane Where/When Prohibited) and Samuel Aaron Butler (Case No. 2015-001010/Speeding and 2015-001011/Following Too Closely). In all the years I have been handling traffic ticket cases in this Court, I have always been able to negotiate plea bargain offers that avoid a conviction for my clients. Yet, on March 22, 2016, the prosecutor (Ronnie Yeats) sent from Tuck McLain's office informed me that the offers for my clients were conviction only offers. I asked Mr. Yeats' why the offers were so severe, and he would not answer the question. Instead, he only repeated the offers. I understood that to mean he had been directed from someone above him to make the offers he had made. This seemed like a direct retaliatory action in response to the filing of this lawsuit. Only a few weeks before this incident, I was able to negotiate a deferred probation offer over the telephone with Mr. Yeats. I spoke to another Bryan, Texas criminal defense lawyer who had a traffic case scheduled on March 22, 2016 in the same court. David Hilburn told me that Mr. Yeats had offered him a deferred

probation offer on his case that day. It is just wrong, not to mention legally improper, to retaliate against me for doing my job. The prosecutors' actions have hurt my two traffic ticket clients through no fault of their own. Additionally, on March 22, 2016, after I returned to my office from court, I received a telephone call from a potential new traffic ticket client with a Grimes County ticket. I turned down this representation and the \$150.00 attorney fee because I was afraid I would be doing more harm than good by representing the potential new client. Therefore, I suffered financial loss because of their actions."

Further affiant sayeth not.



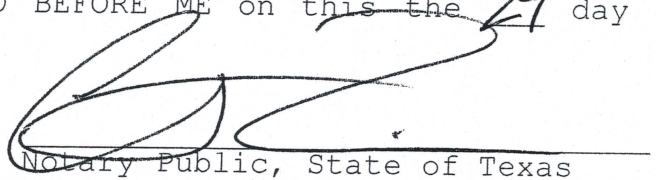
JOHN T. QUINN

STATE OF TEXAS §

§

COUNTY OF BRAZOS §

SUBSCRIBED AND SWORN TO BEFORE ME on this the 29 day of April, 2016.



Notary Public, State of Texas

