

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 98- 9081

Appointment of a District Judge to Preside
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Dwight E. Peschel, Judge of the 1st 25th District Court of Guadalupe County, Texas, to hear and rule on the motions to recuse the Honorable Burt Carnes, filed in the Disciplinary Actions styled:

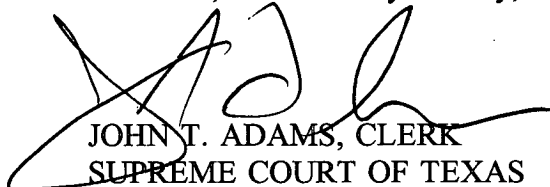
The Commission for Lawyer Discipline v. Steven T. Long

filed as No. 97-11-00160-CVK and No. 97-11-00161-CVK in the 218th District Court of Karnes County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Karnes County, Texas, a copy of this Order for filing pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

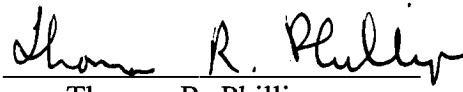
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this 18th day of May, 1998.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 98-9081, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 20 day of May, 1998.

A handwritten signature in cursive script that reads "Thomas R. Phillips". The signature is written in black ink and is positioned above a horizontal line.

Thomas R. Phillips
Chief Justice

NO. 97-11-00160-CVK

| | | |
|-----------------------|---|-------------------------|
| COMMISSION FOR LAWYER | § | IN THE DISTRICT COURT |
| DISCIPLINE | § | |
| | § | 218TH JUDICIAL DISTRICT |
| VS. | § | |
| | § | |
| STEVEN T. LONG | § | KARNES COUNTY, TEXAS |

**RESPONDENT'S MOTION TO RECUSE JUDGE
SUBJECT TO SPECIAL APPEARANCE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES STEVEN T. LONG, named Respondent in the above styled and numbered cause and, subject to the Special Appearance filed in this cause, files this, his MOTION TO RECUSE and for cause respectfully moves to recuse the Honorable BURT CARNES in that:

A. On February 13, 1998, Burt Carnes signed a document purported to be a Default Order which named Respondent moves to set aside. Such document is the result of ex-parte communications between BURT CARNES, JAMES EHLER, the State Bar of Texas, Patricia Brysch and her staff and members of the Commission for Lawyer Discipline, the alleged Plaintiff in this cause;

B. The alleged order fails to order anything, is not properly based in law, has no apparent thought process, evidence or truth as a basis for such;

C. The contents and circumstances of the "order", its execution and presentment of such demonstrates that same was an afforded accommodation to JAMES EHLER, the Commission for Lawyer Discipline and the State Bar of Texas, same being signed either having not been read by BURT CARNES or such being executed as an intended benefit for the entities and individuals named herein and with the obvious purpose of denying the rights of the alleged Respondent, STEVEN T. LONG;

D. The alleged "order" was signed without due regard for review of the Court jacket, the propriety of service, a review of the citation and its attachments and with a disregard for the interests and rights of the Respondent, STEVEN T. LONG. STEVEN T. LONG would further show that the failure of STEVEN T. LONG to receive the requisite ORDER OF APPOINTMENT of BURT CARNES with the Original Petition and Citation prevented STEVEN T. LONG from having the ability and opportunity to exercise his objection to the participation in this matter by BURT CARNES, thus violated the due process provisions afforded STEVEN T. LONG. A review of the Court file by the Honorable Burt Carnes would have demonstrated this fact. Judge Carnes' failure to do so and to accept the representations of the District Clerk and JAMES EHLER and the other persons, entities and alleged entities herein acted as a disregard of the rights and interests of STEVEN T. LONG.

The information contained in the document purported to be a Default Order fails in its entirety to meet requisites of the applicable rules of procedure, laws and rights of the Respondent, STEVEN T. LONG.

E. The ex-parte communications between the Honorable Burt Carnes, the named individuals and entities and purported entities named herein as well as with members of the State Bar of Texas, other judges in the region and district were committed without due regard for the rights of STEVEN T. LONG and were committed with the intent to obstruct and intervene in justice.

F. STEVEN T. LONG would show that BURT CARNES has had communications directly and indirectly with the Regional Administrative Judge, DAVID PEEPLES, OLIN STRAUSS and STELLA SAXON in an attempt to obtain background, knowledge and information on Respondent with the result that a bias has occurred.

Accordingly, the impartiality of the HONORABLE BURT CARNES may be reasonably be questioned.

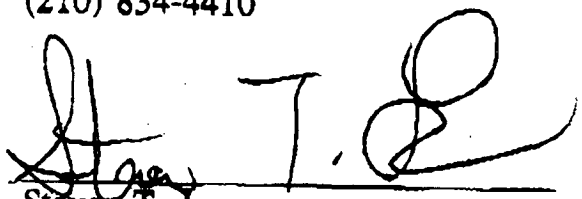
Thus, request is made that BURT CARNES recuse himself from this matter and immediately cease all intervention and involvement in this cause.

WHEREFORE, STEVEN T. LONG, prays this matter be set for hearing,

for the relief requested herein and for such other and further relief to which Respondent may show himself entitled.

Respectfully Submitted,

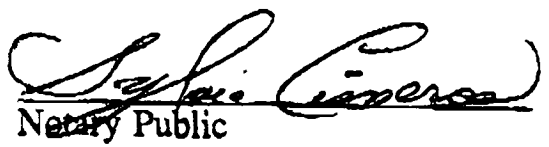
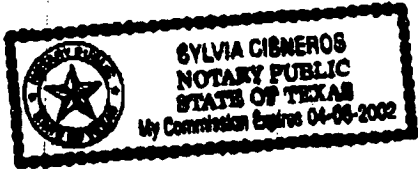
Steven T. Long
P.O. Box 831742
San Antonio, Texas 78283-1742
(210) 834-4410



Steven T. Long
Pro Se

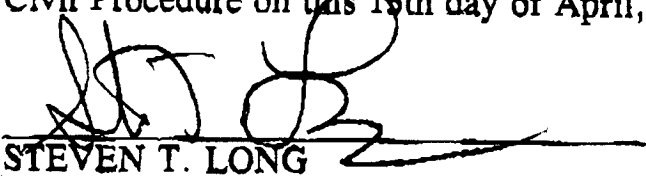
SWORN TO AND SUBSCRIBED BEFORE ME BY STEVEN T. LONG

this 12th day of April, 1998.


Notary Public

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above was served on Mr. James Ehler, attorney of record for the Commission for Lawyer Discipline, in accordance with the Texas Rules of Civil Procedure on this 13th day of April, 1998.


STEVEN T. LONG

FILED

at 11:30 o'clock A M
this 13 day of April 19 98
Patricia Sup
Clerk of District Court, Karnes County, Texas

ORDER SETTING HEARING

The foregoing, having been presented to the Court and hearing requested,
is set for hearing on the Motion to Recuse on the ____ day of
_____, 1998 at _____ .M. in the Courtroom at _____

JUDGE PRESIDING



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
CRAIG T. ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON

TEL: (512) 463-1312
FAX: (512) 463-1365

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

May 20, 1998

Honorable Dwight E. Peschel
Judge, 1st 25th District Court
County Courthouse 203
101 East Court Street
Seguin, Texas 78155

Dear Judge Peschel:

We enclose for your information a copy of the order of assignment, a copy of the notification letter to Mr. Long and Mr. Ehler, a copy of Respondent's Motions to Recuse Judge Burt Carnes, and a copy of the letter to the District Clerk of Karnes County.

It is respectfully suggested that the hearing be set at a time which will give the parties ample time for any discovery, subpoenas, etc. which may be necessary. We then recommend that, either before or immediately after you set the case for trial, the District Clerk (830 780-2562) or the District Court Coordinator (830 769-3750) be contacted to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (210 220-3955) to obtain general information as well as claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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CLERK
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EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

May 20, 1998

The Honorable Patricia Brysch
District Clerk of Karnes County
101 North Panna Maria #2
Karnes City, Texas 78118-2930

Dear Ms. Brysch:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing in the State Bar of Texas Disciplinary Actions styled: The Commission for Lawyer Discipline v. Steven T. Long, Numbers 97-11-00160-CVK and 97-11-00161-CVK, in the 218th District Court, a copy of the Supreme Court's order appointing the Honorable Dwight E. Peschel, Judge of the 1st 25th District Court, Seguin, Texas, to hear and rule on the motion to recuse filed in each of these Disciplinary Actions.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. Dwight E. Peschel
Hon. David Peeples
Mr. Steven T. Long
Mr. James A. Ehler



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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CLERK
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EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

May 20, 1998

Mr. James A. Ehler
Assistant General Counsel, State Bar of Texas
425 Soledad, Suite 300
San Antonio, Texas 78205

Mr. Steven T. Long
P. O. Box 831742
San Antonio, Texas 78283-1742

Dear Mr. Ehler and Mr. Long:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable Dwight E. Peschel, Judge of the 1st 25th District Court, Seguin, Texas to hear and rule on the motions to recuse Judge Burt Karnes in 97-11-00160-CVK and 97-11-00161-CVK, both styled

Commission for Lawyer Discipline v. Steven T. Long.

Sincerely,

SIGNED

John T. Adams
Clerk