

SWORN COMPLAINT BEFORE THE TEXAS ETHICS COMMISSION

An individual must be a resident of the state of Texas to be eligible to file a sworn complaint with the Texas Ethics Commission. The complainant is required to attach to the complaint a copy of one of the following documents:

- complainant's driver's license or personal identification certificate issued under Chapter 521 of the Transportation Code, or commercial driver's license issued under Chapter 522 of the Transportation Code; or
- a utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the complainant and is dated not more than 30 days before the date on which the complaint is filed.

Effective September 1, 2009, an individual may also be eligible to file a sworn complaint with the Texas Ethics Commission if the individual owns real property in the state of Texas. Under this provision, the complainant will be required to attach to the complaint a copy of a property tax bill, notice of appraised value, or other government document that shows the name of the complainant, shows the address of the real property in Texas, and identifies the complainant as the owner of the real property.

OFFICE USE ONLY
Docket Number
Date Hand-delivered or Date Postmarked

I. IDENTITY OF COMPLAINANT

1 COMPLAINANT NAME	MS / MRS / MR Ms	FIRST Carol	MI
	NICKNAME	LAST Wheeler	SUFFIX
2 COMPLAINANT PHYSICAL ADDRESS	ADDRESS 1811 Brookchester Rd	APT / SUITE #;	CITY; STATE; ZIP CODE Katy TX 77450
<small>(Full home or business address, including street, city, state, and zip code)</small>			
3 COMPLAINANT MAILING ADDRESS	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
<input checked="" type="checkbox"/> (check if same as above)	<small>(Full home or business address, including street, city, state, and zip code)</small>		
4 COMPLAINANT TELEPHONE NUMBER	AREA CODE 281	PHONE NUMBER 395-0225	EXT
5 COMPLAINANT E-MAIL ADDRESS	csw10@comcast.net		

II. IDENTITY OF RESPONDENT

6 RESPONDENT NAME	MS / MRS / MR Ms	FIRST Joan	MI
	NICKNAME	LAST Huffman	SUFFIX
7 RESPONDENT POSITION OR TITLE	Texas State Senator, District 17		
8 RESPONDENT PHYSICAL ADDRESS	ADDRESS 3375 Westpark Dr	APT / SUITE #; #135	CITY; STATE; ZIP CODE Houston TX 77005
<small>(Full home or business address, including street, city, state, and zip code)</small>			
9 RESPONDENT MAILING ADDRESS	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
<input checked="" type="checkbox"/> (check if same as above)	<small>(Full home or business address, including street, city, state, and zip code)</small>		
10 RESPONDENT TELEPHONE NUMBER	AREA CODE 713	PHONE NUMBER 805-3473	EXT
11 RESPONDENT E-MAIL ADDRESS (IF KNOWN)	N/A		

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III. NATURE OF ALLEGED VIOLATION

Include the specific law(s) or rule(s) alleged to have been violated. The Texas Ethics Commission has jurisdiction to enforce only the following laws: (1) Title 15 of the Election Code; (2) Chapters 302, 303, 305, 572, 2004 of the Gov't Code; (3) § 334.025 and § 335.055 of the Local Gov't Code; (4) Subchapter C, Chapter 159 of the Local Gov't Code, in connection with a county judicial officer who elects to file a financial statement with the commission; (5) § 2152.064 and § 2155.003 of the Gov't Code; (6) § 306.005 of the Gov't Code.

SEE ATTACHED

ATTACH ADDITIONAL PAGES AS NEEDED

IV. STATEMENT OF FACTS

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

SEE ATTACHED

ATTACH ADDITIONAL PAGES AS NEEDED

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.

SEE ATTACHED

ATTACH ADDITIONAL PAGES AS NEEDED

**VI. AFFIDAVIT
BASED ON PERSONAL KNOWLEDGE**

(Execute this affidavit if the acts alleged are within your direct personal knowledge.)

I, _____, complainant,
swear that I am a resident of the state of Texas. I swear that I have knowledge of the
facts alleged in this complaint and that the information contained in this complaint is
true and correct.

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of
_____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

**VII. AFFIDAVIT
BASED ON INFORMATION AND BELIEF**

(Execute this affidavit if the acts alleged are not within your direct personal knowledge, but are based on reasonable belief.)

I, Carol Wheeler, complainant,
swear that I am a resident of the state of Texas. I swear that I have reason to believe
and do believe that the violation alleged in this complaint has occurred. The source
of my information and belief is

review of public documents



AFFIX NOTARY STAMP / SEAL ABOVE

Carol Wheeler

Signature of Complainant

Sworn to and subscribed before me, by the said CAROL Wheeler, this the 5th day of
JUNE, 20 15, to certify which, witness my hand and seal of office.

Huy Q Truong
Signature of officer administering oath

HUY TRUONG
Printed name of officer administering oath

NOTARY PUBLIC
Title of officer administering oath

III. NATURE OF ALLEGED VIOLATION

Under Chapter 572 of the Texas Government Code, every state official must file an annual, verified financial statement with the Texas Ethics Commission. The statute specifies the kinds of financial activities that must be included in this statement.

Texas State Senator Joan Huffman appears to have violated the disclosure requirements of Chapter 572 of the Government Code, specifically § 572.023. That statutory provision requires state senators, among other elected officials, to provide in their annual financial statements an account of the financial activities of themselves, their spouses, and their dependent children. Section 572.023(b)(12) mandates that those disclosures include, *inter alia*, “any corporation, firm, partnership, limited liability venture or other business association” in which the official or his or her spouse has an interest.

The 2014 Personal Financial Statement (Form PFS) filed by Senator Huffman on January 14, 2014, and attested to under penalty of perjury, fails to include significant business interests of herself and her husband, Keith Lawyer, in violation of Chapter 572.

IV. STATEMENT OF FACTS

In January 2014, Senator Huffman filed with the Texas Ethics Commission a Personal Financial Statement, Form PFS. Senator Huffman affirmed, under penalty of perjury, that the financial statement she was submitting for the calendar year ending December 31, 2013, “was true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.”

This statement was false. Part 7B of the form requires the reporting of interests in business entities of both the filer and his or her spouse.

Senator Huffman and Donald Lawyer were married on February 5, 1997, according to Public Data.

Record Details

<i>File Number</i> 019441	<i>Husband Name</i> LAWYER DONALD K	<i>Husband Age</i> 45	<i>Wife Name</i> HUFFMAN CECELIA J
<i>Wife Age</i> 40	<i>Marriage Date</i> 2/5/1997	<i>County Code</i> 101	<i>County Name</i> HARRIS

Senator Huffman reported interests of herself and her spouse as including only an interest in LL Ranch Partners, Ltd, which she described as a family limited partnership. Records of the Secretary of State, however, show Senator Huffman’s husband, Keith Lawyer, has financial interests in over 35 separate businesses that filed with the State of Texas in

2014. Only five of those businesses were created prior to Huffman and Lawyer's marriage on February 5, 1997. Those omitted businesses include the following:

Name	Filing No.
B.C. Squared, Inc.	127645700
M. Till, Inc.	127645800
West Houston Night Life, Inc.	131759000
Western Entertainment Management, Inc.	140588700
Sunstorm, Inc.	140722200
***Above businesses created prior to February 5, 1997	
Greenstreet, Inc.	145579500
McCann Road Real Estate Ventures, Inc.	146810600
Temple Lawyer, L.P. Inc.	146810700
Longview Club Enterprise, Inc.	146811000
Lawyer Advertising Agency, Inc.	147736400
Louisiana Club Management, Inc.	151473700
Waco Tex Club Management, Inc.	151758200
Longview Tex N.P. Inc.	153901301
Lafayette Club Management, Inc.	154319200
Keith L.P. Club Management, Inc.	154399500
Lafayette Lawyer Enterprise, Inc.	154717400
Lawyer Airport Services, Inc.	159536300
Lawyer Harker Heights, Inc.	159995600
Lawyer Colosprings, Inc.	161174300
Lawyer Greeley, Inc.	162033800
Lawyer Denison, Inc.	162382600
Keith L.P. Investments, LLC	704425222
Chattanooga Partners, Inc.	800395566
Network Investors LP, Inc.	8004487270
Network Investors GP, Inc.	800487272
Participating Partners, LLC	800629407
KL Pub Investments, LLC	800878775
Kentucky Investments, LLC	801376490
ASKL Investments, LLC	801600995
WEM Aviation, LLC	801606053
Tier 1 Operations, LLC	801411524
DKL Family GP, LLC	802046821
DKL Dallas Investment Cedar Springs, LLC	8002050907
Lawyer Mineral Investments, LLC	801586805
LL Ranch Management	32017638365
K K & G Investments, LLC	800993122
Cal-Law Partners, LLC	801410550
Lukes Ice House Beaumont	801441710
Longview Enterprise, LTD	10360710

Victoria Club Venture	11258310
Boosier City Club Venture	11476610
Lafayette Club Venture, LTD	12242910
Greeley Club Venture, LTD	14772310
Denison Club Venture, LTD	14889910

***Above listed business created after February 5, 1997.

As the Texas Ethics Commission stated *In the Matter of Linda Harper-Brown, Respondent*, SC-31007211:

“A filer is required to report information about community property because the filer has ownership interest in the property. The actual control issue arises in the context in which the filer has no ownership interest.”

This is consistent with Texas Government Code Section 572.023(b)(6), which requires “identification by description of all beneficial interests in real property and business entities held or acquired...”, and Section 572.023(b)(12). *See Texas Government Code Section 572.023(b)(6) and Section 572.023(b)(12).*

All of the businesses created after February 5, 1997 would qualify as community property, and therefore Huffman would have a reportable ownership interest regardless of the issue of ‘actual control.’ (*See Texas Family Code Section 3.002: Community property consists of property, other than separate property, acquired by either spouse during the marriage.*)

Further, this was not a one-time omission. Senator Huffman’s Personal Financial Statement for 2011 and 2012, for example, include as the sole business interest of her and her spouse LL Ranch Partners Ltd, also omitting the additional considerable business interests of her husband Keith Lawyer.

On information and belief, Senator Huffman has underreported the financial business interests of herself and her spouse for years, all in violation of Chapter 572 of the Government Code.

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

Documents filed with this complaint include [Senator Huffman’s Personal Financial Statements](#) for the years 2011, 2012, and 2013.

Documents relevant to this complaint include [records of the Secretary of State of businesses owned in whole or in part by Keith Lawyer](#). They also include all Personal Financial Statements Senator Huffman has filed with the Texas Ethics Commission.