

Marc Sewell
108 Summit
Llano, TX 78643

December 1, 2014

Judge Allan Garrett
108 E. Polk, Suite 74,
Burnet, TX 78611

Subject: Cause 18504 - Notice of Past Due Findings of Fact and Conclusions of Law

Judge Garrett,

On September 24, 2014 I filed a Notice of Past Due Findings of Fact and Conclusions of Law regarding case 18504. I have not received a response to that request.

At this point, you have stalled my complaint and denied my Constitutional right to a judicial review by:

1. Erroneously disposing of the cause as asserted by the Third Court of Appeals.
2. Holding a Status Hearing where you favored the City Attorney and gave an order, off the record, that was unnecessary and contrary to the law and Texas Supreme Court - which I presented to you in the hearing.
3. Ignoring a request for hearing on a motion for interlocutory appeal and a motion for setting where the issues could either be resolved or deferred to the appeals court.
4. Issuing a written order, different than the order given, and explained in court at the status hearing. That order, which I believe to be contrary to the law, would change the character of the cause from judicial review to regular civil lawsuit – contrary to my original filing. My answer to that order would be discussed in my motion for interlocutory appeal which you refuse to schedule or answer.
5. Refusing to provide findings of fact which I would need to understand the new order since all discussion at the hearing, even off the record discussion, was for a different order.

I believe you have abused your discretion and colluded with the Llano City Attorney to overtly deny my request for a judicial review. Of course, the reason to avoid the simple path of judicial review is to protect the Llano City Manager, Brenton Lewis, from consequences of his obviously illegal actions.

I request that you schedule my motion hearing in order to resolve our issues or allow me to appeal. Failure to do so by 12/5/14 will give me no other recourse than to file a grievance with the State Commission on Judicial Conduct and the Texas Bar Association.

Marc Sewell

cc Llano city attorney Carey Bovey via email - thus not ex parte