
**Death Row Defense Lawyer Fights CCA Sanction**
Miriam Rozen, Texas Lawyer

Well-known death row defense lawyer David Dow launched a vigorous counter-attack in multiple courts fighting the sanction against him by the Texas Court of Criminal Appeals last month.

The CCA judges suspended Dow from appearing before their bench for one year without first obtaining their permission, because of what their order alleged was his late filing of a request for a stay of execution.

On Feb. 6, Dow filed a response to U.S. District Judge Jorge A. Solis' show cause order. Solis had asked Dow to show why he should not impose "reciprocal discipline" against Dow as a result of the CCA sanction.

In his response, Dow argues that his request for the stay was filed in a timely manner and that his conduct was not contrary to the rules of professional conduct. Moreover, Dow argues, the CCA is without legal authority to suspend him.

The CCA judges first issued on Jan. 14 the order to sanction Dow. According to the order, Miguel Angel Paredes had an execution scheduled for Oct. 28, 2014, when Dow, his lawyer, filed a stay request at 12:37 p.m. on Oct. 21, 2014—within the seven days of the scheduled execution— and therefore, by the court's recently revised rules, "untimely."

The court noted that it had "previously admonished" Dow that untimely filings could result in his suspension.

In a Jan. 30 motion for a rehearing filed with the CCA, Dow argues that the sanctions imposed by that court "are disproportionate, excessive and unnecessarily harsh."

In the CCA case, Stanley Schneider of Houston's Schneider & McKinney represents Dow. In federal court, Dow represents himself.

A professor at the University of Houston Law Center, Dow declined to comment about the CCA or federal court action.
His client Paredes' execution was carried out as scheduled.

Dow's disputes with the CCA have a long history and include a controversial battle, also about filing deadlines, concerning the execution of his client Michael Richard. That conflict between Dow and the court led ultimately to a special court of review vacating in 2010 the State Commission on Judicial Conduct's public warning and charges against CCA Presiding Judge Sharon Keller.