

February 24, 2010

To: Honorable Judge Bonnie Hellums  
247<sup>th</sup> Family District Court  
201 Caroline, 15<sup>th</sup> Floor  
Houston, Texas 77002

Carl Reynolds - Director  
Office of Court Administration  
205 W. 14<sup>th</sup>, 6<sup>th</sup> Floor  
Austin, Texas 78711

From: Daniel Gawlikowski  
3619 Broadmead Dr.  
Houston, Texas 77025

Re: Response to Judge Bonnie Hellum's letter dated February 23, 2010

**FILED**  
Loren Jackson  
District Clerk  
FEB 24 2010

FILED  
Harris County, Texas  
BY

Dear Judge Hellums.

I am in receipt of your letter dated February 23, 2010. Your letter to me was in Response to my Judicial Records Request pursuant to Rule 12 of the Texas Rules of Judicial Administration that I filed with the 247<sup>th</sup> Family District Court on February 22, 2010. The Judicial Records Request is a request for a judicial record that is a public document and accessible by anyone in the general public according to Rule 12 of the Texas Rules of Judicial Administration.

I also filed an Open Records Request with the 247<sup>th</sup> Family District Court on February 19, 2010 that was withdrawn on February 22, 2010. The Open Records Request that was filed on February 19, 2010 was also provided to all of the attorneys on my case. Please see email included with this letter from Walter Mahoney dated February 19, 2010 in which he sent the Open Records Request that I filed with the Court on February 19, 2010.

In your letter, you refer to my Judicial Records Request as an improper *ex parte* communication. This is *not accurate* as a copy of the Judicial Records Request that I filed on February 22, 2009 was also provided to all of the opposing attorneys involved on my case by my attorney, Walter Mahoney on February 22, 2010. Please see Mr. Mahoney's email dated February 22, 2010 that is included with this letter. Mr. Mahoney's email clearly indicates that the Judicial Records Request was provided to all the opposing attorneys involved on our case. In order for a communication to the Court to be construed as an improper *ex parte* communication, the communication has to be one that doesn't provide any notice or copy to the other attorneys that are involved on the case and is intended to unfairly influence the Tribunal or Court or Judge in a pending judicial proceeding.

I was pleased to see that you referenced *Judicial Ethics Opinion #154*, as this Opinion clearly provides the process that is required of *all Judges*, pursuant to the Code of Judicial Conduct, in how Judges are to handle and manage any and all potential improper *ex parte* communications. The fact that you referenced *Judicial Ethics Opinion #154* establishes your knowledge of the required process that you must follow when you are in receipt of any improper *ex parte* communication according to the Code of Judicial Conduct.

The evidence that is being provided to you with this letter clearly establishes that the *Judicial Records Request* that I filed with the 247<sup>th</sup> Family District Court on February 22, 2010 and the Open Records Request that I filed with Court on February 19, 2010 (and subsequently withdrew) were *not* improper *ex parte* communications.

That being said and pursuant to *Rule 12.6 (a)* of the Texas Rules of Judicial Administration, I would like to again request that the Honorable Judge Bonnie Hellums provide the requested documents *pursuant to my Judicial Records Request that was filed on February 22, 2010 with the 247<sup>th</sup> Family District Court and is included with this letter* and was addressed to your attention, since you are the Records Custodian of the 247<sup>th</sup> Family District Court.

Pursuant to Rule 12.6 (b) of the Texas Rules of Judicial Administration, please produce the requested Judicial Records for inspection and copying as soon as practicable, *but not later than 14 days*. Please make the requested Judicial Records available for inspection and copying at the Office of the Clerk of the 247<sup>th</sup> District Court.

Can you please have your Court Clerk or Court Coordinator call me at 713-256-6488 to confirm when the requested Judicial Records, *pursuant to my Judicial Records Request that I filed with the 247<sup>th</sup> Family District Court on February 22, 2010*, will be made available for inspection and copying.

A copy of this letter and all of its enclosures is being provided to Carl Reynolds, Director of the Office of Court Administration in Austin, Texas. A copy of this letter is also being provided to all of the attorneys that involved on my case.

If you have any questions, please don't hesitate to contact me at 713-256-6488.

Sincerely,



Daniel Gawlikowski

