

THE STATE OF TEXAS,)	54 TH DISTRICT COURT
)	
Plaintiff,)	McLENNAN COUNTY,
)	TEXAS
v.)	
)	
MATTHEW ALAN CLENDENNEN,)	
)	
Defendant.)	
_____)	

**RESPONSE TO McLENNAN COUNTY CRIMINAL DISTRICT
ATTORNEY’S RECUSAL AND REQUEST FOR APPOINTMENT OF
ATTORNEY *PRO TEM***

Defendant, Matthew Alan Clendennen, is in receipt of the McLennan County Criminal District Attorney’s Recusal and Request For Appointment of Attorney *Pro Tem* and joins in the request for the Court to appoint an Attorney *Pro Tem*.

Nevertheless, Mr. Clendennen notes that the elected District Attorney continues to deny an FBI investigation into his conduct and that material exists in his office that should be produced pursuant to *Bagley v. United States*, 473 U.S. 667 (1985). So that the Court is aware, the defense is prepared to present unequivocal evidence at the currently scheduled October 30, 2017 to the existence of such an investigation by Special Agent Dan Brust of the Federal Bureau of Investigation. This testimony would include, but not be limited to, the following

testimony:

Michael Jarrett: Jarrett is Abelino Reyna's First Assistant and would testify to his meetings with federal agents regarding allegation that Reyna arranged to have cases dismissed for friends and campaign contributors. Jarrett could also testify that he felt it necessary to obtain a second phone in order to keep lines of communication open with Agent Brust.

Amanda Dillon: Dillon is an Assistant District Attorney and would testify to having multiple meetings with federal agents regarding allegation that Reyna arranged to have cases dismissed for friends and campaign contributors.

Greg Davis: Davis is Reyna's former First Assistant District Attorney and would testify to meetings with federal agents regarding allegations that Reyna arranged to have cases dismissed for friends and campaign contributors. He could also testify to conversations that the District Attorney's Office "made" the police arrest 177 motorcyclists at Twin Peaks despite the wishes of the police.

Local Attorney: This person would testify to meetings with federal agents regarding allegations that Reyna arranged to have cases dismissed for friends and campaign contributors and that Reyna was delivered cocaine in the period around his actions in relation to the Twin Peaks case.

Sterling Harmon: Harmon is the attorney responsible for answering Open Records requests at the McLennan County District Attorney's Office. He could testify that Reyna's office had three documents that might be responsive to an open records request indicating that a case (or multiple cases) were dismissed because "defendant contributed to Abel Reyna's campaign."

Sherry Kingrey: Kingrey is a former police officer and can testify to information she and Fred Reha provided to Agent Brust in furtherance of his public corruption investigation related to Abelino

Reyna

Respectfully submitted,

/s/ F. Clinton Broden

F. Clinton Broden

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Attorney for Defendant

Matthew Alan Clendennen

CERTIFICATE OF SERVICE

I, F. Clinton Broden, do hereby certify that, on this 26th day of October, 2017, I caused a copy of the foregoing document to be served on McLennan County District Attorney, 219 N 6th St., Waco, TX 76701 by email: Michael.Jarrett@co.mclennan.tx.us.

/s /F. Clinton Broden
F. Clinton Broden