

JOHN R. ROACH
DISTRICT JUDGE
199TH DISTRICT COURT

COLLIN COUNTY COURTHOUSE
210 S. McDONALD ST., Ste. 434
McKINNEY, TEXAS 75069

214-548-4415
METRO 424-1460 Ext. 4415

June 19, 1997

Eric W. Pinker
Attorney at Law
750 N. St. Paul St., Ste 1400
Dallas, TX 75201

Richard Sayles
Attorney at Law
1201 Elm St.
4400 Renaissance
Dallas, TX 75270

Re: No. 199-596-97 DSC vs. Brown

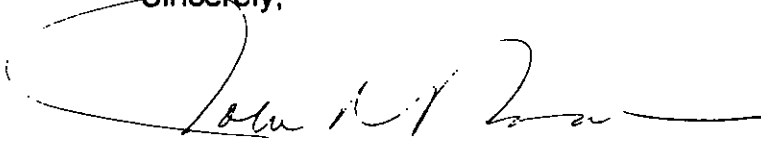
Gentlemen:

I have referred the motion to disqualify to Judge McDowell, as instructed, and will take no further action or make any other orders until Judge McDowell, or a judge designated by him, determines the issue of disqualification. Under the circumstances, and the applicable law, I can make no orders in the case at present. No other judge is permitted to do so either, until the disqualification issue is resolved. If I am determined to be disqualified, Judge McDowell will appoint another judge to hear the case. If I am not disqualified, I will preside over the case, of course.

The instructions to me from the Court of Appeals lead me to conclude that they did not decide that I am disqualified, but that the procedure outlined above

is to be followed. As with a motion to recuse, a motion to disqualify relieves the judge against whom the motion is filed of any authority to act until the motion is determined. In this instance that issue will be determined by Judge McDowell or another judge assigned by him to the case for that purpose.

Sincerely,

A handwritten signature in cursive script, appearing to read "John R. Roach", with a long horizontal flourish extending to the right.

JOHN R. ROACH

JRR/cc

cc: Hon. Judge Pat McDowell
First Administrative Judicial Region
5th Floor, Crowley Building
133 N. Industrial Blvd., LB 42
Dallas, Texas 75207