

Two Pro Bono Victories In One Day For Susman Godfrey Co-Managing Partner Neal Manne

HOUSTON (Feb. 9, 2016) — Susman Godfrey Co-Managing Partner Neal Manne has had many pro bono victories over the years but never two in one day until February 8. One business day after finishing a high profile trial in the U.S. District Court for San Juan, Puerto Rico, two of Manne's pro bono clients won important victories in controversial cases in Texas involving prosecutorial misconduct and refugee resettlement.

In the first case, Manne and Susman Godfrey represent exonerated Death Row inmate Anthony Graves in his grievance against Texas prosecutor Charles Sebesta. Graves was imprisoned for 18 and ½ years for a multiple homicide he did not commit. He spent 12 years on Death Row, twice facing execution dates, because prosecutor, Charles Sebesta, concealed evidence of Graves' innocence and intentionally elicited perjured testimony from a key witness at trial. Even after the U.S. Court of Appeals for the 5th Circuit reversed Graves' conviction, the State of Texas held him in jail for several more years, claiming it would re-prosecute him. Ultimately, a special prosecutor acknowledged that there was no evidence Graves had committed the crime, and that there had been extreme prosecutorial misconduct. The State of Texas eventually declared that Graves was completely innocent. After Graves filed a grievance against Sebesta in 2014, the Bar held a multi-day evidentiary hearing in May 2015. One month later, a 3 member panel found that Sebesta had engaged in multiple ethical violations and ordered him disbarred for life. Read more about that decision [here](#). Sebesta appealed to the 12 lawyer Board of Disciplinary Appeals ("BODA"), which is appointed by the Texas Supreme Court. BODA heard the appeal on January 29, 2016 and—with unusual swiftness—flatly rejected Sebesta's appeal, affirming Sebesta's permanent disbarment.

"In rejecting Sebesta's argument, the Board of Disciplinary Appeals found that Charles Sebesta's misconduct was so egregious that they characterized him as having 'unclean hands.' That certainly is a fitting description," said Manne.

The case is Texas Board of Disciplinary Appeals No. 56406, *Sebesta v. Comm'n for Lawyer Discipline*. Also representing Graves are former Susman Godfrey partner Charles Eskridge, now a partner at Quinn Emanuel Urquhart & Sullivan; and Kathryn Kase, Executive Director of Texas Defender Service. Manne chairs the board of directors of Texas Defender Service. You can read more about this matter at [Texas Lawyer](#).

BODA issued its decision in the morning on February 8. Later that same day, a different pro bono client of Manne and Susman Godfrey won an important victory in a high profile case pending in federal district court in Dallas. In December 2015, the State of Texas (through its Health and Human Services Commission) filed a lawsuit seeking a TRO and a temporary injunction to halt the resettlement of all Syrian refugees in Texas. The State sued several federal government defendants, as well as the International Rescue Committee (IRC), a non-profit organization that has worked for decades with the federal and state governments on refugee resettlement. Manne and a team of Susman Godfrey partners represented IRC pro bono, working alongside several other organizations including the ACLU's Immigrants' Rights Project (which has led the effort), the National Immigration Law Center, and the Southern Poverty Law Center.

The State's TRO request was denied in December 2015. On February 8, IRC and the federal government defendants won a major victory when U.S. District Judge David C. Godbey denied the State of Texas' request for a preliminary injunction halting Syrian refugee resettlement in Texas. Judge Godbey held that while Syrian refugees "pose some risk . . . [i]n our country, however, it is the federal executive that is charged with assessing and mitigating that risk, not the states and not the courts." Judge Godbey, who was appointed to the district court by President George W. Bush, noted that "[s]omewhat ironically, Texas, perhaps the reddest of red states, asks a federal court to stick its judicial nose into this political morass, where it does not belong absent statutory authorization."

The case is No. 3:15-cv-03851-N *Texas Health and Human Services Commission v. United States of America et al.* In addition to Manne, IRC is represented by Susman Godfrey partners [Terry Oxford](#), [Robert Rivera, Jr.](#), [Robert Safi](#), [Shawn Raymond](#), [Stephen Shackelford](#), and [Vineet Bhatia](#). You can read more about this matter at [Texas Lawyer](#).

You can read more about these two pro bono victories at [Law360](#) (subscription required).