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THE SENATE OF THE STATE OF TEXAS
SITTING AS A HIGH COURT OF IMPEACHMENT

THE MATTER OF §
WARREN KENNETH §
PAXTON, JR. §

TRIAL
VOLUME 1 - AM SESSION
SEPTEMBER 5, 2023

The following proceedings came on to be heard in
the above-entitled cause in the Senate chambers before
Lieutenant Governor Dan Patrick, Presiding Officer, and
Senate members.

Stenographically Reported by
Lorrie A. Schnoor, CSR, RDR, CRR

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19 HOUSE BOARD OF MANAGERS:

20 Representative Andrew Murr
21 Representative Ann Johnson
22 Representative Briscoe Cain
23 Representative Terry Canales
24 Representative Erin Gamez
25 Representative Charlie Geren
Representative Jeff Leach
Representative Oscar Longoria
Representative Morgan Meyer
Representative Joe Moody
Representative David Spiller
Representative Cody Vasut

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1 P R O C E E D I N G S

2 TUESDAY, SEPTEMBER 5, 2023

3 (8:58 a.m.)

4 THE BAILIFF: All rise. The Court of
5 Impeachment of the Texas Senate is now in session. The
6 Honorable Lieutenant Governor and President of the
7 Senate Dan Patrick now presiding.

8 PRESIDING OFFICER: Good morning,
9 everyone.

10 Bailiff, will you bring in the jury.

11 (Jury enters Senate chamber)

12 PRESIDING OFFICER: Please remain
13 standing at your desk as you come on.

14 For those here in the gallery or are
15 watching online, every day we begin a set of session
16 with a prayer, and we will do so every day during this
17 impeachment process.

18 Senator King.

19 Each day a different Senator will present
20 the prayer as they wish.

21 SENATOR KING: Good morning. If you
22 would just bow with me, please.

23 Father, we wanted to start off today
24 putting first things first, because for all of us, this
25 is a first. It's an incredibly solemn and important

1 occasion, and none of us have ever been a part of a
2 trial of this nature. And really it's only happened a
3 handful of times in Texas history.

4 So as we come to it this morning, we just
5 first pray that you would just give us wisdom in all the
6 presentation and all the deliberations and just
7 everything that will go on. For those of us who are
8 going to be making the decisions at the end, we just
9 pray for your wisdom and insight. And we know the truth
10 is always at the top of your agenda with justice, and we
11 pray that we would see what that is and that we would
12 make decisions in accordance with that.

13 Just want to pray for the Lieutenant
14 Governor. This is a new role for him as Presiding
15 Officer. We pray for your help for him in that task.

16 Just pray for all of us members of the
17 Senate. We've been here most of this year. We all have
18 a lot of responsibilities back home that are piling up,
19 and we just pray that you would just keep everything
20 moving smooth at home with our families and our
21 businesses and just all our responsibilities so that we
22 can focus all our efforts on this task.

23 We'd also just pray for good health so
24 that we can all be here every day. All of us who are
25 part of this trial, we pray that we could be here every

1 day, be healthy, be attentive, sleep well, just all
2 those things we need to do to do the job that you've put
3 us here to do.

4 And, Father, again, we just ask just for
5 your guidance, your direction. And we just pray that
6 when all of this is over that all of us will walk away
7 knowing in your eyes that we did the right thing. We
8 ask this in Jesus name. Amen.

9 PRESIDING OFFICER: Thank you,
10 Senator King.

11 I will now have -- you may be seated.
12 Everyone be seated.

13 We will now have our Chief Justice
14 Nathan Hecht give the oath of office to myself and Judge
15 Lana Myers.

16 (The following oath was given to
17 Lieutenant Governor Dan Patrick.)

18 CHIEF JUSTICE HECHT: I, Dan Patrick, do
19 solemnly swear that I will impartially try William
20 Kenneth Paxton, Jr., Attorney General of Texas, upon the
21 impeachment charges submitted by the House of
22 Representatives, so help me God.

23 PRESIDING OFFICER: Now Judge Myers.

24 (The following oath was given to Judge
25 Lana Myers.)

1 CHIEF JUSTICE HECHT: I, Lana Myers, do
2 solemnly swear that I will impartially perform the
3 duties of legal counsel and jurist in the impeachment of
4 William Kenneth Paxton, Jr., Attorney General of Texas,
5 so help me God.

6 PRESIDING OFFICER: For those in the
7 gallery, and, again, watching online, we seldom bring
8 out the Sam Houston Bible. We do it in inaugurations
9 and other special occasions, and this is a very
10 significant and serious occasion that will be in the
11 history books. And I thought it appropriate to bring
12 out the Sam Houston Bible, not just for Judge Myers and
13 myself, but for each member of the Senate, the jurors.

14 So we're going to take a few minutes,
15 instead of swearing in everyone at one time -- and our
16 clerk of the court, Patsy Spaw, who I might mention has
17 not missed a session day in 54 years, has dedicated to
18 her service will present the Bible to each member -- I
19 will swear them in. You may choose to put your hand on
20 the Bible or not. That is your decision. And we
21 present the Bible to you.

22 We will do it one by one, starting with
23 Senator Blanco. Repeat after me.

24 (The following oath was given to all
25 qualified voting senator jurors.)

1 PRESIDING OFFICER: I do solemnly swear
2 or affirm I will impartially try Warren Kenneth Paxton,
3 Attorney General of Texas, upon the impeachment charges
4 submitted to me by the House of Representatives and a
5 true verdict render according to the law and the
6 evidence, so help me God.

7 Thank you, Senator.

8 This oath is being taken by all qualified
9 jurors today on the floor who have a vote.

10 Court reporters, would you please stand?

11 (The following oath was given to the court
12 reporters.)

13 PRESIDING OFFICER: If you will repeat
14 after me: I do solemnly swear or affirm that I will
15 correctly transcribe and report all of the proceedings
16 of the trial of Warren Kenneth Paxton, Jr. on
17 impeachment, so help me God.

18 And thank you for being here. Thank you.

19 Officers of the Court. Would all the
20 officers of the Court who are assisting in the trial
21 please step next to the Clerk of the Court. Raise your
22 right hand. Repeat after me.

23 (The following oath was given to the
24 officers of the Court.)

25 PRESIDING OFFICER: I do solemnly swear

1 or affirm that I will impartially serve the Court during
2 the proceedings of the trial of Warren Kenneth Paxton,
3 Jr. on impeachment, so help me God.

4 And thank all of you for preparing over
5 the last several months the Senate for today. Thank
6 you.

7 For the record, I want to announce the
8 counselors for the House of Managers. Please rise when
9 I announce your name.

10 Representative Andrew Murr.

11 Representative Ann Johnson.

12 Representative Briscoe Cain.

13 Representative Terry Canales.

14 Representative Erin Gamez.

15 Representative Charlie Geren.

16 Representative Jeff Leach.

17 Representative Oscar Longoria.

18 Representative Morgan Meyer.

19 Representative Joe Moody.

20 Representative David Spiller.

21 And Representative Cody Vasut.

22 Dick DeGuerin, Rusty Hardin, Justice

23 Harriet O'Neill, Brian Benken, Jenny Brevorka,

24 Terese Buess, Donna Cameron, Aisha Dennis,

25 Mark Donnelly, Daniel Dutko, Erin Epley, Ross Garber,

1 Leah Graham, Lisa Hobbs, Laura Hollingsworth,
2 Megan Moore, Mark White, and Joe Burrow.

3 Did I miss anyone? Thank you.

4 Sir? Mr. Lewis.

5 MR. LEWIS: Armstead Lewis.

6 PRESIDING OFFICER: Armstead Lewis.

7 Thank you, sir.

8 And now counselors for the record, I will
9 announce the -- get my list here -- Attorney General's
10 counsel, please rise when I call your name.

11 Tony Buzbee, Dan Cogdell,
12 Allison Collins, Anthony Dolcefino, Amy Hilton,
13 Christopher Hilton, Colby Holler, Kateland Jackson,
14 Mitch Little, Joseph Mazzara, Anthony Osso, and
15 Judd Stone.

16 Did I miss anyone? Thank you. Good to
17 see you.

18 I want to first -- I want to first
19 introduce Judge Lana Myers, who is sitting next to me.
20 She will be my legal counsel. I'm neither a lawyer or a
21 judge, so I appreciate her giving of her time to be here
22 today. She's served with distinction in the Dallas area
23 on the -- as a prosecutor in the criminal court and on
24 the Fifth Court of Appeals. So I want to thank you for
25 being here today. Thank you, Judge Myers.

1 Once again, good morning. For those of
2 you attending today, just a couple of brief remarks in
3 the gallery. All cell phones must be turned off. Other
4 than the media, no recording may be made of the
5 proceedings by those present. We must maintain decorum.
6 And no distractions in the gallery, as we will on the
7 floor at all times.

8 We're glad to have you here, but any
9 outbursts by anyone in the gallery will result in your
10 removal. So I hope you're with us for the whole time.

11 Our first order of business is to address
12 24 pretrial motions submitted by the parties. The
13 deadline for the parties to file pretrial motions was
14 August 5. Answers to the motions from the other party
15 were due August 15.

16 The rules that were written by the
17 Senators and passed 25 to 3 require any motion that
18 could result in dismissal of an article of impeachment
19 to be voted on by the members of the jury, the Senators.
20 There are 16 such motions that could result in dismissal
21 of articles of impeachment. Unlike regular session
22 where members speak and debate on the floor, the members
23 passed rules which do not allow questions, discussions,
24 or debate from the floor.

25 As you know in a regular trial a jury

1 does not make public comments during a trial, and
2 neither will this jury.

3 After the members of the Court vote on
4 the 16 dispositive motions, I will rule on the remaining
5 eight motions, which the rules require the Presiding
6 Officer to do.

7 It is possible that through certain votes
8 by members of the Court some or all of impeachment could
9 be dismissed. If the articles are dismissed, the Court
10 will enter a finding that they are dismissed with
11 prejudice thereby satisfying Article XV Section 5 of the
12 Constitution, reinstating Attorney General to office.

13 However, if any articles remain after votes on pretrial
14 motions and rules require, we move forward with a trial.

15 We will now take up pretrial motions
16 under the rules. It takes a majority of members
17 present -- that is 16 voting members -- who are eligible
18 to serve as jurors to grant a motion for dismissal. Per
19 the rules, all motions and answers are required to be
20 filed prior to the trial, and arguments of the counsel
21 for both sides are contained therein.

22 Members, you have read the pretrial
23 motions and the answers to the motions for each motion.
24 You will indicate on your voting form yea or nay. A yea
25 vote is to grant the motion; a nay vote is to deny the

1 motion.

2 The bailiff, as you know, will collect
3 your votes. The clerk will then announce them, each
4 vote, and the tally. And after she has tallied the
5 votes, I am required by the rules to confirm your vote
6 is accurate. So I will call each of you one by one by
7 your name, and you will rise in place and state how you
8 voted, yea or nay.

9 As previously mentioned, a motion is
10 considered granted if it receives yea votes from a
11 majority of the members present, which is 16, and who
12 are eligible to serve as jurors.

13 Members, we will now take up Motion 22
14 submitted by Respondent, Attorney General Paxton. The
15 motion is entitled No Evidence Motion for Summary
16 Judgment on All Articles of Impeachment. A yea vote is
17 to grant the motion; a nay vote is to deny the motion.

18 Please mark your vote on the voting form.

19 Bailiff, will you collect the votes and
20 bring them to the clerk.

21 Are all of the votes collected, Bailiff?

22 Thank you, Austin.

23 Thank you, Matt.

24 The secretary will -- the clerk -- I'm
25 sorry -- Ms. Spaw is our secretary of the Senate. The

1 clerk will now pull the votes at random and read them
2 into the record.

3 THE CLERK: Flores, no.
4 Eckhardt, no.
5 Kolkhorst, yea.
6 Bettencourt, yea.
7 Creighton, yea.
8 Middleton, nay.
9 Alvarado, nay.
10 King, nay.
11 Sparks, nay.
12 West, nay.
13 Whitmire, nay.
14 Huffman, nay.
15 Hinojosa, nay.
16 Zaffirini, nay.
17 Hancock, nay.
18 Menendez, nay.
19 Birdwell, nay.
20 Hall, yea.
21 Perry, nay.
22 La Mantia, nay.
23 Parker, yea.
24 Hughes, nay.
25 Miles, nay.

1 Gutierrez, nay.

2 Johnson, nay.

3 Springer, nay.

4 Schwertner, nay.

5 Campbell, yea.

6 Nichols, nay.

7 Blanco, nay.

8 24 nays; six yeas.

9 PRESIDING OFFICER: I will now confirm
10 the vote of the jury in alphabetical order.

11 Senator Alvarado, your vote?

12 SENATOR ALVARADO: Nay.

13 PRESIDING OFFICER: Senator Bettencourt.

14 SENATOR BETTENCOURT: Yea.

15 PRESIDING OFFICER: Senator Birdwell.

16 SENATOR BIRDWELL: Nay.

17 PRESIDING OFFICER: Senator Blanco.

18 SENATOR BLANCO: Nay.

19 PRESIDING OFFICER: Senator Campbell.

20 SENATOR CAMPBELL: Yea.

21 PRESIDING OFFICER: Senator Creighton.

22 SENATOR CREIGHTON: Yea.

23 PRESIDING OFFICER: Senator Eckhardt.

24 SENATOR ECKHARDT: Nay.

25 PRESIDING OFFICER: Senator Flores.

1 SENATOR FLORES: Nay.
2 PRESIDING OFFICER: Senator Gutierrez.
3 SENATOR GUTIERREZ: Nay.
4 PRESIDING OFFICER: Senator Hall.
5 SENATOR HALL: Yea.
6 PRESIDING OFFICER: Senator Hancock.
7 SENATOR HANCOCK: Nay.
8 PRESIDING OFFICER: Senator Hinojosa.
9 SENATOR HINOJOSA: Nay.
10 PRESIDING OFFICER: Senator Huffman.
11 SENATOR HUFFMAN: Nay.
12 PRESIDING OFFICER: Senator Hughes.
13 SENATOR HUGHES: Nay.
14 PRESIDING OFFICER: Senator Johnson.
15 SENATOR JOHNSON: Nay.
16 PRESIDING OFFICER: Senator King.
17 SENATOR KING: Nay.
18 PRESIDING OFFICER: Senator Kolkhorst.
19 SENATOR KOLKHORST: Yea.
20 PRESIDING OFFICER: Senator La Mantia.
21 SENATOR LA MANTIA: Nay.
22 PRESIDING OFFICER: Senator Menendez.
23 SENATOR MENENDEZ: Nay.
24 PRESIDING OFFICER: Senator Middleton.
25 SENATOR MIDDLETON: Nay.

1 PRESIDING OFFICER: Senator Miles.

2 SENATOR MILES: Nay.

3 PRESIDING OFFICER: Senator Nichols.

4 SENATOR NICHOLS: Nay.

5 PRESIDING OFFICER: Senator Parker.

6 SENATOR PARKER: Yea.

7 PRESIDING OFFICER: Senator Perry.

8 SENATOR PERRY: Nay.

9 PRESIDING OFFICER: Senator Schwertner.

10 SENATOR SCHWERTNER: Nay.

11 PRESIDING OFFICER: Senator Springer.

12 SENATOR SPRINGER: Nay.

13 PRESIDING OFFICER: Senator Sparks.

14 SENATOR SPARKS: Nay.

15 PRESIDING OFFICER: Senator West.

16 SENATOR WEST: Nay.

17 PRESIDING OFFICER: Senator Whitmire.

18 SENATOR WHITMIRE: Nay.

19 PRESIDING OFFICER: Senator Zaffirini.

20 SENATOR ZAFFIRINI: Nay.

21 PRESIDING OFFICER: 24 nays, six yeas.

22 The tally is confirmed. The motion is denied.

23 Members, we are now taking up Motion 9

24 submitted by the respondent, Attorney General Paxton.

25 The motion is entitled Motion to Exclude Evidence of Any

1 Alleged Conduct that Occurred Prior to January 2023. A
2 yea vote is to grant the motion; a nay vote is to deny
3 the motion. Please mark your voting form.

4 Bailiffs, please pick up the votes.

5 Are all votes collected? Thank you,
6 Bailiff.

7 Clerk will pull the votes at random.

8 THE CLERK: Eckhardt, nay.

9 King, nay.

10 Sparks, nay.

11 Flores, nay.

12 Blanco, nay.

13 La Mantia, nay.

14 Parker, yea.

15 Hughes, nay.

16 Miles, nay.

17 Gutierrez, nay.

18 Johnson, nay.

19 Springer, nay.

20 Schwertner, yea.

21 Alvarado, nay.

22 Campbell, yea.

23 Nichols, nay.

24 West, nay.

25 Whitmire, nay.

1 Huffman, nay.
2 Hinojosa, nay.
3 Zaffirini, nay.
4 Perry, yea.
5 Kolkhorst, yea.
6 Bettencourt, yea.
7 Creighton, yea.
8 Middleton, nay.
9 Hancock, nay.
10 Menendez, nay.
11 Birdwell, nay.
12 Hall, yea.
13 8 yeas, 22 nays.
14 PRESIDING OFFICER: I'll confirm the
15 votes.
16 Senator Alvarado.
17 SENATOR ALVARADO: Nay.
18 PRESIDING OFFICER: Senator Bettencourt.
19 SENATOR BETTENCOURT: Yea.
20 PRESIDING OFFICER: Senator Birdwell.
21 SENATOR BIRDWELL: Nay.
22 PRESIDING OFFICER: Senator Blanco.
23 SENATOR BLANCO: Nay.
24 PRESIDING OFFICER: Senator Campbell.
25 SENATOR CAMPBELL: Yea.

1 PRESIDING OFFICER: Senator Creighton.
2 SENATOR CREIGHTON: Yea.
3 PRESIDING OFFICER: Senator Eckhardt.
4 SENATOR ECKHARDT: Nay.
5 PRESIDING OFFICER: Senator Flores.
6 SENATOR FLORES: Nay.
7 PRESIDING OFFICER: Senator Gutierrez.
8 SENATOR GUTIERREZ: Nay.
9 PRESIDING OFFICER: Senator Hall.
10 SENATOR HALL: Yea.
11 PRESIDING OFFICER: Senator Hancock.
12 SENATOR HANCOCK: Nay.
13 PRESIDING OFFICER: Senator Hinojosa.
14 SENATOR HINOJOSA: Nay.
15 PRESIDING OFFICER: Senator Huffman.
16 SENATOR HUFFMAN: Nay.
17 PRESIDING OFFICER: Senator Hughes.
18 SENATOR HUGHES: Nay.
19 PRESIDING OFFICER: Senator Johnson.
20 SENATOR JOHNSON: Nay.
21 PRESIDING OFFICER: Senator King.
22 SENATOR KING: Nay.
23 PRESIDING OFFICER: Senator Kolkhorst.
24 SENATOR KOLKHORST: Yea.
25 PRESIDING OFFICER: Senator La Mantia.

1 SENATOR LA MANTIA: Nay.
2 PRESIDING OFFICER: Senator Menendez.
3 SENATOR MENENDEZ: Nay.
4 PRESIDING OFFICER: Senator Middleton.
5 SENATOR MIDDLETON: Nay.
6 PRESIDING OFFICER: Senator Miles.
7 SENATOR MILES: Nay.
8 PRESIDING OFFICER: Senator Nichols.
9 SENATOR NICHOLS: Nay.
10 PRESIDING OFFICER: Senator Parker.
11 SENATOR PARKER: Yea.
12 PRESIDING OFFICER: Senator Perry.
13 SENATOR PERRY: Yea.
14 PRESIDING OFFICER: Senator Schwertner.
15 SENATOR SCHWERTNER: Yea.
16 PRESIDING OFFICER: Senator Sparks.
17 SENATOR SPARKS: Nay.
18 PRESIDING OFFICER: Senator Springer.
19 SENATOR SPRINGER: Nay.
20 PRESIDING OFFICER: Senator West.
21 SENATOR WEST: Nay.
22 PRESIDING OFFICER: Senator Whitmire.
23 SENATOR WHITMIRE: Nay.
24 PRESIDING OFFICER: Senator Zaffirini.
25 SENATOR ZAFFIRINI: Nay.

1 PRESIDING OFFICER: Being 22 nays and 8
2 yeas, the motion is denied.

3 Members, we are now taking up Motion 8
4 submitted by the respondent, Attorney General Paxton,
5 entitled Motion to Dismiss Articles of Impeachment 1
6 through VII, and IX through XX. A yea vote is to grant
7 the motion; a nay vote is to deny the motion. Please
8 mark your ballots.

9 Bailiff, if you'll collect the ballots.
10 All the ballots collected? Thank you.
11 Clerk will pull at random and read the
12 votes.

13 THE CLERK: Johnson, nay.

14 Springer, nay.

15 Schwertner, yea.

16 Campbell, yea.

17 Nichols, nay.

18 West, nay.

19 Whitmire, nay.

20 Huffman, nay.

21 Hinojosa, nay.

22 Parker, yea.

23 Hughes, nay.

24 Miles, nay.

25 Gutierrez, nay.

1 Zaffirini, nay.
2 Blanco, nay.
3 La Mantia, nay.
4 Hancock, nay.
5 Menendez, nay.
6 Birdwell, nay.
7 Hall, yea.
8 Perry, yea.
9 Kolkhorst, yea.
10 Bettencourt, yea.
11 Creighton, yea.
12 Middleton, nay.
13 Alvarado, nay.
14 Eckhardt, nay.
15 King, nay.
16 Sparks, nay.
17 Flores, nay.
18 8 yeas, 22 nays.
19 PRESIDING OFFICER: Members, please
20 confirm your votes.
21 Senator Alvarado.
22 SENATOR ALVARADO: Nay.
23 PRESIDING OFFICER: Senator Bettencourt.
24 SENATOR BETTENCOURT: Yea.
25 PRESIDING OFFICER: Senator Birdwell.

1 SENATOR BIRDWELL: Nay.
2 PRESIDING OFFICER: Senator Blanco.
3 SENATOR BLANCO: Nay.
4 PRESIDING OFFICER: Senator Campbell.
5 SENATOR CAMPBELL: Yea.
6 PRESIDING OFFICER: Senator Creighton.
7 SENATOR CREIGHTON: Yea.
8 PRESIDING OFFICER: Senator Eckhardt.
9 SENATOR ECKHARDT: Nay.
10 PRESIDING OFFICER: Senator Flores.
11 SENATOR FLORES: Nay.
12 PRESIDING OFFICER: Senator Gutierrez.
13 SENATOR GUTIERREZ: Nay.
14 PRESIDING OFFICER: Senator Hall.
15 SENATOR HALL: Yea.
16 PRESIDING OFFICER: Senator Hancock.
17 SENATOR HANCOCK: Nay.
18 PRESIDING OFFICER: Senator Hinojosa.
19 SENATOR HINOJOSA: Nay.
20 PRESIDING OFFICER: Senator Huffman.
21 SENATOR HUFFMAN: Nay.
22 PRESIDING OFFICER: Senator Hughes.
23 SENATOR HUGHES: Nay.
24 PRESIDING OFFICER: Senator Johnson.
25 SENATOR JOHNSON: Nay.

1 PRESIDING OFFICER: Senator King.
2 SENATOR KING: Nay.
3 PRESIDING OFFICER: Senator Kolthorst.
4 SENATOR KOLKHORST: Yea.
5 PRESIDING OFFICER: Senator La Mantia.
6 SENATOR LA MANTIA: Nay.
7 PRESIDING OFFICER: Senator Menendez.
8 SENATOR MENENDEZ: Nay.
9 PRESIDING OFFICER: Senator Middleton.
10 SENATOR MIDDLETON: Nay.
11 PRESIDING OFFICER: Senator Miles.
12 SENATOR MILES: Nay.
13 PRESIDING OFFICER: Senator Nichols.
14 SENATOR NICHOLS: Nay.
15 PRESIDING OFFICER: Senator Parker.
16 SENATOR PARKER: Yea.
17 PRESIDING OFFICER: Senator Perry.
18 SENATOR PERRY: Yea.
19 PRESIDING OFFICER: Senator Schwertner.
20 SENATOR SCHWERTNER: Yea.
21 PRESIDING OFFICER: Senator Sparks.
22 SENATOR SPARKS: Nay.
23 PRESIDING OFFICER: Senator Springer.
24 SENATOR SPRINGER: Nay.
25 PRESIDING OFFICER: Senator West.

1 SENATOR WEST: Nay.

2 PRESIDING OFFICER: Senator Whitmire.

3 SENATOR WHITMIRE: Nay.

4 PRESIDING OFFICER: Senator Zaffirini.

5 SENATOR ZAFFIRINI: Nay.

6 PRESIDING OFFICER: 8 yeas, 22 nays, the
7 motion is denied.

8 We're now taking up Motion No. 6,
9 members, submitted by the respondent, Attorney General
10 Paxton. The motion is entitled Motion to Quash Articles
11 of Impeachment or Grant Requests for Bill of
12 Particulars. A yea vote is to grant the motion; a nay
13 vote is to deny the motion. Mark your ballot.

14 Bailiffs, please collect the ballots.

15 All the ballots collected? Thank you.

16 The clerk will read the ballots at
17 random.

18 THE CLERK: Miles, nay.

19 Gutierrez, nay.

20 Johnson, nay.

21 Springer, nay.

22 Schwertner, nay.

23 Campbell, yea.

24 Nichols, nay.

25 West, nay.

1 Blanco, nay.
2 La Mantia, nay.
3 Parker, yea.
4 Hughes, nay.
5 Whitmire, nay.
6 Huffman, nay.
7 Hinojosa, nay.
8 Hancock, nay.
9 Menendez, nay.
10 Birdwell, nay.
11 Hall, yea.
12 Perry, nay.
13 Kolkhorst, yea.
14 Bettencourt, yea.
15 Creighton, yea.
16 Middleton, nay.
17 Alvarado, nay.
18 Eckhardt, nay.
19 King, nay.
20 Sparks, nay.
21 Flores, nay.
22 Zaffirini, nay.
23 Six yeas, 24 nays.
24 PRESIDING OFFICER: To confirm the vote.
25 Senator Alvarado.

1 SENATOR ALVARADO: Nay.
2 PRESIDING OFFICER: Bettencourt.
3 SENATOR BETTENCOURT: Yea.
4 PRESIDING OFFICER: Senator Birdwell.
5 SENATOR BIRDWELL: Nay.
6 PRESIDING OFFICER: Senator Blanco.
7 SENATOR BLANCO: Nay.
8 PRESIDING OFFICER: Senator Campbell.
9 SENATOR CAMPBELL: Yea.
10 PRESIDING OFFICER: Senator Creighton.
11 SENATOR CREIGHTON: Yea.
12 PRESIDING OFFICER: Senator Eckhardt.
13 SENATOR ECKHARDT: Nay.
14 PRESIDING OFFICER: Senator Flores.
15 SENATOR FLORES: Nay.
16 PRESIDING OFFICER: Senator Gutierrez.
17 SENATOR GUTIERREZ: Nay.
18 PRESIDING OFFICER: Senator Hall.
19 SENATOR HALL: Yea.
20 PRESIDING OFFICER: Senator Hancock.
21 SENATOR HANCOCK: Nay.
22 PRESIDING OFFICER: Senator Hinojosa.
23 SENATOR HINOJOSA: Nay.
24 PRESIDING OFFICER: Senator Huffman.
25 SENATOR HUFFMAN: Nay.

1 PRESIDING OFFICER: Senator Hughes.
2 SENATOR HUGHES: Nay.
3 PRESIDING OFFICER: Senator Johnson.
4 SENATOR JOHNSON: Nay.
5 PRESIDING OFFICER: Senator King.
6 SENATOR KING: Nay.
7 PRESIDING OFFICER: Senator Kolthorst.
8 SENATOR KOLKHORST: Yea.
9 PRESIDING OFFICER: Senator La Mantia.
10 SENATOR LA MANTIA: Nay.
11 PRESIDING OFFICER: Senator Menendez.
12 SENATOR MENENDEZ: Nay.
13 PRESIDING OFFICER: Senator Middleton.
14 SENATOR MIDDLETON: Nay.
15 PRESIDING OFFICER: Senator Miles.
16 SENATOR MILES: Nay.
17 PRESIDING OFFICER: Senator Nichols.
18 SENATOR NICHOLS: Nay.
19 PRESIDING OFFICER: Senator Parker.
20 SENATOR PARKER: Yea.
21 PRESIDING OFFICER: Senator Perry.
22 SENATOR PERRY: Nay.
23 PRESIDING OFFICER: Senator Schwertner.
24 SENATOR SCHWERTNER: Nay.
25 PRESIDING OFFICER: Senator Sparks.

1 SENATOR SPARKS: Nay.

2 PRESIDING OFFICER: Senator Springer.

3 SENATOR SPRINGER: Nay.

4 PRESIDING OFFICER: Senator West.

5 SENATOR WEST: Nay.

6 PRESIDING OFFICER: Senator Whitmire.

7 SENATOR WHITMIRE: Nay.

8 PRESIDING OFFICER: Senator Zaffirini.

9 SENATOR ZAFFIRINI: Nay.

10 PRESIDING OFFICER: There being 24 nay
11 votes and six yea votes, the motion is denied.

12 Members, now we are taking up Motion 7
13 submitted by the respondent, Attorney General Paxton.
14 The motion is entitled Request for a Bill of
15 Particulars. The yea vote is a grant -- is granting the
16 motion. A nay vote is denying the motion.

17 Bailiffs pick up the votes.

18 All votes collected, secretary -- clerk
19 will call the votes.

20 THE CLERK: Campbell, yea.

21 Nichols, nay.

22 West, nay.

23 Whitmire, nay.

24 Huffman, nay.

25 Hinojosa, nay.

1	Flores, nay.
2	Blanco, nay.
3	La Mantia, nay.
4	Parker, yea.
5	Hughes, nay.
6	Miles, nay.
7	Gutierrez, nay.
8	Johnson, nay.
9	Springer, nay.
10	Schwertner, nay.
11	Hancock, nay.
12	Menendez, nay.
13	Birdwell, nay.
14	Hall, yea.
15	Perry, nay.
16	Kolkhorst, yea.
17	Bettencourt, yea.
18	Creighton, yea.
19	Middleton, nay.
20	Alvarado, nay.
21	Eckhardt, nay.
22	King, nay.
23	Sparks, nay.
24	Zaffirini, nay.
25	6 yeas, 24 nays.

1 PRESIDING OFFICER: Members, confirming
2 the vote.

3 Senator Alvarado.

4 SENATOR ALVARADO: Nay.

5 PRESIDING OFFICER: Senator Bettencourt.

6 SENATOR BETTENCOURT: Yea.

7 PRESIDING OFFICER: Senator Birdwell.

8 Senator Birdwell, I'm sorry. I didn't
9 hear you.

10 SENATOR BIRDWELL: Nay.

11 PRESIDING OFFICER: Senator Blanco.

12 SENATOR BLANCO: Nay.

13 PRESIDING OFFICER: Senator Campbell.

14 SENATOR CAMPBELL: Yea.

15 PRESIDING OFFICER: Senator Creighton.

16 SENATOR CREIGHTON: Yea.

17 PRESIDING OFFICER: Senator Eckhardt.

18 SENATOR ECKHARDT: Nay.

19 PRESIDING OFFICER: Senator Flores.

20 SENATOR FLORES: Nay.

21 PRESIDING OFFICER: Senator Gutierrez.

22 SENATOR GUTIERREZ: Nay.

23 PRESIDING OFFICER: Senator Hall.

24 SENATOR HALL: Yea.

25 PRESIDING OFFICER: Senator Hancock.

1 SENATOR HANCOCK: Nay.
2 PRESIDING OFFICER: Senator Hinojosa.
3 SENATOR HINOJOSA: Nay.
4 PRESIDING OFFICER: Senator Huffman.
5 SENATOR HUFFMAN: Nay.
6 PRESIDING OFFICER: Senator Hughes.
7 SENATOR HUGHES: Nay.
8 PRESIDING OFFICER: Senator Johnson.
9 SENATOR JOHNSON: Nay.
10 PRESIDING OFFICER: Senator King.
11 SENATOR KING: Nay.
12 PRESIDING OFFICER: Senator Kolthorst.
13 SENATOR KOLKHORST: Yea.
14 PRESIDING OFFICER: Senator La Mantia.
15 SENATOR LA MANTIA: Nay.
16 PRESIDING OFFICER: Senator Menendez.
17 SENATOR MENENDEZ: Nay.
18 PRESIDING OFFICER: Senator Middleton.
19 SENATOR MIDDLETON: Nay.
20 PRESIDING OFFICER: Senator Miles.
21 SENATOR MILES: Nay.
22 PRESIDING OFFICER: Senator Nichols.
23 SENATOR NICHOLS: Nay.
24 PRESIDING OFFICER: Senator Parker.
25 SENATOR PARKER: Yea.

1 PRESIDING OFFICER: Senator Perry.

2 SENATOR PERRY: Nay.

3 PRESIDING OFFICER: Senator Schwertner.

4 SENATOR SCHWERTNER: Nay.

5 PRESIDING OFFICER: Senator Sparks.

6 SENATOR SPARKS: Nay.

7 PRESIDING OFFICER: Senator Springer.

8 SENATOR SPRINGER: Nay.

9 PRESIDING OFFICER: Senator West.

10 SENATOR WEST: Nay.

11 PRESIDING OFFICER: Senator Whitmire.

12 SENATOR WHITMIRE: Nay.

13 PRESIDING OFFICER: Senator Zaffirini.

14 SENATOR ZAFFIRINI: Nay.

15 PRESIDING OFFICER: There being 24 nays
16 and six ayes, the motion is denied.

17 Members, now taking up Motion 13
18 submitted by the respondent, Attorney General Paxton.
19 The motion is entitled Motion to Dismiss Article I. A
20 yea vote is to grant the motion; a nay vote is to deny
21 the motion.

22 Please collect the ballots.

23 All votes counted -- all votes picked up,
24 rather. Thank you. The clerk will read the votes.

25 THE CLERK: Birdwell, nay.

1 Hall, yea.
2 Perry, yea.
3 Kolkhorst, yea.
4 Bettencourt, yea.
5 Creighton, yea.
6 Middleton, nay.
7 Alvarado, nay.
8 Eckhardt, nay.
9 King, nay.
10 Sparks, nay.
11 Flores, nay.
12 Blanco, nay.
13 La Mantia, nay.
14 Parker, yea.
15 Hughes, nay.
16 Hancock, nay.
17 Menendez, nay.
18 Miles, nay.
19 Gutierrez, nay.
20 Johnson, nay.
21 Springer, nay.
22 Schwertner, yea.
23 Campbell, yea.
24 Nichols, nay.
25 West, nay.

1 Whitmire, nay.
2 Huffman, nay.
3 Hinojosa, nay.
4 Zaffirini, nay.
5 8 yeas, 22 nays.
6 PRESIDING OFFICER: Confirming the vote.
7 Senator Alvarado.
8 SENATOR ALVARADO: Nay.
9 PRESIDING OFFICER: Senator Bettencourt.
10 SENATOR BETTENCOURT: Yea.
11 PRESIDING OFFICER: Senator Birdwell.
12 SENATOR BIRDWELL: Nay.
13 PRESIDING OFFICER: Senator Blanco.
14 SENATOR BLANCO: Nay.
15 PRESIDING OFFICER: Senator Campbell.
16 SENATOR CAMPBELL: Yea.
17 PRESIDING OFFICER: Senator Creighton.
18 SENATOR CREIGHTON: Yea.
19 PRESIDING OFFICER: Senator Eckhardt.
20 SENATOR ECKHARDT: Nay.
21 PRESIDING OFFICER: Senator Flores.
22 SENATOR FLORES: Nay.
23 PRESIDING OFFICER: Senator Gutierrez.
24 SENATOR GUTIERREZ: Nay.
25 PRESIDING OFFICER: Senator Hall.

1 SENATOR HALL: Yea.
2 PRESIDING OFFICER: Senator Hancock.
3 SENATOR HANCOCK: Nay.
4 PRESIDING OFFICER: Senator Hinojosa.
5 SENATOR HINOJOSA: Nay.
6 PRESIDING OFFICER: Senator Huffman.
7 SENATOR HUFFMAN: Nay.
8 PRESIDING OFFICER: Senator Hughes.
9 SENATOR HUFFMAN: Nay.
10 PRESIDING OFFICER: Senator Johnson.
11 SENATOR JOHNSON: Nay.
12 PRESIDING OFFICER: Senator King.
13 SENATOR KING: Nay.
14 PRESIDING OFFICER: Senator Kolthorst.
15 SENATOR KOLKHORST: Yea.
16 PRESIDING OFFICER: Senator La Mantia.
17 SENATOR LA MANTIA: Nay.
18 PRESIDING OFFICER: Senator Menendez.
19 SENATOR MENENDEZ: Nay.
20 PRESIDING OFFICER: Senator Middleton.
21 SENATOR MIDDLETON: Nay.
22 PRESIDING OFFICER: Senator Miles.
23 SENATOR MILES: Nay.
24 PRESIDING OFFICER: Senator Nichols.
25 SENATOR NICHOLS: Nay.

1 PRESIDING OFFICER: Senator Parker.

2 SENATOR PARKER: Yea.

3 PRESIDING OFFICER: Senator Perry.

4 SENATOR PERRY: Yea.

5 PRESIDING OFFICER: Senator Schwertner.

6 SENATOR SCHWERTNER: Yea.

7 PRESIDING OFFICER: Senator Sparks.

8 SENATOR SPARKS: Nay.

9 PRESIDING OFFICER: Senator Springer.

10 SENATOR SPRINGER: Nay.

11 PRESIDING OFFICER: Senator West.

12 SENATOR WEST: Nay.

13 PRESIDING OFFICER: Senator Whitmire.

14 SENATOR WHITMIRE: Nay.

15 PRESIDING OFFICER: Senator Zaffirini.

16 SENATOR ZAFFIRINI: Nay.

17 PRESIDING OFFICER: There being 22 nays
18 and 8 yeas, the motion is denied.

19 Members, you have nine more to vote on.

20 Members, we're taking up Motion 14
21 submitted by the respondent, Attorney General Paxton.

22 The motion is entitled Motion to Dismiss Article II.

23 You may pick up the motions.

24 All votes collected? Thank you. The
25 clerk will call out the votes.

1 THE CLERK: Hancock, nay.
2 Menendez, nay.
3 Birdwell, nay.
4 Hall, yea.
5 Perry, yea.
6 Kolkhorst, yea.
7 Bettencourt, yea.
8 Creighton, yea.
9 Middleton, nay.
10 Alvarado, nay.
11 Eckhardt, nay.
12 King, nay.
13 Sparks, nay.
14 Flores, nay.
15 Blanco, nay.
16 La Mantia, nay.
17 Parker, yea.
18 Hughes, nay.
19 Miles, nay.
20 Gutierrez, nay.
21 Johnson, nay.
22 Springer, nay.
23 Schwertner, yea.
24 Campbell, yea.
25 Nichols, nay.

1 West, nay.
2 Whitmire, nay.
3 Huffman, nay.
4 Hinojosa, nay.
5 Zaffirini, nay.
6 8 yeas, 22 nays.
7 PRESIDING OFFICER: Confirming the vote.
8 Senator Alvarado.
9 SENATOR ALVARADO: Nay.
10 PRESIDING OFFICER: Senator Bettencourt.
11 SENATOR BETTENCOURT: Yea.
12 PRESIDING OFFICER: Senator Birdwell.
13 SENATOR BIRDWELL: Nay.
14 PRESIDING OFFICER: Senator Blanco.
15 SENATOR BLANCO: Nay.
16 PRESIDING OFFICER: Senator Campbell.
17 SENATOR CAMPBELL: Yea.
18 PRESIDING OFFICER: Senator Creighton.
19 SENATOR CREIGHTON: Yea.
20 PRESIDING OFFICER: Senator Eckhardt.
21 SENATOR ECKHARDT: Nay.
22 PRESIDING OFFICER: Senator Flores.
23 SENATOR FLORES: Nay.
24 PRESIDING OFFICER: Senator Gutierrez.
25 SENATOR GUTIERREZ: Nay.

1 PRESIDING OFFICER: Senator Hall.
2 SENATOR HALL: Yea.
3 PRESIDING OFFICER: Senator Hancock.
4 SENATOR HANCOCK: Nay.
5 PRESIDING OFFICER: Senator Hinojosa.
6 SENATOR HINOJOSA: Nay.
7 PRESIDING OFFICER: Senator Huffman.
8 SENATOR HUFFMAN: Nay.
9 PRESIDING OFFICER: Senator Hughes.
10 SENATOR HUGHES: Nay.
11 PRESIDING OFFICER: Senator Johnson.
12 SENATOR JOHNSON: Nay.
13 PRESIDING OFFICER: Senator King.
14 SENATOR KING: Nay.
15 PRESIDING OFFICER: Senator Kolthorst.
16 SENATOR KOLKHORST: Yea.
17 PRESIDING OFFICER: Senator La Mantia.
18 SENATOR LA MANTIA: Nay.
19 PRESIDING OFFICER: Senator Menendez.
20 SENATOR MENENDEZ: Nay.
21 PRESIDING OFFICER: Senator Middleton.
22 SENATOR MIDDLETON: Nay.
23 PRESIDING OFFICER: Senator Miles.
24 SENATOR MILES: Nay.
25 PRESIDING OFFICER: Senator Nichols.

1 SENATOR NICHOLS: Nay.

2 PRESIDING OFFICER: Senator Parker.

3 SENATOR PARKER: Yea.

4 PRESIDING OFFICER: Senator Perry.

5 SENATOR PERRY: Yea.

6 PRESIDING OFFICER: Senator Schwertner.

7 SENATOR SCHWERTNER: Yea.

8 PRESIDING OFFICER: Senator Sparks.

9 SENATOR SPARKS: Nay.

10 PRESIDING OFFICER: Senator Springer.

11 SENATOR SPRINGER: Nay.

12 PRESIDING OFFICER: Senator West.

13 SENATOR WEST: Nay.

14 PRESIDING OFFICER: Senator Whitmire.

15 SENATOR WHITMIRE: Nay.

16 PRESIDING OFFICER: Senator Zaffirini.

17 SENATOR ZAFFIRINI: Nay.

18 PRESIDING OFFICER: There being 22 nay
19 votes, 8 yea votes, the motion is denied.

20 Members, we are now taking up Motion 15
21 sent in by respondent, Attorney General Paxton. The
22 motion is entitled Motion to Dismiss Article III. A yea
23 vote is to grant the motion; a nay vote is to deny the
24 motion.

25 Please pick up the votes.

1 All votes collected? The secretary --
2 clerk will call out the vote.

3 THE CLERK: Parker, yea.
4 Hughes, nay.
5 Miles, nay.
6 Gutierrez, nay.
7 Johnson, nay.
8 Springer, nay.
9 Schwertner, yea.
10 Campbell, yea.
11 Nichols, nay.
12 West, nay.
13 Whitmire, nay.
14 Huffman, nay.
15 Hinojosa, nay.
16 Zaffirini, nay.
17 Blanco, nay.
18 La Mantia, nay.
19 Hancock, nay.
20 Menendez, nay.
21 Birdwell, nay.
22 Hall, yea.
23 Perry, nay.
24 Kolkhorst, yea.
25 Bettencourt, yea.

1 Creighton, yea.
2 Middleton, nay.
3 Alvarado, nay.
4 Eckhardt, nay.
5 King, nay.
6 Sparks, nay.
7 Flores, nay.
8 7 yeas, 23 nays.
9 PRESIDING OFFICER: Confirming the vote.
10 Senator Alvarado.
11 SENATOR ALVARADO: Nay.
12 PRESIDING OFFICER: Senator Bettencourt.
13 SENATOR BETTENCOURT: Yea.
14 PRESIDING OFFICER: Senator Birdwell.
15 SENATOR BIRDWELL: Nay.
16 PRESIDING OFFICER: Senator Blanco.
17 SENATOR BLANCO: Nay.
18 PRESIDING OFFICER: Senator Campbell.
19 SENATOR CAMPBELL: Yea.
20 PRESIDING OFFICER: Senator Creighton.
21 SENATOR CREIGHTON: Yea.
22 PRESIDING OFFICER: Senator Eckhardt.
23 SENATOR ECKHARDT: Nay.
24 PRESIDING OFFICER: Senator Flores.
25 SENATOR FLORES: Nay.

1 PRESIDING OFFICER: Senator Gutierrez.
2 SENATOR GUTIERREZ: Nay.
3 PRESIDING OFFICER: Senator Hall.
4 SENATOR HALL: Yea.
5 PRESIDING OFFICER: Senator Hancock.
6 SENATOR HANCOCK: Nay.
7 PRESIDING OFFICER: Senator Hinojosa.
8 SENATOR HINOJOSA: Nay.
9 PRESIDING OFFICER: Senator Huffman.
10 SENATOR HUFFMAN: Nay.
11 PRESIDING OFFICER: Senator Hughes.
12 SENATOR HUGHES: Nay.
13 PRESIDING OFFICER: Senator Johnson.
14 SENATOR JOHNSON: Nay.
15 PRESIDING OFFICER: Senator King.
16 SENATOR KING: Nay.
17 PRESIDING OFFICER: Senator Kolthorst.
18 SENATOR KOLKHORST: Yea.
19 PRESIDING OFFICER: Senator La Mantia.
20 SENATOR LA MANTIA: Nay.
21 PRESIDING OFFICER: Senator Menendez.
22 SENATOR MENENDEZ: Nay.
23 PRESIDING OFFICER: Senator Middleton.
24 SENATOR MIDDLETON: Nay.
25 PRESIDING OFFICER: Senator Miles.

1 SENATOR MILES: Nay.

2 PRESIDING OFFICER: Senator Nichols.

3 SENATOR NICHOLS: Nay.

4 PRESIDING OFFICER: Senator Parker.

5 SENATOR PARKER: Yea.

6 PRESIDING OFFICER: Senator Perry.

7 SENATOR PERRY: Nay.

8 PRESIDING OFFICER: Senator Schwertner.

9 SENATOR SCHWERTNER: Yea.

10 PRESIDING OFFICER: Senator Sparks.

11 SENATOR SPARKS: Nay.

12 PRESIDING OFFICER: Senator Springer.

13 SENATOR SPRINGER: Nay.

14 PRESIDING OFFICER: Senator West.

15 SENATOR WEST: Nay.

16 PRESIDING OFFICER: Senator Whitmire.

17 SENATOR WHITMIRE: Nay.

18 PRESIDING OFFICER: Senator Zaffirini.

19 SENATOR ZAFFIRINI: Nay.

20 PRESIDING OFFICER: 23 nay votes, 7 yea

21 votes, the motion is denied.

22 Members, we're now taking up Motion 16,

23 submitted by the respondent, Attorney General Paxton.

24 The motion is entitled the Motion to Dismiss Article IV.

25 A yea vote is to grant the motion; a nay vote is to deny

1 the motion.

2 Please mark your ballot.

3 Please pick up the ballots.

4 All ballots collected clerk will read the
5 votes.

6 THE CLERK: Hancock, nay.

7 Menendez, nay.

8 Birdwell, nay.

9 Hall, yea.

10 Perry, nay.

11 Kolkhorst, yea.

12 Bettencourt, yea.

13 Creighton, yea.

14 Middleton, nay.

15 Alvarado, nay.

16 Eckhardt, nay.

17 King, nay.

18 Sparks, nay.

19 Flores, nay.

20 Blanco, nay.

21 La Mantia, nay.

22 Parker, yea.

23 Hughes, nay.

24 Miles, nay.

25 Gutierrez, nay.

1 Johnson, nay.
2 Springer, nay.
3 Schwertner, nay.
4 Campbell, yea.
5 Nichols, nay.
6 West, nay.
7 Whitmire, nay.
8 Huffman, nay.
9 Hinojosa, nay.
10 Zaffirini, nay.
11 6 yeas, 24 nays.
12 PRESIDING OFFICER: Confirming the votes.
13 Senator Alvarado.
14 SENATOR ALVARADO: Nay.
15 PRESIDING OFFICER: Senator Bettencourt.
16 SENATOR BETTENCOURT: Yea.
17 PRESIDING OFFICER: Senator Birdwell.
18 SENATOR BIRDWELL: Nay.
19 PRESIDING OFFICER: Senator Blanco.
20 SENATOR BLANCO: Nay.
21 PRESIDING OFFICER: Senator Campbell.
22 SENATOR CAMPBELL: Yea.
23 PRESIDING OFFICER: Senator Creighton.
24 SENATOR CREIGHTON: Yea.
25 PRESIDING OFFICER: Senator Eckhardt.

1 SENATOR ECKHARDT: Nay.
2 PRESIDING OFFICER: Senator Flores.
3 SENATOR FLORES: Nay.
4 PRESIDING OFFICER: Senator Gutierrez.
5 SENATOR GUTIERREZ: Nay.
6 PRESIDING OFFICER: Senator Hall.
7 SENATOR HALL: Yea.
8 PRESIDING OFFICER: Senator Hancock.
9 SENATOR HANCOCK: Nay.
10 PRESIDING OFFICER: Senator Hinojosa.
11 SENATOR HINOJOSA: Nay.
12 PRESIDING OFFICER: Senator Huffman.
13 SENATOR HUFFMAN: Nay.
14 PRESIDING OFFICER: Senator Hughes.
15 SENATOR HUGHES: Nay.
16 PRESIDING OFFICER: Senator Johnson.
17 SENATOR JOHNSON: Nay.
18 PRESIDING OFFICER: Senator King.
19 SENATOR KING: Nay.
20 PRESIDING OFFICER: Senator Kolkhorst.
21 SENATOR KOLKHORST: Yea.
22 PRESIDING OFFICER: Senator La Mantia.
23 SENATOR LA MANTIA: Nay.
24 PRESIDING OFFICER: Senator Menendez.
25 SENATOR MENENDEZ: Nay.

1 PRESIDING OFFICER: Senator Middleton.
2 SENATOR MIDDLETON: Nay.
3 PRESIDING OFFICER: Senator Miles.
4 SENATOR MILES: Nay.
5 PRESIDING OFFICER: Senator Nichols.
6 SENATOR NICHOLS: Nay.
7 PRESIDING OFFICER: Senator Parker.
8 SENATOR PARKER: Yea.
9 PRESIDING OFFICER: Senator Perry.
10 SENATOR PERRY: Nay.
11 PRESIDING OFFICER: Senator Schwertner.
12 SENATOR SCHWERTNER: Nay.
13 PRESIDING OFFICER: Senator Sparks.
14 SENATOR SPARKS: Nay.
15 PRESIDING OFFICER: Senator Springer.
16 SENATOR SPRINGER: Nay.
17 PRESIDING OFFICER: Senator West.
18 SENATOR WEST: Nay.
19 PRESIDING OFFICER: Senator Whitmire.
20 SENATOR WHITMIRE: Nay.
21 PRESIDING OFFICER: Senator Zaffirini.
22 SENATOR ZAFFIRINI: Nay.
23 PRESIDING OFFICER: 24 nay votes, 6 yea
24 votes, the motion is denied.
25 Members, we're now taking up Motion 11,

1 submitted by the respondent, Attorney General Paxton.
2 The motion is entitled Motion to Dismiss Article V. A
3 yea vote is to grant the motion; a nay vote is to deny
4 the motion.

5 Please mark your ballots.

6 Please collect the ballots.

7 All ballots collected. Clerk will read
8 the votes.

9 THE CLERK: Flores, nay.

10 Johnson, nay.

11 Springer, nay.

12 Schwertner, yea.

13 Campbell, yea.

14 Nichols, nay.

15 West, nay.

16 Whitmire, nay.

17 Huffman, nay.

18 Hinojosa, nay.

19 Zaffirini, nay.

20 Blanco, nay.

21 La Mantia, nay.

22 Parker, yea.

23 Hughes, yea.

24 Miles, nay.

25 Gutierrez, nay.

1 Hancock, nay.
2 Menendez, nay.
3 Birdwell, nay.
4 Hall, yea.
5 Perry, nay.
6 Kolkhorst, yea.
7 Bettencourt, yea.
8 Creighton, yea.
9 Middleton, nay.
10 Alvarado, nay.
11 Eckhardt, nay.
12 King, nay.
13 Sparks, nay.
14 8 yeas, 22 nays.
15 PRESIDING OFFICER: Confirming your vote.
16 Senator Alvarado.
17 SENATOR ALVARADO: Nay.
18 PRESIDING OFFICER: Senator Bettencourt.
19 SENATOR BETTENCOURT: Yea.
20 PRESIDING OFFICER: Senator Birdwell.
21 SENATOR BIRDWELL: Nay.
22 PRESIDING OFFICER: Senator Blanco.
23 SENATOR BLANCO: Nay.
24 PRESIDING OFFICER: Senator Campbell.
25 SENATOR CAMPBELL: Yea.

1 PRESIDING OFFICER: Senator Creighton.
2 SENATOR CREIGHTON: Yea.
3 PRESIDING OFFICER: Senator Eckhardt.
4 SENATOR ECKHARDT: Nay.
5 PRESIDING OFFICER: Senator Flores.
6 SENATOR FLORES: Nay.
7 PRESIDING OFFICER: Senator Gutierrez.
8 SENATOR GUTIERREZ: Nay.
9 PRESIDING OFFICER: Senator Hall.
10 SENATOR HALL: Yea.
11 PRESIDING OFFICER: Senator Hancock.
12 SENATOR HANCOCK: Nay.
13 PRESIDING OFFICER: Senator Hinojosa.
14 SENATOR HINOJOSA: Nay.
15 PRESIDING OFFICER: Senator Huffman.
16 SENATOR HUFFMAN: Nay.
17 PRESIDING OFFICER: Senator Hughes.
18 SENATOR HUGHES: Yea.
19 PRESIDING OFFICER: Senator Johnson.
20 SENATOR JOHNSON: Nay.
21 PRESIDING OFFICER: Senator King.
22 SENATOR KING: Nay.
23 PRESIDING OFFICER: Senator Kolkhorst.
24 SENATOR KOLKHORST: Yea.
25 PRESIDING OFFICER: Senator La Mantia.

1 SENATOR LA MANTIA: Nay.
2 PRESIDING OFFICER: Senator Menendez.
3 SENATOR MENENDEZ: Nay.
4 PRESIDING OFFICER: Senator Middleton.
5 SENATOR MIDDLETON: Nay.
6 PRESIDING OFFICER: Senator Miles.
7 SENATOR MILES: Nay.
8 PRESIDING OFFICER: Senator Nichols.
9 SENATOR NICHOLS: Nay.
10 PRESIDING OFFICER: Senator Parker.
11 SENATOR PARKER: Yea.
12 PRESIDING OFFICER: Senator Perry.
13 SENATOR PERRY: Nay.
14 PRESIDING OFFICER: Senator Schwertner.
15 SENATOR SCHWERTNER: Yea.
16 PRESIDING OFFICER: Senator Sparks.
17 SENATOR SPARKS: Nay.
18 PRESIDING OFFICER: Senator Springer.
19 SENATOR SPRINGER: Nay.
20 PRESIDING OFFICER: Senator West.
21 SENATOR WEST: Nay.
22 PRESIDING OFFICER: Senator Whitmire.
23 SENATOR WHITMIRE: Nay.
24 PRESIDING OFFICER: Senator Zaffirini.
25 SENATOR ZAFFIRINI: Nay.

1 PRESIDING OFFICER: 22 nays, 8 yeas, the
2 motion is denied.

3 Members, now taking up Motion 17
4 submitted by the respondent, Attorney General Paxton.
5 The motion is entitled Motion to Dismiss Article VI. A
6 yea vote is to grant the motion; a nay vote is to deny
7 the motion.

8 Please mark your voting form.

9 This is Motion 17, Counselor. Motion 17.

10 If you cannot hear, let me know. Both
11 sides if you cannot hear clearly, let me know.

12 Please collect the votes.

13 All ballots collected. Clerk will read
14 the vote.

15 THE CLERK: Perry, yea.

16 Kolkhorst, yea.

17 Bettencourt, yea.

18 Creighton, yea.

19 Middleton, nay.

20 Alvarado, nay.

21 Eckhardt, nay.

22 King, nay.

23 Sparks, yea.

24 Flores, nay.

25 Blanco, nay.

1 La Mantia, nay.
2 Parker, yea.
3 Hughes, nay.
4 Miles, nay.
5 Hancock, nay.
6 Menendez, nay.
7 Birdwell, nay.
8 Hall, yea.
9 Gutierrez, nay.
10 Johnson, nay.
11 Springer, nay.
12 Schwertner, yea.
13 Campbell, yea.
14 Nichols, nay.
15 West, nay.
16 Whitmire, nay.
17 Huffman, nay.
18 Hinojosa, nay.
19 Zaffirini, nay.
20 9 yeas, 21 nays.
21 PRESIDING OFFICER: Confirming your vote.
22 Senator Alvarado.
23 SENATOR ALVARADO: Nay.
24 PRESIDING OFFICER: Senator Bettencourt.
25 SENATOR BETTENCOURT: Yea.

1 PRESIDING OFFICER: Senator Birdwell.
2 SENATOR BIRDWELL: Nay.
3 PRESIDING OFFICER: Senator Blanco.
4 SENATOR BLANCO: Nay.
5 PRESIDING OFFICER: Senator Campbell.
6 SENATOR CAMPBELL: Yea.
7 PRESIDING OFFICER: Senator Creighton.
8 SENATOR CREIGHTON: Yea.
9 PRESIDING OFFICER: Senator Eckhardt.
10 SENATOR ECKHARDT: Nay.
11 PRESIDING OFFICER: Senator Flores.
12 SENATOR FLORES: Nay.
13 PRESIDING OFFICER: Senator Gutierrez.
14 SENATOR GUTIERREZ: Nay.
15 PRESIDING OFFICER: Senator Hall.
16 SENATOR HALL: Yea.
17 PRESIDING OFFICER: Senator Hancock.
18 SENATOR HANCOCK: Nay.
19 PRESIDING OFFICER: Senator Hinojosa.
20 SENATOR HINOJOSA: Nay.
21 PRESIDING OFFICER: Senator Huffman.
22 SENATOR HUFFMAN: Nay.
23 PRESIDING OFFICER: Senator Hughes.
24 SENATOR HUGHES: Nay.
25 PRESIDING OFFICER: Senator Johnson.

1 SENATOR JOHNSON: Nay.
2 PRESIDING OFFICER: Senator King.
3 SENATOR KING: Nay.
4 PRESIDING OFFICER: Senator Kolkhorst.
5 SENATOR KOLKHORST: Yea.
6 PRESIDING OFFICER: Senator La Mantia.
7 SENATOR LA MANTIA: Nay.
8 PRESIDING OFFICER: Senator Menendez.
9 SENATOR MENENDEZ: Nay.
10 PRESIDING OFFICER: Senator Middleton.
11 SENATOR MIDDLETON: Nay.
12 PRESIDING OFFICER: Senator Miles.
13 SENATOR MILES: Nay.
14 PRESIDING OFFICER: Senator Nichols.
15 SENATOR NICHOLS: Nay.
16 PRESIDING OFFICER: Senator Parker.
17 SENATOR PARKER: Yea.
18 PRESIDING OFFICER: Senator Perry.
19 SENATOR PERRY: Yea.
20 PRESIDING OFFICER: Senator Schwertner.
21 SENATOR SCHWERTNER: Yea.
22 PRESIDING OFFICER: Senator Sparks.
23 SENATOR SPARKS: Yea.
24 PRESIDING OFFICER: Senator Springer.
25 SENATOR SPRINGER: Nay.

1 PRESIDING OFFICER: Senator West.

2 SENATOR WEST: Nay.

3 PRESIDING OFFICER: Senator Whitmire.

4 SENATOR WHITMIRE: Nay.

5 PRESIDING OFFICER: Senator Zaffirini.

6 SENATOR ZAFFIRINI: Nay.

7 PRESIDING OFFICER: 21 nay votes, nine
8 yea votes, the motion is denied.

9 We're now taking up Motion 18 submitted
10 by the respondent, Attorney General Paxton. The motion
11 is entitled Motion to Dismiss Eight -- Article VIII,
12 excuse me. A yea vote is to grant the motion; a nay
13 vote is to deny the motion.

14 Please mark your ballot.

15 Collect the ballots, please.

16 Members, we would normally take a break
17 about this time, but we will continue. We have four
18 more motions, and then I have my eight motions which
19 will not take as long to announce. And then we'll take
20 a break at that point. And after that point, we will
21 come back and begin trial.

22 All ballots in, thank you.

23 Clerk will read the votes.

24 THE CLERK: Hancock, nay.

25 Menendez, nay.

1	Birdwell, yea.
2	Hall, yea.
3	Perry, yea.
4	Kolkhorst, yea.
5	Bettencourt, yea.
6	Creighton, yea.
7	Middleton, nay.
8	Alvarado, nay.
9	Eckhardt, nay.
10	King, nay.
11	Sparks, yea.
12	Flores, nay.
13	Blanco, nay.
14	La Mantia, nay.
15	Parker, yea.
16	Hughes, yea.
17	Miles, nay.
18	Gutierrez, nay.
19	Johnson, nay.
20	Springer, nay.
21	Schwertner, nay.
22	Campbell, yea.
23	Nichols, nay.
24	West, nay.
25	Whitmire, nay.

1 Huffman, nay.
2 Hinojosa, nay.
3 Zaffirini, nay.
4 Ten yeas, 20 nays.
5 PRESIDING OFFICER: Confirming the vote.
6 Senator Alvarado.
7 SENATOR ALVARADO: Nay.
8 PRESIDING OFFICER: Senator Bettencourt.
9 SENATOR BETTENCOURT: Yea.
10 PRESIDING OFFICER: Senator Birdwell.
11 SENATOR BIRDWELL: Yea.
12 PRESIDING OFFICER: Senator Blanco.
13 SENATOR BLANCO: Nay.
14 PRESIDING OFFICER: Senator Campbell.
15 SENATOR CAMPBELL: Yea.
16 PRESIDING OFFICER: Senator Creighton.
17 SENATOR CREIGHTON: Yea.
18 PRESIDING OFFICER: Senator Eckhardt.
19 SENATOR ECKHARDT: Nay.
20 PRESIDING OFFICER: Senator Flores.
21 SENATOR FLORES: Nay.
22 PRESIDING OFFICER: Senator Gutierrez.
23 SENATOR GUTIERREZ: Nay.
24 PRESIDING OFFICER: Senator Hall.
25 SENATOR HALL: Yea.

1 PRESIDING OFFICER: Senator Hancock.
2 SENATOR HANCOCK: Nay.
3 PRESIDING OFFICER: Senator Hinojosa.
4 SENATOR HINOJOSA: Nay.
5 PRESIDING OFFICER: Senator Huffman.
6 SENATOR HUFFMAN: Nay.
7 PRESIDING OFFICER: Senator Hughes.
8 SENATOR HUGHES: Yea.
9 PRESIDING OFFICER: Senator Johnson.
10 SENATOR JOHNSON: Nay.
11 PRESIDING OFFICER: Senator King.
12 SENATOR KING: Nay.
13 PRESIDING OFFICER: Senator Kolthorst.
14 SENATOR KOLKHORST: Yea.
15 PRESIDING OFFICER: Senator La Mantia.
16 SENATOR LA MANTIA: Nay.
17 PRESIDING OFFICER: Senator Menendez.
18 SENATOR MENENDEZ: Nay.
19 PRESIDING OFFICER: Senator Middleton.
20 SENATOR MIDDLETON: Nay.
21 PRESIDING OFFICER: Senator Miles.
22 SENATOR MILES: Nay.
23 PRESIDING OFFICER: Senator Nichols.
24 SENATOR NICHOLS: Nay.
25 PRESIDING OFFICER: Senator Parker.

1 SENATOR PARKER: Yea.

2 PRESIDING OFFICER: Senator Perry.

3 SENATOR PERRY: Yea.

4 PRESIDING OFFICER: Senator Schwertner.

5 SENATOR SCHWERTNER: Nay.

6 PRESIDING OFFICER: Senator Sparks.

7 SENATOR SPARKS: Yea.

8 PRESIDING OFFICER: Senator Springer.

9 SENATOR SPRINGER: Nay.

10 PRESIDING OFFICER: Senator West.

11 SENATOR WEST: Nay.

12 PRESIDING OFFICER: Senator Whitmire.

13 SENATOR WHITMIRE: Nay.

14 PRESIDING OFFICER: Senator Zaffirini.

15 SENATOR ZAFFIRINI: Nay.

16 PRESIDING OFFICER: There being 20 nays
17 and ten yeas, the motion is denied.

18 We're now taking up Motion 19 submitted
19 by the respondent, Attorney General Paxton. The motion
20 is entitled Motion to Dismiss Articles VII and XV. A
21 yea vote is to grant the motion; a nay vote is to deny
22 the motion. Please mark your ballots.

23 You may collect the ballots.

24 All ballots collected. Clerk will call
25 the vote.

1 THE CLERK: Senator Blanco, no.
2 Senator La Mantia, no.
3 Senator Parker, yea.
4 Senator Hughes, nay.
5 Senator Miles, nay.
6 Senator Gutierrez, nay.
7 Senator Johnson, nay.
8 Senator Springer, nay.
9 Senator Schwertner, yea.
10 Senator Campbell, yea.
11 Senator Nichols, nay.
12 Senator West, nay.
13 Senator Whitmire, nay.
14 Senator Huffman, nay.
15 Senator Hinojosa, nay.
16 Senator Zaffirini, nay.
17 Senator Hancock, nay.
18 Senator Menendez, nay.
19 Senator Birdwell, nay.
20 Senator Hall, yea.
21 Senator Perry, yea.
22 Senator Kolkhorst, yea.
23 Senator Bettencourt, yea.
24 Senator Creighton, yea.
25 Senator Middleton, nay.

1 Senator Alvarado, nay.
2 Senator Eckhardt, nay.
3 Senator King, nay.
4 Senator Sparks, yea.
5 Senator Flores, nay.
6 Nine yeas, 21 nays.
7 PRESIDING OFFICER: Confirming the vote.
8 Senator Alvarado.
9 SENATOR ALVARADO: Nay.
10 PRESIDING OFFICER: Senator Bettencourt.
11 SENATOR BETTENCOURT: Yea.
12 PRESIDING OFFICER: Senator Birdwell.
13 SENATOR BIRDWELL: Nay.
14 PRESIDING OFFICER: Senator Blanco.
15 SENATOR BLANCO: Nay.
16 PRESIDING OFFICER: Senator Campbell.
17 SENATOR CAMPBELL: Yea.
18 PRESIDING OFFICER: Senator Creighton.
19 SENATOR CREIGHTON: Yea.
20 PRESIDING OFFICER: Senator Eckhardt.
21 SENATOR ECKHARDT: Nay.
22 PRESIDING OFFICER: Senator Flores.
23 SENATOR FLORES: Nay.
24 PRESIDING OFFICER: Senator Gutierrez.
25 SENATOR GUTIERREZ: Nay.

1 PRESIDING OFFICER: Senator Hall.
2 SENATOR HALL: Yea.
3 PRESIDING OFFICER: Senator Hancock.
4 SENATOR HANCOCK: Nay.
5 PRESIDING OFFICER: Senator Hinojosa.
6 SENATOR HINOJOSA: Nay.
7 PRESIDING OFFICER: Senator Huffman.
8 SENATOR HUGHES: Nay.
9 PRESIDING OFFICER: Senator Hughes.
10 SENATOR HUGHES: Nay.
11 PRESIDING OFFICER: Senator Johnson.
12 SENATOR JOHNSON: Nay.
13 PRESIDING OFFICER: Senator King.
14 SENATOR KING: Nay.
15 PRESIDING OFFICER: Senator Kolthorst.
16 SENATOR KOLKHORST: Yea.
17 PRESIDING OFFICER: Senator La Mantia.
18 SENATOR LA MANTIA: Nay.
19 PRESIDING OFFICER: Senator Menendez.
20 SENATOR MENENDEZ: Nay.
21 PRESIDING OFFICER: Senator Middleton.
22 SENATOR MIDDLETON: Nay.
23 PRESIDING OFFICER: Senator Miles.
24 SENATOR MILES: Nay.
25 PRESIDING OFFICER: Senator Nichols.

1 SENATOR NICHOLS: Nay.

2 PRESIDING OFFICER: Senator Parker.

3 SENATOR PARKER: Yea.

4 PRESIDING OFFICER: Senator Perry.

5 SENATOR PERRY: Yea.

6 PRESIDING OFFICER: Senator Schwertner.

7 SENATOR SCHWERTNER: Yea.

8 PRESIDING OFFICER: Senator Sparks.

9 SENATOR SPARKS: Yea.

10 PRESIDING OFFICER: Senator Springer.

11 SENATOR SPRINGER: Nay.

12 PRESIDING OFFICER: Senator West.

13 SENATOR WEST: Nay.

14 PRESIDING OFFICER: Senator Whitmire.

15 SENATOR WHITMIRE: Nay.

16 PRESIDING OFFICER: Senator Zaffirini.

17 SENATOR ZAFFIRINI: Nay.

18 PRESIDING OFFICER: There being 21 nays,
19 nine yeas, the motion is denied.

20 We're now taking up Motion 20 submitted
21 by the respondent, Attorney General Paxton. The motion
22 is entitled Motion to Dismiss Articles IX and X. A yea
23 vote is a grant the motion; a nay vote is to deny the
24 motion.

25 Please mark your vote on your voting

1 form.

2 Please pick up the ballots.

3 All votes collected. Clerk will read the
4 vote.

5 THE CLERK: King, nay.

6 Sparks, nay.

7 Flores, nay.

8 Blanco, nay.

9 La Mantia, nay.

10 Parker, yea.

11 Hughes, nay.

12 Miles, nay.

13 Gutierrez, nay.

14 Johnson, nay.

15 Springer, nay.

16 Schwertner, nay.

17 Campbell, yea.

18 Nichols, nay.

19 West, nay.

20 Whitmire, nay.

21 Huffman, nay.

22 Hinojosa, nay.

23 Zaffirini, nay.

24 Hancock, nay.

25 Menendez, nay.

1 Birdwell, nay.
2 Hall, yea.
3 Perry, nay.
4 Kolkhorst, yea.
5 Bettencourt, yea.
6 Creighton, yea.
7 Middleton, nay.
8 Alvarado, nay.
9 Eckhardt, nay.
10 6 yeas, 24 nays.
11 PRESIDING OFFICER: Confirming the vote.
12 Senator Alvarado.
13 SENATOR ALVARADO: Nay.
14 PRESIDING OFFICER: Senator Bettencourt.
15 SENATOR BETTENCOURT: Yea.
16 PRESIDING OFFICER: Senator Birdwell.
17 SENATOR BIRDWELL: Nay.
18 PRESIDING OFFICER: Senator Blanco.
19 SENATOR BLANCO: Nay.
20 PRESIDING OFFICER: Senator Campbell.
21 SENATOR CAMPBELL: Yea.
22 PRESIDING OFFICER: Senator Creighton.
23 SENATOR CREIGHTON: Yea.
24 PRESIDING OFFICER: Senator Eckhardt.
25 SENATOR ECKHARDT: Nay.

1 PRESIDING OFFICER: Senator Flores.
2 SENATOR FLORES: Nay.
3 PRESIDING OFFICER: Senator Gutierrez.
4 SENATOR GUTIERREZ: Nay.
5 PRESIDING OFFICER: Senator Hall.
6 SENATOR HALL: Yea.
7 PRESIDING OFFICER: Senator Hancock.
8 SENATOR HANCOCK: Nay.
9 PRESIDING OFFICER: Senator Hinojosa.
10 SENATOR HINOJOSA: Nay.
11 PRESIDING OFFICER: Senator Huffman.
12 SENATOR HUFFMAN: Nay.
13 PRESIDING OFFICER: Senator Hughes.
14 SENATOR HUGHES: Nay.
15 PRESIDING OFFICER: Senator Johnson.
16 SENATOR JOHNSON: Nay.
17 PRESIDING OFFICER: Senator King.
18 SENATOR KING: Nay.
19 PRESIDING OFFICER: Senator Kolthorst.
20 SENATOR KOLKHORST: Yea.
21 PRESIDING OFFICER: Senator La Mantia.
22 SENATOR LA MANTIA: Nay.
23 PRESIDING OFFICER: Senator Menendez.
24 SENATOR MENENDEZ: Nay.
25 PRESIDING OFFICER: Senator Middleton.

1 SENATOR MIDDLETON: Nay.
2 PRESIDING OFFICER: Senator Miles.
3 SENATOR MILES: Nay.
4 PRESIDING OFFICER: Senator Nichols.
5 SENATOR NICHOLS: Nay.
6 PRESIDING OFFICER: Senator Parker.
7 SENATOR PARKER: Yea.
8 PRESIDING OFFICER: Senator Perry.
9 Senator Perry. Senator Perry. Nay? We
10 can't hear you, Senator Perry.
11 SENATOR PERRY: Nay.
12 PRESIDING OFFICER: Senator Schwertner.
13 SENATOR SCHWERTNER: Nay.
14 PRESIDING OFFICER: Senator Sparks.
15 SENATOR SPARKS: Nay.
16 PRESIDING OFFICER: Senator Springer.
17 SENATOR SPRINGER: Nay.
18 PRESIDING OFFICER: Senator West.
19 SENATOR WEST: Nay.
20 PRESIDING OFFICER: Senator Whitmire.
21 SENATOR WHITMIRE: Nay.
22 PRESIDING OFFICER: Senator Zaffirini.
23 SENATOR ZAFFIRINI: Nay.
24 PRESIDING OFFICER: 24 nay votes, six yea
25 votes, the motion is denied.

1 We're now taking up Motion 21 submitted
2 by respondent, Attorney General Paxton. The motion is
3 entitled Motion to Dismiss or Hold in Abeyance Articles
4 XVI through XX. A yea vote is to grant the motion; a
5 nay vote is to deny the motion.

6 Please mark your ballot.

7 Please pick up the votes.

8 Members, you have one more motion after
9 this to rule on, and then I will rule on my eight
10 pretrial motions.

11 Yes?

12 Pardon?

13 SENATOR WEST: Mr. President, may I
14 approach the podium. May I approach the podium?

15 PRESIDING OFFICER: Senator West, do you
16 want to approach the bench or the clerk?

17 SENATOR WEST: The bench.

18 PRESIDING OFFICER: You may come up.

19 (Bench conference off the record)

20 PRESIDING OFFICER: You may read the
21 votes.

22 THE CLERK: Okay.

23 Kolkhorst, yea.

24 Johnson, nay.

25 Hancock, nay.

1	Menendez, nay.
2	Birdwell, nay.
3	Hall, yea.
4	Perry, yea.
5	Springer, nay.
6	West, nay.
7	Schwertner, yea.
8	Campbell, yea.
9	Nichols, nay.
10	Whitmire, nay.
11	Huffman, nay.
12	Hinojosa, nay.
13	Zaffirini, nay.
14	Bettencourt, yea.
15	Creighton, yea.
16	Middleton, nay.
17	Alvarado, nay.
18	Eckhardt, nay.
19	King, nay.
20	Sparks, yea.
21	Flores, nay.
22	Blanco, nay.
23	La Mantia, nay.
24	Parker, yea.
25	Hughes, nay.

1 Miles, nay.
2 Gutierrez, nay.
3 Nine yeas, 21 nays.
4 PRESIDING OFFICER: Confirming the vote.
5 Senator Alvarado.
6 SENATOR ALVARADO: Nay.
7 PRESIDING OFFICER: Senator Birdwell.
8 Senator Birdwell, well, go ahead. I
9 called you.
10 SENATOR BIRDWELL: Nay.
11 PRESIDING OFFICER: Senator Bettencourt.
12 SENATOR BETTENCOURT: Yea.
13 PRESIDING OFFICER: Senator Blanco.
14 SENATOR BLANCO: Nay.
15 PRESIDING OFFICER: Senator Campbell.
16 SENATOR CAMPBELL: Yea.
17 PRESIDING OFFICER: Senator Creighton.
18 SENATOR CREIGHTON: Yea.
19 PRESIDING OFFICER: Senator Eckhardt.
20 SENATOR ECKHARDT: Nay.
21 PRESIDING OFFICER: Senator Flores.
22 SENATOR FLORES: Nay.
23 PRESIDING OFFICER: Senator Gutierrez.
24 SENATOR GUTIERREZ: Nay.
25 PRESIDING OFFICER: Senator Hall.

1 SENATOR HALL: Yea.
2 PRESIDING OFFICER: Senator Hancock.
3 SENATOR HANCOCK: Nay.
4 PRESIDING OFFICER: Senator Hinojosa.
5 SENATOR HINOJOSA: Nay.
6 PRESIDING OFFICER: Senator Huffman.
7 SENATOR HUFFMAN: Nay.
8 PRESIDING OFFICER: Senator Hughes.
9 SENATOR HUGHES: Nay.
10 PRESIDING OFFICER: Senator Johnson.
11 SENATOR JOHNSON: Nay.
12 PRESIDING OFFICER: Senator King.
13 SENATOR KING: Nay.
14 PRESIDING OFFICER: Senator Kolthorst.
15 SENATOR KOLKHORST: Yea.
16 PRESIDING OFFICER: Senator La Mantia.
17 SENATOR LA MANTIA: Nay.
18 PRESIDING OFFICER: Senator Menendez.
19 SENATOR MENENDEZ: Nay.
20 PRESIDING OFFICER: Senator Middleton.
21 SENATOR MIDDLETON: Nay.
22 PRESIDING OFFICER: Senator Miles.
23 SENATOR MILES: Nay.
24 PRESIDING OFFICER: Senator Nichols.
25 SENATOR NICHOLS: Nay.

1 PRESIDING OFFICER: Senator Parker.

2 SENATOR PARKER: Yea.

3 PRESIDING OFFICER: Senator Perry.

4 SENATOR PERRY: Yea.

5 PRESIDING OFFICER: Senator Schwertner.

6 SENATOR SCHWERTNER: Yea.

7 PRESIDING OFFICER: Senator Sparks.

8 SENATOR SPARKS: Yea.

9 PRESIDING OFFICER: Senator Springer.

10 SENATOR SPRINGER: Nay.

11 PRESIDING OFFICER: Senator West.

12 SENATOR WEST: Nay.

13 PRESIDING OFFICER: Senator Whitmire.

14 SENATOR WHITMIRE: Nay.

15 PRESIDING OFFICER: Senator Zaffirini.

16 SENATOR ZAFFIRINI: Nay.

17 PRESIDING OFFICER: 21 nays nine yeas,
18 the motion is denied.

19 Members, this is your last motion to take
20 up. This is Motion No. 10 submitted by the respondent,
21 Attorney General Paxton. The motion is entitled Motion
22 to Exclude Evidence Gathered in Violation of the Law. A
23 yea vote is a grant to grant the motion; a nay vote is
24 to deny the motion.

25 Please mark your ballot.

1 Please pick up the ballots.

2 All ballots collected, the clerk will
3 call out the votes.

4 THE CLERK: King, nay.

5 Sparks, yea.

6 Flores, nay.

7 Blanco, nay.

8 La Mantia, nay.

9 Parker, yea.

10 Hughes, nay.

11 Miles, nay.

12 Gutierrez, nay.

13 Johnson, nay.

14 Springer, nay.

15 Schwertner, yea.

16 Campbell, yea.

17 Nichols, nay.

18 West, nay.

19 Whitmire, nay.

20 Huffman, nay.

21 Hinojosa, nay.

22 Zaffirini, nay.

23 Hancock, nay.

24 Menendez, nay.

25 Birdwell, nay.

1 Hall, yea.
2 Perry, nay.
3 Kolkhorst, yea.
4 Bettencourt, yea.
5 Creighton, yea.
6 Middleton, nay.
7 Alvarado, nay.
8 Eckhardt, nay.
9 8 yeas, 22 nays.
10 PRESIDING OFFICER: Confirming the vote.
11 Senator Alvarado.
12 SENATOR ALVARADO: Nay.
13 PRESIDING OFFICER: Senator Bettencourt.
14 SENATOR BETTENCOURT: Yea.
15 PRESIDING OFFICER: Senator Birdwell.
16 SENATOR BIRDWELL: Nay.
17 PRESIDING OFFICER: Senator Blanco.
18 SENATOR BLANCO: Nay.
19 PRESIDING OFFICER: Senator Campbell.
20 SENATOR CAMPBELL: Yea.
21 PRESIDING OFFICER: Senator Creighton.
22 SENATOR CREIGHTON: Yea.
23 PRESIDING OFFICER: Senator Eckhardt.
24 SENATOR ECKHARDT: Nay.
25 PRESIDING OFFICER: Senator Flores.

1 SENATOR FLORES: Nay.
2 PRESIDING OFFICER: Senator Gutierrez.
3 SENATOR GUTIERREZ: Nay.
4 PRESIDING OFFICER: Senator Hall.
5 SENATOR HALL: Yea.
6 PRESIDING OFFICER: Senator Hancock.
7 SENATOR HANCOCK: Nay.
8 PRESIDING OFFICER: Senator Hinojosa.
9 SENATOR HINOJOSA: Nay.
10 PRESIDING OFFICER: Senator Huffman.
11 SENATOR HUFFMAN: Nay.
12 PRESIDING OFFICER: Senator Hughes.
13 SENATOR HUGHES: Nay.
14 PRESIDING OFFICER: Senator Johnson.
15 SENATOR JOHNSON: Nay.
16 PRESIDING OFFICER: Senator King.
17 SENATOR KING: Nay.
18 PRESIDING OFFICER: Senator Kolthorst.
19 SENATOR KOLKHORST: Yea.
20 PRESIDING OFFICER: Senator La Mantia.
21 SENATOR LA MANTIA: Nay.
22 PRESIDING OFFICER: Senator Menendez.
23 SENATOR MENENDEZ: Nay.
24 PRESIDING OFFICER: Senator Middleton.
25 SENATOR MIDDLETON: Nay.

1 PRESIDING OFFICER: Senator Miles.

2 SENATOR MILES: Nay.

3 PRESIDING OFFICER: Senator Nichols.

4 SENATOR NICHOLS: Nay.

5 PRESIDING OFFICER: Senator Parker.

6 SENATOR PARKER: Yea.

7 PRESIDING OFFICER: Senator Nichols was

8 nay. I didn't mean to speak over you.

9 Senator Perry.

10 SENATOR PERRY: Nay.

11 PRESIDING OFFICER: Senator Schwertner.

12 SENATOR SCHWERTNER: Yea.

13 PRESIDING OFFICER: Senator Sparks.

14 SENATOR SPARKS: Yea.

15 PRESIDING OFFICER: Senator Springer.

16 SENATOR SPRINGER: Nay.

17 PRESIDING OFFICER: Senator West.

18 SENATOR WEST: Nay.

19 PRESIDING OFFICER: Senator Whitmire.

20 SENATOR WHITMIRE: Nay.

21 PRESIDING OFFICER: Senator Zaffirini.

22 SENATOR ZAFFIRINI: Nay.

23 PRESIDING OFFICER: Being 22 nays and 8

24 yeas, the motion is denied.

25 Members and those in the gallery and

1 watching, the Senators voted on the rules 25 to 3, and
2 part of those rules say that all other pretrial motions
3 shall be ruled on by the Presiding Officer, which is
4 myself.

5 I'll begin with Motion 2 submitted by the
6 House Board of Managers. This motion is Entitled Motion
7 to Clarify Certain Senate Rules Governing the
8 Impeachment Trial of Warren Kenneth Paxton, Jr.

9 This motion was partially addressed by my
10 August 9 exhibit production order. Additionally, the
11 managers' request for clarification on timing has been
12 addressed through an agreement of the parties last week.

13 For those watching, I'll clarify the time
14 keeping for the trial moving forward. There has been
15 much discussion on the impeachment rule, especially
16 No. 17 on time limitations. Each side of the House
17 Managers and the Attorney General Paxton has one hour
18 for opening statements, 24 hours for presentation of
19 evidence, one hour for rebuttal evidence, and one hour
20 for final arguments.

21 That's a total of 27 hours for each side.

22 Both parties, the Managers and Attorney
23 General Paxton, are in agreement on this issue, which
24 pleases the Court. Managers in this motion you state at
25 a minimum, you seek clarification that the time spent by

1 an opposing party on cross-examination will be counted
2 only against the party conducting the cross-examination.

3 Attorney General Paxton's team, you
4 responded that time spent questioning a witness, whether
5 via direct or cross-examination, is charged against the
6 side conducting the questioning.

7 Based on your agreement last week, this
8 is how the clock will run. For example, House Managers,
9 when you call a witness, any direct questioning of the
10 witness counts against your 24 hours. When Paxton's
11 team questions the witness on cross, time will be
12 counted against your clock.

13 I also want to note that the clock will
14 keep running through routine objections. However, if I
15 find that it's being abused by either side, I can always
16 use my discretion to give back the time to the other
17 party.

18 To summarize so we're clear, what
19 everyone has agreed to, both parties have a total of 24
20 hours for presentation of evidence which includes
21 direct, cross-examination, redirect, and recross. Any
22 time a party questions a witness, whether via direct,
23 cross, redirect, recross, the clock will continue to
24 run.

25 And, again, in addition to the 24 hours,

1 each party has one hour for opening statements, if they
2 choose to make those, one hour for rebuttal, and one
3 hour for closing arguments.

4 I've also told both sides if they do not
5 use the full hour allotted for their opening statement,
6 any remaining time will be added to their 24 hours for
7 presentation of evidence.

8 For example, if one side only uses 30
9 minutes, they will have 24 and a half hours of time.

10 Finally, Managers requested to change the
11 rules regarding the use of wireless mobile devices. A
12 rule change must be submitted in writing during trial
13 and requires a 24-hour layout period. Accordingly, this
14 motion has been addressed and no further action shall be
15 taken.

16 Now, I will take up Motion 24 submitted
17 by the respondent, Attorney General Paxton. The motion
18 is entitled Motion to Compel Discovery from House
19 Managers. This motion was addressed by my July 12
20 discovery order and August 9 exhibit production order.
21 Therefore, no further action on this motion will be
22 taken.

23 Now I'll take up Motion 12 submitted by
24 the respondent, Attorney General Paxton. The motion is
25 entitled Motion to Exclude Inadmissible Evidence. This

1 addresses the issue of political contributions. Because
2 this information is readily available for the Texas
3 Ethics Commission for everyone to read, this motion is
4 denied.

5 Now I will take up Motion 23 submitted by
6 the respondent, Attorney General Paxton. The motion is
7 entitled Motion for Notice of Brady Material and Notice
8 of Trial Exhibits. The motion was addressed by my
9 July 12 discovery order and August 9 exhibit production
10 order. Accordingly, no further action is needed on this
11 motion.

12 Now I will take up Motion 3 submitted by
13 the House Board of Managers. The motion is entitled
14 Request to Clarify the July 12 Discovery Order, or
15 alternatively Motion for Protective Order Regarding
16 Documents Produced to Warren Kenneth Paxton, Jr.
17 Pursuant to the Senate July 12 Discovery Order. This
18 motion was addressed by my July 20th reiteration of the
19 orders of the Court. Accordingly, no further action on
20 this motion.

21 Now I will take up Motion 1 submitted by
22 the respondent, Attorney General Paxton. The motion is
23 entitled Motion for Pretrial Scheduling Order or
24 Pretrial Conference. This motion was addressed by my
25 July 12 discovery order and August 9 exhibit production

1 order. Accordingly, no further action is needed.

2 Now I will take up Motion 4 submitted by
3 the respondent, Attorney General Paxton. The motion is
4 entitled Motion to Preclude Attorney General Warren
5 Kenneth Paxton, Jr. from Being Compelled to Testify.

6 This Court notes that many factors and
7 circumstances in this proceeding lean more on criminal
8 in nature. The rules require a standard of beyond a
9 reasonable doubt, which is reserved for criminal cases.
10 Exculpatory evidence was required to be produced
11 consistent with criminal cases. The rules require a
12 plea to the Court to be guilty or not guilty, which are
13 the pleas exclusively used in criminal cases.

14 Judgments of the Court of Impeachment are
15 entered as acquittal or conviction, which are operative
16 terms for judgments in criminal cases. And the House of
17 Managers have repeatedly compared the action of the
18 House of Representatives to a grand jury, as they
19 proffer the articles of impeachment. Grand juries are
20 utilized only in criminal cases.

21 Therefore, the motion is granted. The
22 attorney general cannot be compelled to testify. This
23 is consistent with the reasoning and judgment in the
24 United States Supreme Court Boyd versus the United
25 States.

1 The Court's ruling is clear. You may not
2 call the attorney general as a witness.

3 Finally I will take up Motion 5 by
4 respondent, Attorney General Paxton. The motion is
5 entitled Motion Challenging Jurors for Cause. That
6 motion is denied.

7 To both parties, what we will do at this
8 point is -- and to the members, it's a little odd today
9 because we have a break coming close to the lunch break.
10 So we'll take a short ten-minute break at this one,
11 because we're going to break around 12:15 for lunch.
12 We'll take a ten-minute break. Be back in ten minutes.

13 Before you leave -- wait a minute. I
14 haven't dismissed you yet. To both parties, when we
15 come back, I'll have a short statement about the rules.
16 Then we will read the articles of impeachment. Attorney
17 General Paxton will be asked how you plead after each
18 article. And then we will swear in witnesses, those who
19 are here. And then we will break for lunch. And after
20 lunch will be when the opening statement for those
21 parties that choose to make that will be given.

22 So that's the schedule. It's 11:20. Be
23 back on the floor ready to go at 11:30. Thank you.

24 (Recess: 11:20 a.m. to 11:37 a.m.)

25 PRESIDING OFFICER: Members, please take

1 your seats.

2 Members, now that we are moving forward
3 based on the pretrial motions, I'd like to comment on
4 several of the key rules and procedures for the trial,
5 particularly so we are totally transparent for the
6 public and that everyone knows what is about to happen.

7 First, the Texas Constitution and the law
8 require the Senate to receive articles of impeachment
9 proffered by the House of Representatives and try them
10 in the Senate. For the general public, the articles of
11 impeachment are the charges brought by the House. The
12 Senate is committed to conducting a fair and impartial
13 trial where eligible senators will serve as jurors.

14 We will start each day at 9 a.m. and
15 continue until at least 6:00, possibly a bit later. Of
16 course today we started on Tuesday because of the
17 holiday, but next week it will be Monday through Friday
18 and potentially could go to Saturday next week. We will
19 not do Saturday this week.

20 We will break probably every 90 minutes
21 or so for the jurors and the parties to stretch. We'll
22 do it for 20 minutes, and we'll be timely and come back.

23 We'll break for lunch about 12:15 most
24 days for 45 minutes, till one, and then we will come
25 back for the afternoon.

1 I'd like to place a couple of things on
2 the record officially. The parties have agreed to
3 provide the court and the opposing party with 24 hours
4 of advanced notice on witnesses they plan to call to
5 testify, is that correct? Both sides?

6 MR. BUZBEE: Yes, sir.

7 MR. HARDIN: Yes, sir.

8 PRESIDING OFFICER: Thank you.

9 Additionally, the parties said they would
10 agree to the admissibility of certain exhibits, is that
11 correct?

12 MR. HARDIN: No, Your Honor. If I may be
13 heard.

14 PRESIDING OFFICER: Yes.

15 MR. HARDIN: As you know, it was
16 suggested last Wednesday to the Court it would probably
17 be a good idea for people to talk about
18 pre-admittance --

19 PRESIDING OFFICER: Hold on one second.
20 We cannot hear. Is that mic on?

21 MR. HARDIN: Thank you, Your Honor. I
22 apologize.

23 PRESIDING OFFICER: Start at the
24 beginning. Start at the beginning.

25 MR. HARDIN: It's a good trial run of

1 screwing up on the technology.

2 I think -- what I said was Mr. Buzbee
3 suggested last Wednesday that we -- the sides get
4 together and agree what could be preadmitted. We
5 thought that was a great idea, the President thought so,
6 and we assumed that's what was going to happen.

7 On Thursday we were asked would we --
8 what our position was about their exhibits, and we said
9 we would agree to preadmit all of their exhibits. They
10 could put in anything we wanted that was on their
11 witness list, and we would not object. They wrote
12 back -- they came back and said, "Is that a
13 precondition?" And I said, "No, that is our position.
14 You -- we will not object to any of your exhibits."

15 "Now, what is your position about ours?"

16 "We'll get back to you."

17 We didn't hear. We didn't get back. And
18 finally they wrote back and said, "We will not agree to
19 preadmit any of your exhibits."

20 So that means, in light of what the Court
21 said earlier -- by the way, do I say Court or what do I
22 say?

23 PRESIDING OFFICER: Court is fine.

24 MR. HARDIN: I can handle Mr. President,
25 but I don't know what to refer to the facility.

1 PRESIDING OFFICER: Court is fine.

2 MR. HARDIN: Thank you.

3 What that means is that any time they
4 seek to introduce an exhibit, it's going to come in
5 unobjected to because that was the word we gave them.

6 When we seek to introduce a new exhibit,
7 there may be continued objections, which is going to
8 slow it down. And so I welcome the Court's observation
9 that if that starts taking away somebody's time
10 unfairly, the Court has the ability to acknowledge that.
11 And I'm just simply asking at this stage, no action on
12 the part of the Court, but an awareness is we thought we
13 were playing fair with what they got in here and
14 represented to you, and we're not taking our word back.

15 These guys wouldn't even negotiate it
16 with us. They wouldn't even talk to us about, "We'll
17 agree to some; we won't agree to others."

18 I stand up as a matter of privilege in
19 the House of -- or Senate of privilege, I just want the
20 Court to know, no, we did not have an agreement on
21 preadmitted.

22 PRESIDING OFFICER: Any response?

23 MR. BUZBEE: I don't think that merits a
24 response, Your Honor. You know, when he puts his
25 exhibits up, we'll take a look at them. When he puts up

1 his exhibits, we'll take a look at them and we'll object
2 if it's appropriate. If it's not appropriate, we will
3 not object. We'll do it like we're supposed to do.

4 Thank you, Your Honor.

5 PRESIDING OFFICER: I've heard you both,
6 okay? I've heard both.

7 Members, if you're watching at home, also
8 know that you may attend in person if you wish. Go to
9 senate.texas.gov for public access, guidelines, more
10 information in case you're watching at home and want to
11 come in person.

12 I want to remind the jurors and everyone
13 watching that the Juror Senators may not consider any
14 evidence unless taken under oath in this chamber. Their
15 decision -- your decision must only be based on the
16 facts and evidence presented here in this chamber and by
17 considering the credibility of the witnesses testifying
18 here and here only under oath.

19 No evidence whatsoever outside of this
20 chamber shall be considered for any purpose. This
21 includes anything said in the House impeachment
22 proceedings where no testimony was given under oath.
23 Senators cannot consider anything reported in the news,
24 anything on social media, or anything they have been
25 told by anyone outside of this trial of this chamber,

1 only what you hear under oath testified to in this court
2 and your belief in those who are testifying.

3 Senate Jurors may only consider evidence
4 given under oath in this chamber as you are the sole
5 determiners of the credibility of the witnesses called
6 to testify.

7 One unique aspect of this proceeding is
8 that one senator is the spouse of the accused. The
9 senators adopted rules that make the spouse of the
10 accused ineligible to vote as a juror. They could find
11 no instance where a spouse of any defendant in any type
12 of trial was allowed to be a juror.

13 However, even though Senator Paxton
14 cannot vote, the threshold to convict remains the same.
15 The members kept the threshold at two-thirds of 31
16 senators, which would still require 21, even though only
17 30 members are voting. So the threshold is still 21
18 votes.

19 At the end of the trial, the members will
20 deliberate in private, as any jury would. To be clear
21 the Presiding Officer -- I do not have a vote on guilt
22 or innocence. I will not give any member my opinion on
23 how they should vote.

24 In deliberations, the Senator Jurors will
25 consider the following: Did the House Managers prove

1 beyond a reasonable doubt any article of impeachment
2 against attorney general, and if so, shall that article
3 be sustained which would result in removal from office?
4 Therefore, it's a two-part question.

5 Even if a member believes the House
6 Managers have proven an article beyond a reasonable
7 doubt, the member may only sustain the article if they
8 also believe Attorney General Paxton should be removed
9 from office based on that article.

10 If any one of the 16 articles is
11 sustained against Attorney General Paxton, he'll be
12 removed from office.

13 The jury would then vote one last time on
14 whether he can hold public office again, if that were to
15 occur.

16 Members at home watching, if you wish to
17 read the 31 rules voted 25 to 3 by the senators which
18 govern this trial in more detail, they are posted on our
19 website. These are just a few of the rules that will
20 guide this trial, but I hope my statements today clarify
21 some questions that the public may have had or have.

22 After I swear in witnesses who are
23 present, each party may make an opening statement and
24 after the articles are read -- the impeachment articles
25 are read.

1 With that, Attorney General Paxton,
2 please rise.

3 Clerk, please read the articles of
4 impeachment one at a time referred by the House of
5 Representatives.

6 THE CLERK: Articles of impeachment,
7 Article I (Disregard of Official Duty - Protection of
8 Charitable Organization).

9 While holding office as attorney general,
10 Warren Kenneth Paxton violated the duties of his office
11 by failing to act as public protector of charitable
12 organizations as required by Chapter 123, Property Code.

13 Specifically, Paxton caused employees of
14 his office to intervene in a lawsuit brought by the Roy
15 F. and JoAnn Cole Mitte Foundation against several
16 corporate entities controlled by Nate Paul. Paxton
17 harmed the Mitte Foundation in an effort to benefit
18 Paul.

19 PRESIDING OFFICER: Senator Paxton (sic),
20 how do you plead?

21 MR. BUZBEE: Attorney General Ken Paxton
22 is innocent and therefore pleads not guilty.

23 PRESIDING OFFICER: Clerk will read the
24 next article.

25 THE CLERK: Article II (Disregard of

1 Official Duty-Abuse of the Opinion Process).

2 While holding office as attorney general,
3 Warren Kenneth Paxton misused his official power to
4 issue written legal opinions under Subchapter C, Chapter
5 402, Government Code.

6 Specifically, Paxton caused employees of
7 his office to prepare an opinion in an attempt to avoid
8 the impending foreclosure sales of properties belonging
9 to Nate Paul or business entities controlled by Paul.

10 Paxton concealed his actions by soliciting the chair of
11 a senate committee to serve as straw requestor.

12 Furthermore, Paxton directed employees of his office to
13 reverse their legal conclusion for the benefit of Paul.

14 MR. BUZBEE: Those allegations are --

15 PRESIDING OFFICER: How do you plead?

16 MR. BUZBEE: -- untrue; therefore, he
17 pleads not guilty.

18 PRESIDING OFFICER: I didn't mean to step
19 on you. You want to repeat that?

20 MR. BUZBEE: The allegations that I just
21 heard are untrue; therefore, Ken Paxton pleads not
22 guilty.

23 PRESIDING OFFICER: Thank you.

24 THE CLERK: Article III (Disregard of
25 Official Duty-Abuse of the Open Records Process).

1 While holding office as attorney general,
2 Warren Kenneth Paxton misused his official power to
3 administer the public information law (Chapter 552,
4 Government Code).

5 Specifically, Paxton directed employees
6 of his office to act contrary to law by refusing to
7 render a proper decision relating to a public
8 information request for records held by the Department
9 of Public Safety and by issuing a decision involving
10 another public information request that was contrary to
11 law and applicable legal precedent.

12 PRESIDING OFFICER: Attorney General
13 Paxton, how do you plead?

14 MR. BUZBEE: Everything she just said
15 there was false; therefore, Attorney General Ken Paxton
16 pleads not guilty.

17 PRESIDING OFFICER: Clerk will read the
18 next article.

19 THE CLERK: Article IV (Disregard of
20 Official Duty-Misuse of Official Information).

21 While holding office as attorney general,
22 Warren Kenneth Paxton misused his official power to
23 administer the public information law (Chapter 552,
24 Government Code).

25 Specifically, Paxton improperly obtained

1 access to information held by his office that had not
2 been publicly disclosed for the purpose of providing the
3 information to the benefit of Nate Paul.

4 PRESIDING OFFICER: Attorney General, how
5 do you plead?

6 MR. BUZBEE: Your Honor, those are all
7 untrue; therefore, Ken Paxton pleads not guilty.

8 PRESIDING OFFICER: Clerk will read the
9 next article.

10 THE CLERK: Article V (Disregard of
11 Official Duty-Engagement of Cammack).

12 While holding office as attorney general,
13 Warren Kenneth Paxton misused his official powers by
14 violating the laws governing the appointment of
15 prosecuting attorneys pro tem.

16 Specifically, Paxton engaged Brandon
17 Cammack, a licensed attorney, to conduct an
18 investigation into a baseless complaint, during which
19 Cammack issued more than 30 grand jury subpoenas, in an
20 effort to benefit Nate Paul or Paul's business entities.

21 PRESIDING OFFICER: Attorney General
22 Paxton, how do you plead?

23 MR. BUZBEE: The Attorney General is
24 innocent and therefore pleads not guilty.

25 PRESIDING OFFICER: Clerk will read the

1 next article.

2 THE CLERK: Article VI (Disregard of
3 Official Duty-Termination of Whistleblowers).

4 While holding office as attorney general,
5 Warren Kenneth Paxton violated the duties of his office
6 by terminating and taking adverse personnel action
7 against employees of his office in violation of this
8 state's whistleblower law (Chapter 554, Government
9 Code).

10 Specifically, Paxton terminated employees
11 of his office who made good faith reports of his
12 unlawful actions to law enforcement authorities. Paxton
13 terminated the employees without good cause or due
14 process and in retaliation for reporting his illegal
15 acts and improper conduct. Furthermore, Paxton engaged
16 in a public and private campaign to impugn the
17 employees' professional reputations or prejudice their
18 future employment.

19 PRESIDING OFFICER: Attorney General
20 Paxton, how do you plead?

21 MR. BUZBEE: Everything she said there,
22 sir, is legally and factually incorrect, and therefore
23 Attorney General Ken Paxton pleads not guilty.

24 PRESIDING OFFICER: The clerk will read
25 the next article.

1 THE CLERK: Article VII (Misapplication
2 of Public Resources-Whistleblower Investigation and
3 Report).

4 While holding office as attorney general,
5 Warren Kenneth Paxton misused public resources entrusted
6 to him.

7 Specifically, Paxton directed employees
8 of his office to conduct a sham investigation into
9 whistleblower complaints made by employees whom Paxton
10 had terminated and to create and publish a lengthy
11 written report containing false or misleading statements
12 in Paxton's defense.

13 PRESIDING OFFICER: Attorney General
14 Paxton, how do you plead?

15 MR. BUZBEE: The allegations she just
16 referenced are untrue; therefore, the attorney general
17 pleads not guilty.

18 PRESIDING OFFICER: The clerk will read
19 the next article.

20 THE CLERK: Article VIII (Disregard of
21 Official Duty-Settlement Agreement).

22 While holding office as attorney general,
23 Warren Kenneth Paxton misused his official powers by
24 concealing his wrongful acts in connection with
25 whistleblower complaints made by employees whom Paxton

1 had terminated.

2 Specifically, Paxton entered into a
3 settlement agreement with the whistleblowers that
4 provides for payment of the settlement from public
5 funds. The settlement agreement stayed the wrongful
6 termination suit and conspicuously delayed the discovery
7 of facts and testimony at trial, to Paxton's advantage,
8 which deprived the electorate of its opportunity to make
9 an informed decision when voting for attorney general.

10 PRESIDING OFFICER: Attorney General
11 Paxton, how do you plead?

12 MR. BUZBEE: The attorney general is
13 innocent of those charges and pleads not guilty.

14 PRESIDING OFFICER: The clerk will read
15 the next article.

16 THE CLERK: Article IX (Constitutional
17 Bribery-Paul's Employment of Mistress).

18 While holding office as attorney general,
19 Warren Kenneth Paxton engaged in bribery in violation of
20 Section 41 Article XVI, Texas Constitution.

21 Specifically, Paxton benefited from Nate
22 Paul's employment of a woman with whom Paxton was having
23 an extramarital affair. Paul received favorable legal
24 assistance from, or specialized access to, the Office of
25 Attorney General.

1 PRESIDING OFFICER: Attorney General
2 Paxton, how do you plead?

3 MR. BUZBEE: Those allegations are flat
4 out false. The attorney general pleads not guilty.

5 PRESIDING OFFICER: The clerk will read
6 the next article.

7 THE CLERK: Article X (Constitutional
8 Bribery-Paul's Providing Renovations to Paxton Home).

9 While holding office as attorney general,
10 Warren Kenneth Paxton engaged in bribery in violation of
11 Section 41, Article XVI, Texas Constitution.

12 Specifically, Paxton benefited from Nate
13 Paul providing renovations to Paxton's home. Paul
14 received favorable legal assistance from or specialized
15 access to the Office of Attorney General.

16 PRESIDING OFFICER: Attorney General
17 Paxton, how do you plead?

18 MR. BUZBEE: Those allegations are
19 offensive and false. The attorney general pleads not
20 guilty.

21 PRESIDING OFFICER: Clerk will read the
22 next article.

23 THE CLERK: Article XV (False Statements
24 in Official Records-Whistleblower Response Report).

25 While holding office as attorney general,

1 Warren Kenneth Paxton made false or misleading
2 statements in official records to mislead both the
3 public and public officials.

4 Specifically, Paxton made or caused to be
5 made multiple false or misleading statements in the
6 lengthy written report issued by his office in response
7 to whistleblower allegations.

8 PRESIDING OFFICER: Attorney General
9 Paxton, how do you plead?

10 MR. BUZBEE: Stand by that report and
11 therefore plead not guilty.

12 MR. HARDIN: Your Honor, objection. It's
13 simply that if he wants to take the stand and testify,
14 we'll be -- welcome that; but otherwise, this is
15 supposed to be a plea from the client. He can enter a
16 plea of not guilty for his client. He can't make
17 speeches as he's doing that, and I object. I ask that
18 he just be instructed to plead not guilty or guilty,
19 whichever he chooses, but not to be making speeches
20 through his lawyer.

21 PRESIDING OFFICER: Sustained.

22 Clerk will read the next charge.

23 THE CLERK: Article XVI (Conspiracy and
24 Attempted Conspiracy).

25 While holding office as attorney general,

1 Warren Kenneth Paxton acted with others to conspire, or
2 attempt to conspire, to commit acts described in one or
3 more articles.

4 PRESIDING OFFICER: Attorney General
5 Paxton, how do you plead?

6 MR. BUZBEE: Absolutely not guilty.

7 PRESIDING OFFICER: Clerk will read the
8 next article.

9 THE CLERK: Article XVII
10 (Misappropriation of public resources).

11 While holding office as attorney general,
12 Warren Kenneth Paxton misused his official powers by
13 causing employees of his office to perform services for
14 his benefit and the benefit of others.

15 PRESIDING OFFICER: Attorney General
16 Paxton, how do you plead?

17 MR. BUZBEE: Again, Your Honor, not
18 guilty.

19 PRESIDING OFFICER: Clerk will read the
20 next article.

21 THE CLERK: Article XVIII (Dereliction of
22 duty).

23 While holding office as attorney general,
24 Warren Kenneth Paxton violated the Texas Constitution,
25 his oaths of office, statutes, and public policy against

1 public officials acting contrary to the public interest
2 by engaging in acts described in one or more articles.

3 PRESIDING OFFICER: Attorney General, how
4 do you -- Paxton, how do you plead?

5 MR. BUZBEE: Not guilty.

6 PRESIDING OFFICER: Clerk will read the
7 next article.

8 THE CLERK: Article XIX (Unfitness for
9 office).

10 While holding office as attorney general,
11 Warren Kenneth Paxton engaged in misconduct, public --
12 private or public, of such character as to indicate his
13 unfitness for office as shown by the acts described in
14 one or more articles.

15 PRESIDING OFFICER: Attorney General, how
16 do you plead?

17 MR. BUZBEE: Not guilty, Your Honor.

18 PRESIDING OFFICER: Clerk will read the
19 following article.

20 THE CLERK: Article XX (Abuse of Public
21 Trust).

22 While holding office as attorney general,
23 Warren Kenneth Paxton used, misused, or failed to use
24 his official powers in a manner calculated to subvert
25 the lawful operation of the government of the State of

1 Texas and obstruct the fair and impartial administration
2 of justice, thereby bringing the Office of Attorney
3 General into scandal and disrepute to the prejudice of
4 public confidence in the government of this state, as
5 shown by the acts described in one or more articles.

6 PRESIDING OFFICER: Attorney General
7 Paxton, how do you plead?

8 MR. BUZBEE: Your Honor, the attorney
9 general is innocent, and we plead not guilty.

10 PRESIDING OFFICER: You may be seated.

11 Bailiff, do we have witnesses to be sworn
12 in? Please bring them into the court.

13 (Witnesses enter Senate chamber)

14 PRESIDING OFFICER: Bailiff, are these
15 the only witnesses in the building to be sworn in?

16 (The following oath was given to the
17 witnesses.)

18 PRESIDING OFFICER: At this time I'll
19 swear in any witness who's present. Please raise your
20 right hand and repeat after me: I do solemnly swear or
21 affirm that the evidence I give upon this hearing by the
22 Senate of Texas of impeachment charges against Warren
23 Kenneth Paxton, Jr. shall be the truth, the whole truth,
24 and nothing but the truth, so help me God.

25 Ladies and gentlemen pursuant to Rule 24,

1 the rule has been invoked. The rule means that
2 witnesses, except the members of the court, the parties
3 and their counsel, must remain outside the hearing or
4 the courtroom at all times while testimony is being
5 heard except when testifying or until discharged.

6 If you are a witness, please remain in
7 town and available to promptly appear at the Capitol if
8 the Court or either party calls on you.

9 You must not converse with each other or
10 with any other person except counsel for the parties
11 concerning the proceedings before the Court and are not
12 to read any report, watch any livestream or broadcast of
13 the proceedings, including news reports or social media
14 or comment on testimony before the Court.

15 Any witness violating this instruction
16 may be punished for contempt up to six months in jail or
17 a \$500 fine. Do y'all understand?

18 THE WITNESSES: Yes.

19 PRESIDING OFFICER: Thank you. You're
20 dismissed.

21 Members, at this time we'll break -- just
22 because this is a perfect break point -- for lunch. Be
23 back at one, and then we will have opening statements
24 when we return. Thank you. Thank you, parties.

25 (Recessed for lunch at 12:00 p.m.)

C E R T I F I C A T E

STATE OF TEXAS)

COUNTY OF TRAVIS)

I, Lorrie A. Schnoor, Certified Shorthand Reporter in and for the State of Texas, Registered Diplomat Reporter and Certified Realtime Reporter, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

Certified to by me this 5th day of September, 2023.

/s/ **Lorrie A. Schnoor**

LORRIE A. SCHNOOR, RDR, CRR
Texas Certified Shorthand Reporter
CSR No. 4642 - Expires 1/31/24
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Lorrie A. Schnoor, CSR, RDR, CRR