Wyonda Laurence

From: Wyonda Laurence
Sent: Wednesday, May 29, 2019 11:36 AM
To: Johnathan Duncan ([redacted]
Cc: Dan West
Subject: Texas VFW: Results Disciplinary Hearing-Steven Mueller
Attachments: Ltr-supporting docs-Steven Mueller-hearing results.pdf

Johnathan:
Attached are the results of the disciplinary hearing for Steven Mueller held on May 23, 2019.
If you have any questions, please contact Dan West, State Adjutant/Quartermaster.
Sincerely,
Wyonda

Wyonda Laurence
Department Secretary
Department of Texas Veterans of Foreign Wars
8503 North IH-35
Austin, Texas 78753
Office Phone: 512-834-8535 ext. 103 ←**NEW**
Fax #: 512-834-9232
Email: [redacted]
"The VFW.....No One Does More For Veterans"

VETERANS OF FOREIGN WARS.

May 28, 2019

Steven J. Mueller
[redacted]

Certified Mail, Return Receipt Requested
No. 7018 0680 0000 6781 1111

Comrade Mueller:

As a result of your request for a Disciplinary Hearing in regards to the Charges and Specifications as outlined in Special Order Number 27 dated April 15, 2019, a hearing was conducted on May 23, 2019 pursuant to Special Order Number 207, dated May 14, 2019 issued by the Commander-in-Chief of the Veterans of Foreign Wars of the United States.

The Panel President, Larry Velasquez, was in receipt of an email in which you and your codefendant objected to the procedure of the hearing as it did not conform to "Texas Statute" specifically "Texas Rules of Civil Procedure". He did introduce your written objection during the "Procedural Objections" portion of the hearing and issued a ruling that the Texas Rules of Civil Procedure did not apply in this case as you were not being tried in a Texas State Court.

The Disciplinary Panel, after hearing oral testimony, as well as reviewing written evidence, found you guilty of all Charges and Specifications, contained in Special Order Number 27. As a result of the guilty verdict, the Disciplinary Panel imposed a sentence. The sentence being that your membership in the Veterans of Foreign Wars be terminated.

In accordance with Section 904 of the National By-Laws and Manual of Procedure, you have the right to appeal the decision of the Disciplinary Panel. Such appeal must be made within thirty (30) days of the imposition of sentence by the Disciplinary Hearing Panel. All appeals must be made in writing and shall be mailed by registered or certified mail, return receipt requested to:

Commander-in-Chief
Veterans of Foreign Wars of the United States
406 West 34th Street
Kansas City, MO 64111

The appeal must include the three criteria listed in Section 904(a) of the National By-Laws and Manual of Procedure.

By Order of

Ingeborg A. Conley

Ingeborg A. Conley
State Commander

ATTEST:

Dan West
State Adjutant/Quartermaster

DEPARTMENT OF TEXAS
AUSTIN, TEXAS

VFW DEPARTMENT OF TEXAS

8503 North Interstate Highway 35 Office 512.834.8535
Austin, Texas 78753 Fax 512.834.9232
vfw@texasvfw.org
www.texasvfw.org

Attachments: Form DA-6 (Ref: MUELLER, Steven J.)
CIC - Special Order No. 207
Objection for Record-signed by Steven J. Mueller
Texas Rules of Civil Procedure-Definition of
VFW Form DA-4 (Findings and Sentence-Steven J. Mueller)

Distribution: VFW National Headquarters
State Senior Vice Commander
State Junior Vice Commander

RECEIVED
APR 2 6 2019
BY: .....

REQUEST FOR HEARING

I have received Special Order Number 27 dated April 15, 2019 with attached charges and specifications, indicating that a disciplinary action has been initiated.

As a result of this action, I request a hearing in accordance with Section 903 of the National By-Laws and Manual of Procedure.

Signed (Steve J. Mueller)

23APR19
Date

(Note: This request must be mailed by registered or certified mail, within fifteen (15) days of receipt of the Special Order (Form DA-1) to:

Commander
Department of Texas
Veterans of Foreign Wars of the United States
P.O. Box 14468
Austin, Texas 78761

VFW
VETERANS OF FOREIGN WARS.

ORDER APPOINTING A DISCIPLINARY HEARING PANEL AND SPECIAL ORDER

Special Order No. 207 Date: May 14, 2019

National Headquarters, Kansas City, Missouri

In accordance with the provision of Section 903 of the National Bylaws and Manual of Procedure, the following Disciplinary Panel is hereby assigned:

DETAIL FOR THE PANEL

Comrade David A. Walden of Post No. 10427
Comrade Lisa L. Ward of Post No. 12075
Comrade Terry Contella of Post No. 5619
Comrade Allen R. Freeman of Post No. 3892
Comrade Marcey J. Phillips of Post No. 4709
Comrade Robert L. Worrall of Post No. 688
Comrade Larry Velasquez of Post No. 8932, President of Panel

The following have been identified as participants in the hearing:

Comrade Andrew Camplen of Post No. 688, Prosecutor
Comrade Angel Ramirez of Post No. 4443, Recording Officer
Comrade Unknown Defense Counsel

The Disciplinary Hearing Panel shall convene at Robert John Lehman Post No. 10427, 8760 FM 2243, Leander, TX 78641 on Thursday, May 23, 2019, starting at 9:00 a.m., for the purpose of trying such person or persons as may be properly brought before it, including: Steve J. Mueller and Stephanie D. Pino.

By order of:
Vincent B.J. Lawrence, Commander-in-Chief
Veterans of Foreign Wars of the United States

Official:
Kevin C. Jones, Adjutant General
Veterans of Foreign Wars of the United States

NATIONAL HEADQUARTERS
406 W. 34th Street Office 816.756.3390
Kansas City, MO 64111 Fax 816.968.1157

WASHINGTON OFFICE
200 Maryland Ave., N.E. Office 202.543.2239
Washington, D.C. 20002 Fax 202.543.6719

info@vfw.org
www.vfw.org

Steve Mueller or Stephanie Pino will not be able to attend the disciplinary hearing. Steve Mueller and Stephanie Pino request the following objection be entered into the record of this proceeding:

OBJECTION FOR RECORD

Steve Mueller (Member No. 10425259), Stephanie Pino (Member No. 10359731) and their defense team object to procedure of this hearing as it does not conform to Texas statute. The accused have been denied key evidential materials by the Department of Texas on more than one occasion during the pre-trial process beginning in February. Considering the gravity of these allegations made by the Department of Texas and the refusal to produce materials of evidentiary purpose, when requested, it is increasingly difficult to feel this is a fair and honest proceeding or be afforded the opportunity to respond to the allegations as outlined in the Veterans of Foreign Wars of the United States Congressional Charter By-Laws Manuel of Procedures Ritual.

1. The hearing is in violation of the rules of civil procedure. The accused has not been granted the opportunity to conduct discovery. While it is true, the defense has received some information, including Report of Investigation, emails dated November 15, 2018, and Department of Texas correspondence dated November 16, 2018, November 30, 2018, December 6, 2018 and other documents labeled "Attachments" 1-41. The defense has not received the signed and notarized statements, as referenced in the letter sent from John Shipley to Ingeborg A. Conley on November 30, 2018 regarding the testimony of "Jeff Rankin (current post 4853 Commander), Doug Edwards (Current Post 4853 Sr. Vice Commander and Patricia Hewitt (current Post 4853 Quartermaster/ Adjutant)". The Defense has not been afforded opportunities to request production, requests answer to interrogatories and depositions. Several attempts were made to request production of evidentiary materials during the pre-trial stage from John Shipley and Dan West by our Defense team as early as February 2019, however to date that information has not been produced. The materials requested are essential to answering the charges brought against Stephanie Pino and Steve Mueller and the Defense team has been repeatedly denied access to them. By denying the Defense the request for Continuance on May 21, 2019, the Defense is being denied due process and equal and fair treatment. Without being granted access to the evidentiary materials, the accused cannot prepare an adequate response to the charges and specifications contained in Special Order 27 and Special Order 28 or offer any chance of rebuttal to testimony that may be given at the Disciplinary Hearing scheduled for May 23, 2019, starting at 9:00 a.m. at 8760 FM 2243 Leander, Texas 78641.

22MAY2019
Steve Mueller/ Member No. 10425259

22may2019
Stephanie Pino/ Member No. 10359731

Texas Rules Of Civil Procedure

Texas Rules of Civil Procedure lay down the rules that should be followed by Texas state courts. The rules govern civil actions. The rules are promulgated for a just, fair, equitable and impartial adjudication of the rights of litigants under established principles of substantive law by the state courts. In Texas a civil action commences with the filing of a petition. A party who commences the action is called the plaintiff, and the opposite party is called the defendant. A civil action can be classified into various stages that include: pleading stage, discovery stage, trial stage, and judgment stage.

Pleadings in Texas courts include petitions and answers to petitions. Parties my obtain discovery by oral examination or written questions; written interrogatories; requests for admission; and physical and mental examinations.

At the trial stage, a party may demand for trial by jury with a written request.

Texas Rules of Civil Procedure (http://www.supreme.courts.state.tx.us/rules/TRCP/RCP_all.pdf)

Inside Texas Rules of Civil Procedure

USLegal Home (https://uslegal.com/)› Civil Procedure (https://civilprocedure.uslegal.com)›
Rules of Civil Procedure (https://civilprocedure.uslegal.com/rules-of-civil-procedure/)›
State Rules of Civil Procedure (https://civilprocedure.uslegal.com/rules-of-civil-procedure/state-rules-of-civil-procedure/)
›
Texas Rules of Civil Procedure

PIND

FINDINGS AND SENTENCE

The panel was closed (or adjourned for the purpose of taking a ballot) and reported back as follows:

On all Charges and Specifications: GUILTY
(Guilty or Not Guilty)

OR

On Charge 1, Specification 1: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

On Charge _____, Specification _____: _____

The panel imposed the following sentence: MEMBERSHIP TERMINATION.

ANDREW CAMPLEN
Prosecutor (Name & Signature)

5-23-2017
Date

LARRY VELASQUEZ
President of the Panel (Name & Signature)

NOT PRESENT
Accused or his counsel (Name & Signature if present)

Note: In the event the accused is not present, a copy of the Findings and Sentence shall be mailed to the accused last known address within seven (7) days after the hearing.