

2/20/2016

**Progress of Avery vs. Hearst Communications, Inc.;
Baddour, and the Houston Chronicle:**

Avery filed a **Motion For Recusal of Judge Bud Kirkendall** for holding a personal bias or prejudice against him as shown by Kirkendall's breach of duty to investigate and prosecute parties related to an earlier complaint with sufficient evidence Avery made to him while Kirkendall was a District Attorney and the fact that Kirkendall revealed Avery's name to all parties he complained about.

The Motion was heard in front of visiting **Judge Don Burgess** from Austin Texas. Attorney **Jonathan Hull** of the law firm of Reagan Burrus of New Braunfels, Texas represented the Defendants by Notice of Appearance for the Hearst Corporation New York based in-house attorneys.

Avery has met **Jonathan Hull** in court before when he represented his own firm in New Braunfels when **Avery sued them for Malicious Prosecution**. Avery was sued by his own attorney's Moore and Pape on behalf of another client the firm had and Avery **sued Moore and Pape for Legal Mal Practice**. That case was settled out of court. Moore and Pape had to stop their representation of their other client as a result of Avery's malpractice claim. The other client who had maliciously prosecuted Avery hired Jonathan Hull's lawfirm to continue the malicious prosecution. Hull and the new attorneys took the malicious prosecution on and when they lost the case in the Supreme Court, Avery sued Moore and Pape, the original plaintiff, and Jonathan's lawfirm for Malicious Prosecution.

The court severed the case into three separate cases against each defendant. The court clerks in confusion filed all the documents in the wrong files which was not discovered until Avery appealed revealing that all the documents were put in the wrong files at the Fourth Court of Appeals in San Antonio. Avery applied to the Supreme Court of Texas for a **writ of Mandamus** to have the Fourth Court correct the files. **The Supreme Court denied Avery's Writ and Avery had to drop his appeal.**

The Motion For Recusal was heard on Wednesday 2/17/2016 and was denied. **Bud Kirkendall will now hear this libel case**. Avery is of the opinion that even his worst enemy in Seguin would not have the media do what they have done to Avery or to anyone else. Avery is not worried that Judge Kirkendall will not be honest in the hearing of the Motion to Dismiss filed by Hearst.

If Hearst can get away with this then the main stream media can put **anyone they want** in the **cross-hairs of law enforcement** and without justification or evidence. They will be able to print lies about their victims and turn regular concerned citizens into terrorist worse than Muslim terrorists in the eyes of the public. **This should be an offense to the Judiciary of the People of Texas** that the **main stream media can bypass the courts and pressure law enforcement into taking action against the innocent with false propaganda.**

See it all at <http://PostWTC.com/avc.html>