

AFFIDAVIT REGARDING THE STATE OF TEXAS V. CHARLES DEAN HOOD,
TRIAL COURT CAUSE # 296-80223-90

Comes Now Matthew Goeller, an attorney licensed to practice law in the State of Texas, State Bar of Texas #08059260, and makes the following affidavit:

I was an assistant district attorney in the Collin County District Attorney's Office from 1987 to 1996. I am Board Certified in Criminal Law in Texas; I have been a past director of the Collin County Bar Association and a past President of the Collin County Criminal Defense Lawyer's Association. I have lived and practiced law in Collin County for the past 21 years. I was so employed in Collin County as an assistant district attorney during the capital murder prosecution of the said Charles Dean Hood, although I did not handle the case. Mr. Hood was arrested for capital murder on November 1, 1990; he was indicted by the grand jury for the offense of capital murder on March 27, 1990; and he was convicted and sentenced to death on September 7, 1990.

It was common knowledge in the District Attorney's Office, and the Collin County Bar, in general, that the District Attorney, Mr. Tom O'Connell, and the Presiding Judge of the 296th District Court, Judge Verla Sue Holland, had a romantic relationship. This relationship between the District Attorney and Judge Verla Sue Holland was in existence in 1987 when I joined the District Attorney's Office, and continued until approximately 1993. Obviously, this relationship existed during the trial of Charles Dean Hood, in that Mr. O'Connell was the elected District Attorney for the prosecution in the trial before the Presiding Judge Verla Sue Holland.

The relationship between the former District Attorney and the Judge during the trial of Charles Dean Hood calls into question whether or not the Judge violated Canon 4 of the Texas Code of Judicial Conduct, specifically, did the Judge's extra-judicial activities cast a reasonable doubt on the Judge's capacity to act impartially as a judge? The aforementioned relationship also casts doubt on whether or not the Judge violated Judicial Canon 2, styled *Avoiding Impropriety & the Appearance of Impropriety*.



STATE OF TEXAS
COUNTY OF COLLIN

Subscribed and Sworn to before me on the 3rd day of June, 2008.



Kelli Lewis
Notary Public, State of Texas