



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 21-0721, 21-0735, 21-0757, 21-0773 & 21-1203

**PUBLIC WARNING
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE BRITTANYE MORRIS
333RD DISTRICT COURT
HOUSTON, HARRIS COUNTY, TEXAS**

During its meeting on August 9-11, 2022, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Brittanye Morris, Judge of the 333rd District Court, Houston, Harris County, Texas. Judge Morris advised by letter of the Commission's concerns and appeared and gave testimony before the Commission on August 11, 2022.

BACKGROUND

Judge Morris was elected the bench in November 2020, and assumed the bench as the Judge of the 333rd District Court on January 1, 2021. At the time of her election, four separate lawsuits *Mokaram-Latif West Loop, Ltd. v. Ali Choudhri et al.*, Cause No. 2012-271197; *Mokaram-Latif West Loop, Ltd. v. Ali Choudhri et al.*, Cause No. 2012-271197A; *Mokaram-Latif West Loop, Ltd et al. v. Osama Abdullatif et al.*, Cause No. 2017-2744151; and *Osama Abdullatif v. Jetall Companies, Inc. et al.*, Cause No. 2017-50232, were pending in the 333rd District Court.

On January 8, 2021, an Emergency Motion to Stay the Arbitration was filed on behalf of the Defendants in *Mokaram-Latif West Loop, Ltd. v. Ali Choudhri et al.*, Cause No. 2012-271197. The Plaintiff Osama Abdullatif, represented by attorney Rodney Drinnon, immediately filed a Verified Motion to Recuse Judge Morris based on her relationship with the defendant Ali Choudhri ("Choudhri").

In the motion to recuse filed by Drinnon, and supported by numerous witness affidavits, it is alleged that Judge Morris failed to recuse herself in all four cases involving the defendant, Choudhri and his various entities – cases in which she was working with Choudhri and his entities prior to becoming a judge; that the judge previously advised Choudhri that she would work "behind the scenes" to advance

his interests in the lawsuits; engaged in undisclosed financial and business dealings that reflected adversely on her impartiality; namely maintaining an office in one of Choudhri's buildings and utilizing Choudhri's Mercedes minivan for campaign purposes without publicly disclosing same and previously counseled, and advised and assisted Choudhri and his representatives in managing and overseeing Choudhri's extensive litigation docket. The plaintiff also alleged that prior to becoming a judge, Judge Morris appeared in the 270th District Court on January 15, 2020 in the case captioned *Osama Abdullatif v. Ali Choudhri et al.*, Case No. 2013-41273, and was observed sitting in the gallery and entered a ready room with Choudhri after Choudhri's counsel, Kelly and James Pierce, had withdrawn from the case.

On January 11, 2021, while the motion to recuse was pending, Judge Morris proceeded with the hearing on the emergency motion to stay and thereafter, granted Choudhri an emergency stay of the arbitration. The next day, Judge Morris signed an order declining to voluntarily recuse and forwarded the motion to Judge Susan Brown, the Presiding Judge of the Eleventh Administrative Region. On January 25, 2021, Judge Brown signed an order granting the verified motion to recuse Judge Morris. On January 27, 2021, Judge Morris then voluntarily recused herself from the other three cases pending in the 333rd District Court.

After considering the evidence before it, the Commission entered the following Findings and Conclusion:

FINDINGS OF FACT

1. The Honorable Brittanye Morris was Judge of the 333rd District Court for Houston, Harris County, Texas.
2. Judge Morris was elected to serve as Judge of the 333rd District Court in the November 2020 general election and assumed the bench on January 1, 2021.
3. At the time of her election, four separate lawsuits *Mokaram-Latif West Loop, Ltd. v. Ali Choudhri et al.*, Cause No. 2012-271197; *Mokaram-Latif West Loop, Ltd. v. Ali Choudhri et al.*, Cause No. 2012-271197A; *Mokaram-Latif West Loop, Ltd et al. v. Osama Abdullatif et al.*, Cause No. 2017-2744151; and *Osama Abdullatif v. Jetall Companies, Inc. et al.*, Cause No. 2017-50232, were pending in the 333rd District Court and involved plaintiff Ali Choudhri.
4. Judge Morris failed to either disclose her relationship or recuse from the cases involving Choudhri with whom she has a relationship.
5. During her testimony before the Commission, Judge Morris confirmed she met Choudhri in 2018, and formed a casual and platonic relationship with him as they both shared the same faith and had lunch together a couple of times a month.
6. Judge Morris stated that, while in private practice, and because of the COVID-19 pandemic, she decided to work from home and use a "virtual office" for client meetings. Judge Morris confirmed that Choudhri allowed her to use an empty office at one of his companies on an as-needed basis for a nominal hourly fee of \$25-\$50 per hour so long as the office remained empty.
7. Judge Morris acknowledged that while in private practice, Choudhri's employees occasionally sought her assistance in locating attorneys in various practice areas, and that she provided the names of several Houston lawyers and sent text messages to Choudhri's employees confirming her willingness to assist in locating possible lawyers until she assumed the bench.

8. Judge Morris stated that in early 2019, Choudhri, a real estate developer, asked if she would consider working in-house as a real estate lawyer for one of his companies, but Judge Morris declined based on her decision to run for judicial bench.
9. Judge Morris acknowledged attending the last day of a trial involving one of Choudhri's companies solely as an observer stating she sat alone in the gallery. However, Judge Morris denied that she engaged in substantive discussions about the case or participated in any counsel discussions.
10. Judge Morris denied ever representing Choudhri or any of his companies prior to becoming a judge, performing legal work for him, or attending attorney meetings or litigation strategy meetings.
11. Judge Morris also denied using Choudhri's Mercedes minivan. However, she stated she provided a campaign supporter with a placard, and other campaign materials and never saw him again. She stated she did not know where the rumor started that she used Choudhri's minivan.
12. Judge Morris stated that neither Choudhri nor his companies contributed any money to her campaign. However, she estimates that of the \$14,350 raised, \$8,000 came from three legal professionals who had represented Choudhri in various other matters.
13. With respect to the recusal, Judge Morris confirmed that she declined to recuse herself voluntarily but properly referred the matter to the administrative judge.
14. Being a new judge, Judge Morris testified that she consulted with her more experienced colleagues and counsel for the Harris County Judges, who advised her that her power to rule during the pendency of the recusal motion is restricted to rulings for good cause.
15. Based on the information she received, Judge Morris proceeded with the hearing on the emergency motion to stay explaining at the outset of the hearing her limited power considering the pending recusal motion.
16. After hearing arguments from the parties' lawyers concerning good cause and the merits of the motion to stay, Judge Morris signed an order granting the emergency motion to stay arbitration.
17. Judge Morris acknowledged that she never disclosed her relationship with Choudhri to the parties or their attorney. Rather she stated that she did not believe her social relationship with Choudhri warranted recusal.
18. Approximately six months after recusing herself from all cases involving Choudhri, Judge Morris received a text message from Choudhri saying he had been arrested. Judge Morris confirmed she bonded Choudhri out of jail.

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct provides, in pertinent part: "A judge shall comply with the law..."
2. Canon 2B of the Texas Code of Judicial Conduct provides in pertinent part: "A judge shall not allow a relationship to influence judicial conduct or judgement... nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge..."

3. Canon 3B(1) of the Texas Code of Judicial Conduct provides, in pertinent part: “A judge shall hear and decide matters assigned to the judge except those in which disqualification is required or recusal is appropriate.”
4. Canon 3B(2) of the Texas Code of Judicial Conduct provides in pertinent part: “A judge ... shall maintain professional competence in [the law].”

CONCLUSION

Based upon the record before it and the factual findings recited above, the State Commission on Judicial Conduct has determined that the Honorable Brittanee Morris, Judge of the 333rd District Court for Houston, Harris County, Texas, should be publicly warned and ordered to obtain additional education for allowing a relationship with Choudhri to influence her judicial conduct and conveying and permitting others to convey the impression they are in a special position to influence the judge when she failed to disclose her relationship with Choudhri to the parties and their attorneys or recuse from the cases where appropriate, and further failed to comply with the law and demonstrated incompetence in the law when she proceeding in conducting a hearing and ruling on an emergency motion to stay arbitration while a motion to recuse was pending, in violation of Canons 2A, 2B, 3B(1) and 3B(2) of the Texas Code of Judicial Conduct.

Pursuant to this Order, Judge Morris must obtain **four (4) hours** of instruction with a mentor, in addition to her required judicial education for Fiscal Year 2023. In particular, the Commission desires that Judge Morris receive this additional education in the areas of recusal (2 hrs.) and conflict of interest (2 hrs.). Pursuant to the authority contained in §33.036 of the Texas Government Code, the Commission authorizes the disclosure of certain information relating to this matter to the Texas Center for the Judiciary to the extent necessary to enable that entity to assign the appropriate mentor for Judge Morris.

Judge Morris shall complete the additional **four (4) hours** of instruction recited above within 60 days from the date of written notification from the Commission of the assignment of a mentor. Upon receiving such notice, it is Judge Morris’s responsibility to contact the assigned mentor and schedule the additional education.

The Commission has taken this action pursuant to the authority conferred it in Article V, §1-a(8) of the Texas Constitution in a continuing effort to promote confidence in and high standards for the judiciary.

Issued this the 29 day of August, 2022.



David Schenck
Chair, State Commission on Judicial Conduct