

CAUSE NUMBERS - D1-DC-20-900056 & D1-DC-24-904031

THE STATE OF TEXAS § IN THE 299TH DISTRICT COURT
 §
VS. § OF
 §
CHANCE BRETCHES § TRAVIS COUNTY, TEXAS

DEFENDANT'S MOTION FOR A COURT OF INQUIRY

TO THE HONORABLE JUDGE KAREN SAGE:

The District Attorney's Office has been caught *in flagrante delicto* concealing evidence and intentionally impeding the due-process rights of Chance Bretches, the defendant in this case. Accordingly, the defendant moves this court to exercise its ability under the Texas Code of Criminal Procedure Chapter 52 to request a Court of Inquiry.

FACTUAL BACKGROUND

On May 26, 2022, the Travis County District Attorney's Office obtained an indictment against Officer Chance Bretches for two counts of Aggravated Assault by a Public Servant related to his use of a less lethal shotgun on May 31, 2020. A subsequent indictment was obtained on March 7, 2024, charging Officer Bretches with two counts of Aggravated Assault by a Public Servant, two counts of deadly conduct, and two counts of assault.

On October 28, 2025, Assistant District Attorney Raman Gill certified to the Court that all discovery had been provided to the defense. However, it has come to light that this was not true, and the District Attorney's Office has been concealing that it held secret negotiations with the City of Austin from March to April of 2023. These meetings were attended by District Attorney Jose Garza, First Assistant District Attorney Trudy Strassberger, Assistant District Attorney Dexter Guilford, and possibly others from the District Attorney's Office. The details of these secret meetings and the reasons why the District Attorney was

legally and ethically required to disclose them are described in Defendant’s Motion to Dismiss Due to Prosecutorial Misconduct and Due Process Violations, which is incorporated by reference into this motion.

ARGUMENT

Under Texas law, a court of inquiry is an investigatory criminal proceeding under Chapter 52 of the Texas Code of Criminal Procedure, initiated when a district judge acting as a magistrate has probable cause to believe a specific state-law offense has been committed and requests appointment of another district judge to conduct the inquiry. Tex. Code Crim. Proc. Ann. §52.01. Before making the request, the judge must “enter into the minutes of [her] court a sworn affidavit stating the substantial facts establishing probable cause that a specific offense has been committed against the laws of this state.” *Id.* § 52.01(b)(1). If the Court of Inquiry finds that a crime has been committed, it may issue arrest warrants for the offenders. *Id.* §52.08.

Probable cause exists when the facts and circumstances within the Court’s knowledge, and of which the Court has reasonably trustworthy information, are sufficient to warrant a reasonable person to believe that an offense has been committed or was being committed. *See Beverly v. State*, 792 S.W.2d 103, 104-05 (Tex. Crim. App. 1990).

- I. **There is probable cause to believe that Jose Garza, Trudy Strassberger, Dexter Guilford, Raman Gill, and other unknown persons committed the felony offense of Tampering with or Fabricating Physical Evidence, Tex. Penal Code Ann. § 37.09.**

“[A] person commits the offense of tampering with or fabricating physical evidence, if, knowing that an investigation or official proceeding is pending or in progress, he alters, destroys, or conceals any record, document, or thing with intent to impair its verity, legibility, or availability

as evidence in the investigation or official proceeding.” Tex. Penal Code Ann. § 37.09(a)(1). “A person acts intentionally, or with intent, with respect ... to a result of his conduct when it is his conscious objective or desire to ... cause the result. *Id.* § 6.03(a).”

Here, the State has provided a large volume of discovery over a period of several years. A diligent search has been made of the evidence disclosed to the defendant, and no email, note, message, or any other record, document, or thing disclosing the existence of secret meetings with the City of Austin has been located. Common sense suggests that meetings involving numerous lawyers and city officials would create a significant paper trail that would be in the possession of the Travis County District Attorney’s Office. Emails, memoranda, meeting notes, voice messages, and other things would certainly have been generated. All these items would be exculpatory and mitigating and, because proceedings were already underway against the defendant when these meeting occurred, would be subject to immediate disclosure.

The facts in this case make it clear that the Travis District Attorney’s Office, with full knowledge that a criminal proceeding was under way, concealed records, documents, or other things related to secret meetings with the City of Austin and did so with the intent to prevent their availability as evidence in the proceeding. Therefore, there is probable cause to believe that Jose Garza, Trudy Strassberger, and Dexter Guilford, who participated in these meetings, and Roman Gill who certified that all discovery had been released, and likely other persons whose identity is currently unknown, committed the offense of tampering with or fabricating physical evidence.

II. There is probable cause to believe that Jose Garza, Trudy Strassberger, Dexter Guilford, Raman Gill, and other unknown persons committed the misdemeanor offense of Official Oppression, Tex. Penal Code Ann. §39.03(a)(2).

“A public servant acting under color of his office or employment commits an offense if he

. . . intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful.” Tex. Penal Code Ann. §39.03(a)(2).

“[T]he suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution.” *Brady v. Maryland*, 373 U.S. 83, 87 (1963)

“According to the plain text of Article 39.14, criminal defendants now have a general statutory right to discovery in Texas beyond the guarantees of due process.” *Watkins v. State*, 619 S.W.3d 265, 291 (Tex. Crim. App. 2021). “[T]he state shall disclose to the defendant any exculpatory, impeachment, or mitigating document, item, or information in the possession, custody, or control of the state that tends to negate the guilt of the defendant or would tend to reduce the punishment for the offense charged.” Tex. Code Crim. Proc. Ann. § 39.14(h).

Here, the Travis County District Attorney Jose Garza, his First Assistant Trudy Strassberger, and Assistant District Attorney Dexter Guilford all personally attended meetings with the City of Austin that unquestionably should have been disclosed to the Defendant. Instead, Assistant District Attorney Raman Gill certified that all discovery had been provided to the defense.

This was no simple oversight by an overworked prosecutor. This is a conspiracy at the highest levels of the Travis County District Attorney’s Office to deny the defendant his rights. These facts provide probable cause to believe that Jose Garza, Trudy Strassberger, Dexter Guilford, Raman Gill, and other persons whose identity is unknown committed the offense of Official Oppression.

III. A Court of Inquiry is the only adequate means of addressing systematic misconduct at the highest levels of the Travis County District Attorneys Office.

Texas magistrates, since at least 1895, have been statutorily empowered to hold Courts of Inquiry. *See Brown v. State*, 118 S.W. 139 (Tex. Crim. App. 1909). However, widespread abuse of this power led the Texas Legislature in 1965 to revamp the process for initiating a Court of Inquiry so that only district courts could convene them and that the magistrate requesting the inquiry would not be the same judge overseeing it. *See In re Thompson*, 330 S.W.3d 411, 420-21 (Tex. App.—Austin 2010, orig. proceeding) (Puryear, J. dissenting).

In modern times, Courts of Inquiry play a rare but important role in the administration of justice. One of the most famous courts of inquiry in Texas occurred in 2013 when a Williamson County district court investigated then-sitting District Judge Ken Anderson for his role in the wrongful murder conviction of Michael Morton. *See State v. Anderson*, No. 13-0719-K26 (26th Dist. Ct., Williamson County, Tex. April 19, 2013). This ultimately led to criminal charges and disbarment for Anderson, and a major overhaul of the criminal discovery system with the passage of the Michael Morton Act. *See Hillman v. Nueces Cnty.*, 579 S.W.3d 354 (Tex. 2019).

So, what was once an object of abuse and judicial tyranny has become a critical means of ensuring fairness and accountability in the Texas criminal justice system. And this is exactly why a Court of Inquiry is needed in this case.

By all appearances, the elected District Attorney of Travis County and his top lieutenants have engaged in a conspiracy to conceal evidence for the purpose of denying a criminal defendant his due process rights. This is just one part of an ongoing pattern of misconduct by this same office. It is unreasonable to expect that the District Attorney's Office can investigate or correct the problem internally. Consequently, these allegations require an independent

investigation by an authority outside of the office. That is precisely the function of a Court of Inquiry.

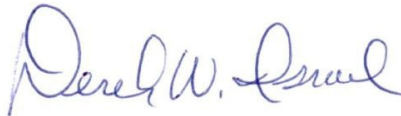
PRAYER

The Travis County District Attorney and his top lieutenants have chosen to intentionally conceal evidence in this case in an attempt to deny the Defendant the rights he is guaranteed under the Constitution of the United States and Texas law. This is part of a pattern of misconduct that has crossed the line from mere incompetence to criminal activity, and this Court must demonstrate to the community that wrongdoers face consequences, even when they cloak themselves in the power of the State.

Respectfully submitted,



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CERTIFICATE OF SERVICE

By signature above, I certify that a true and correct copy of the forgoing document was served on the Tavis County District Attorney's Office on 3/17/2026, in compliance with the Texas Code of Criminal Procedure.