

THE STATE OF TEXAS, §
EX REL. §
MARY DUPUIS §
Relator-Plaintiff §

v. §

JOSE GARZA, IN HIS OFFICIAL §
CAPACITY AS DISTRICT ATTORNEY §
OF THE 53rd JUDICIAL DISTRICT §
Respondent-Defendant §
§
§

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS 455th
JUDICIAL DISTRICT

Affidavit & Evidence Submission

TO THE HONORABLE PRESIDING JUDGE OF THE THIRD
ADMINISTRATIVE JUDICIAL REGION:

NOW COMES THE STATE OF TEXAS, by relation of I, the Plaintiff, Mary Dupuis (“Plaintiff”), in my capacity as a resident of Travis County, Texas make the duly sworn statements. I am of sound mind and capable of making this sworn statement. I have personal knowledge of the facts written in this statement. I understand that if I lie in this statement I may be held criminally responsible. This statement is true.

I submit the following affidavit and evidence for consideration that upon consideration of prima facie the State has reason to subpoena **Jennifer Rhea Yeager**, former Travis County District Attorney’s Office assistant attorney as witness and/or co-conspirator to misconduct of

Defendant for the following reasons:

1. In January 2023 Yeager was working on the unit my sexual assault case was assigned to, special victims unit, when my sexual assault case was declined due to evidence was manipulated and destroyed by Defendants office according the employee records of the time.
2. On July 15, 2024, I contacted Yeager via text message at 10:57 a.m.
3. On July 15, 2024, I shared with Yeager the multiple allegations of misconduct by Def in my affidavit *Affidavit & Evidence Submission* filed on July 10, 2024.
4. On July 15, 2024, I shared with Yeager that “I have other concerns about a family strangulation case that I believe was illegally given a pretrial diversion in 2022.” Yeager did not deny any of the claims that I have made against Defendant.
5. Yeager appeared to be experiencing paranoia claims that I wasn’t who I said who I was, but had not reached the point of hostility until we spoke on the phone.
6. Yeager requested that I call her on the phone (Exhibit B), and when I did on or about 8:11PM on July 15, 2024 momentarily after the request, she acted hostile towards me. She repeatedly used swear words at me in an irate tone. Her words seemed contradictory as she had asked me to call her then said, “I’m incredibly frustrated by the fact that you would contact me, by the way. Not, not happy. This is not a pleasant engagement” and “You’re going to get absolutely fucking nothing from me.” I entered this phone call believing that Yeagar wanted to verify my identity before sharing information, but based on the Yeagar’s behavior on the call, I now believe that she only wanted to lash out at me and threaten me to protect Defendant, and attempt to extort me from into ceasing further

investigation into claims of misconduct by Defendant and / or Yeager.

7. Yeager claimed that it was “bullshit” that her name as an employee of the Travis County District Attorney's office is public record (Exhibit C) and that her phone number was on Google.
8. Yeager told me “I guarantee I’m sharing [your]information to anyone who asks for it.” I find this statement unnerving and am concerned this is a threat to publicly share my address and request that someone harass, stalk, and/or cause bodily and/or property harm to me or otherwise “doxx” me, slang for sharing someone’ address and phone number with the intent to cause harm.
9. Yeager threatened to commit criminal offenses against me in retaliation for asking her to serve as witness against Defendant by:
 - a. Extortion by:
 - i. Threatening to report my “bar card” after assuming I was a lawyer,
 - ii. Implying that it was illegal for non-lawyers to ask questions on the telephone,
 - b. §42.074 Unlawful Disclosure Of Residence Address Or Telephone Number,
 - c. § 42.07. Harassment, and/or
 - d. Implying that she had a special relationship with the police to avoid prosecution for these crimes.

I request that Prosecution call Jennifer Yeager as a witness for the State and seek to have her labeled a hostile witness so that the State and jury can make adverse inferences about Yeager’s testimony based on this incredibly hostile and inconsistent behavior.

Respectfully submitted,

Mary Dupuis

Mary Dupuis

Verification

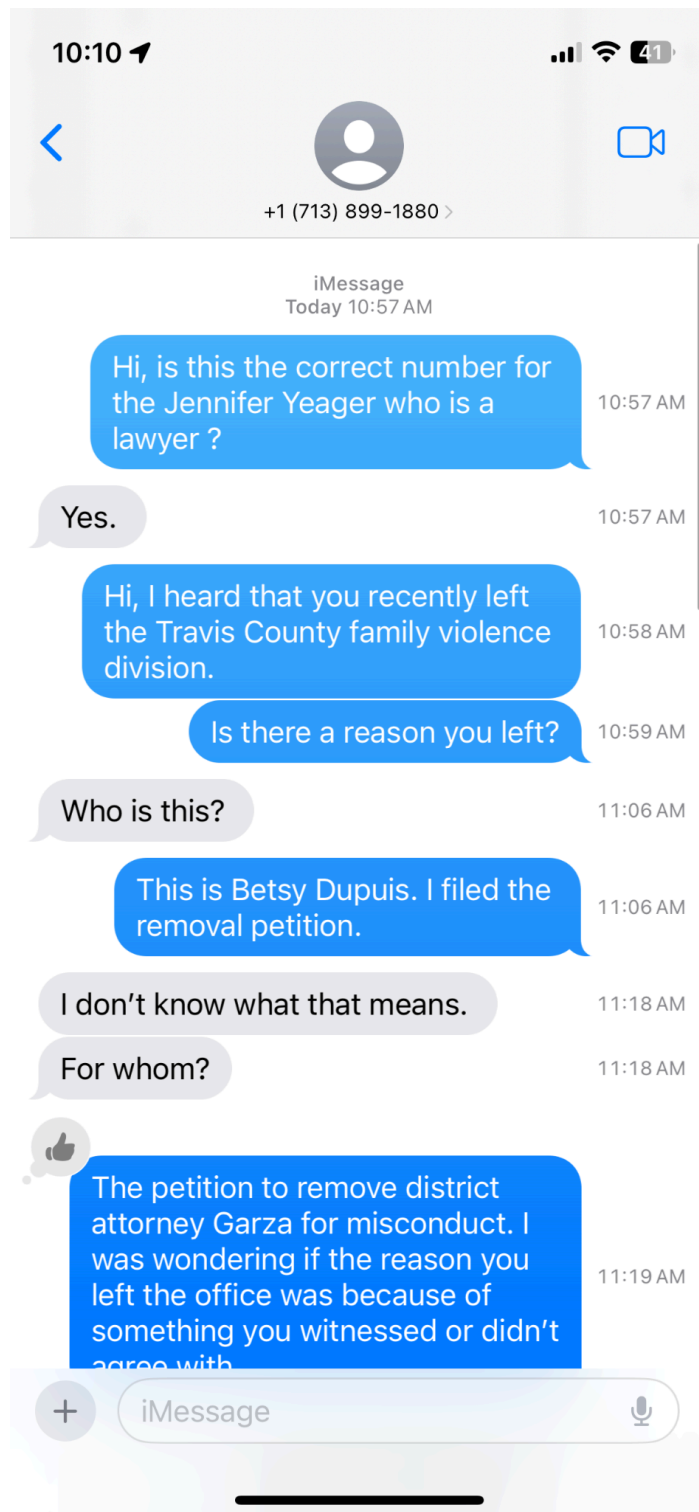
“My name is Mary Dupuis. My date of birth is 2/24/1988 and my address is 2101 Polaris Ave, Unit 2, Austin, Texas 78757. I declare under the penalty of perjury pursuant to TEX. CIV. PRAC. & REM. CODE § 132.001 that the facts stated in this document are true and correct.”

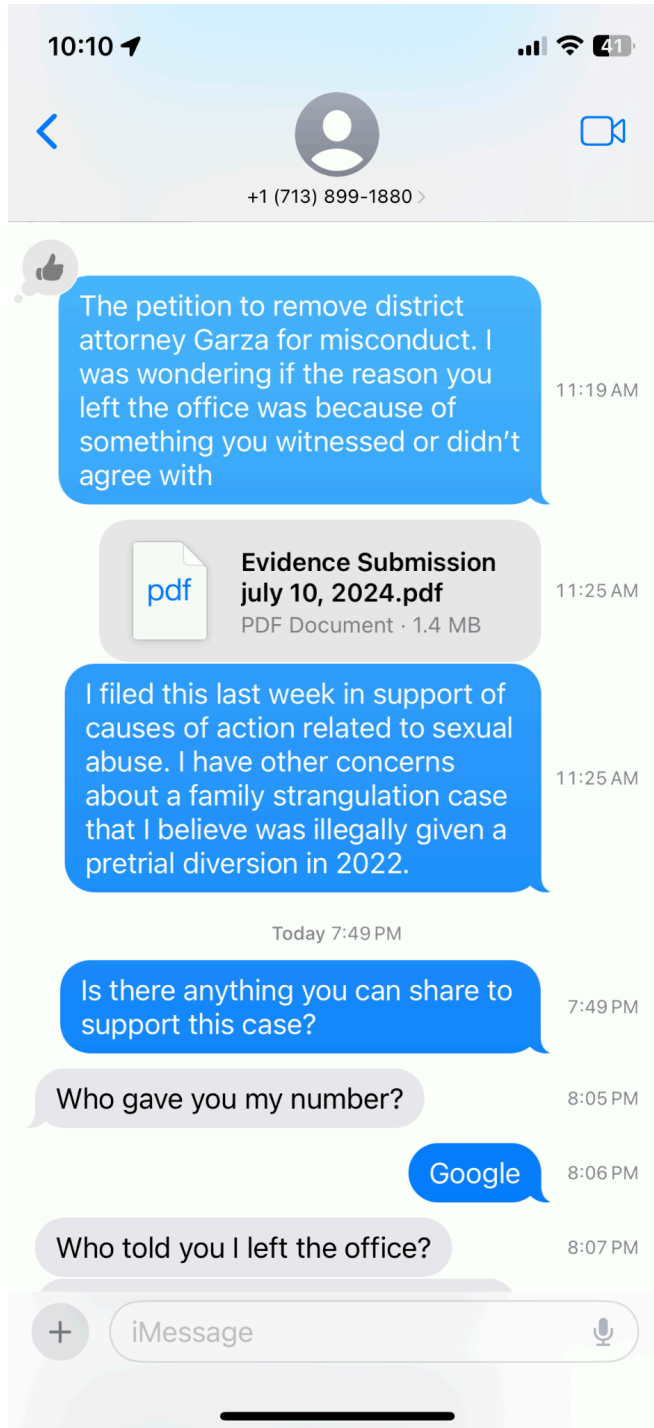
Executed in Travis County, Texas on July 16, 2023.

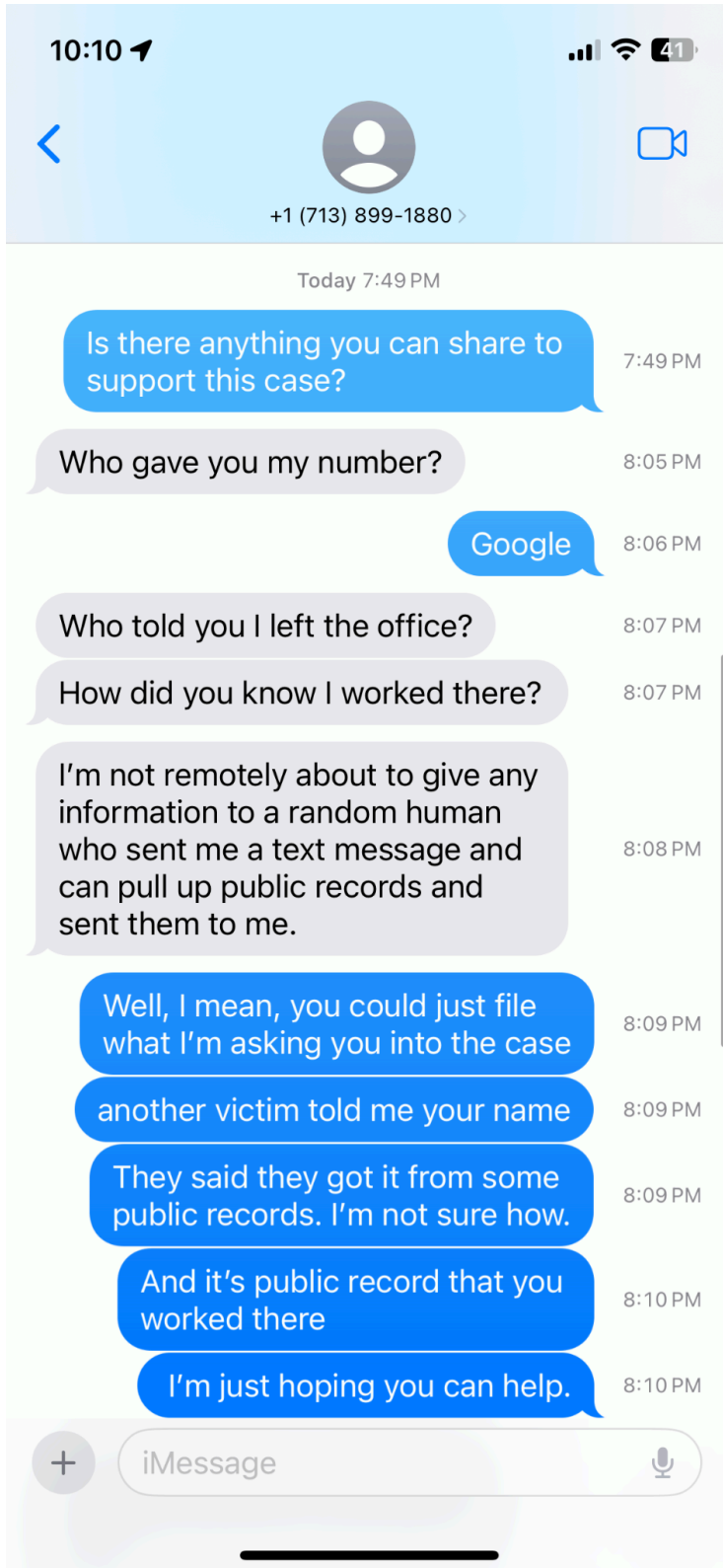
Mary Dupuis

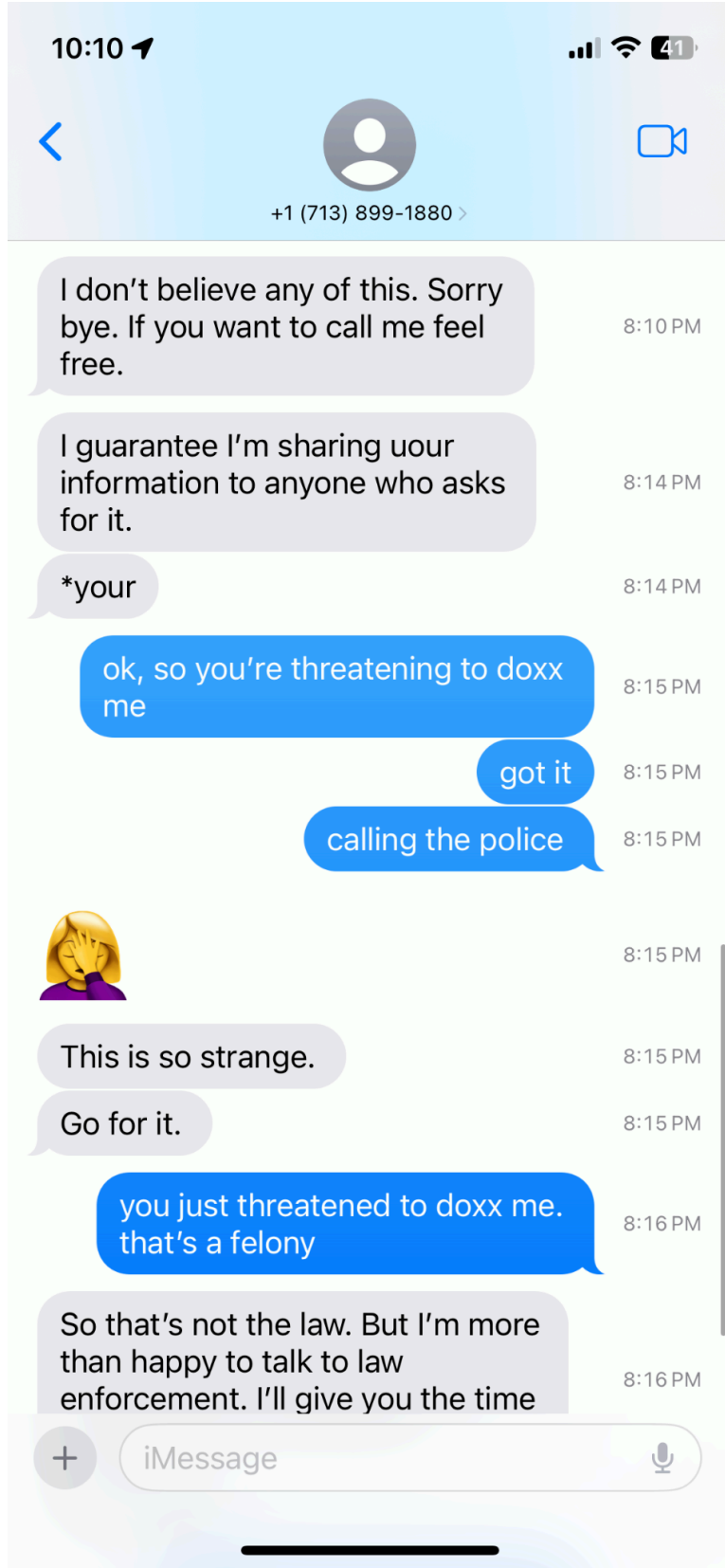
A handwritten signature in black ink that reads "Mary Dupuis". The signature is written in a cursive, flowing style with a large initial 'M' and 'D'.

EXHIBIT A









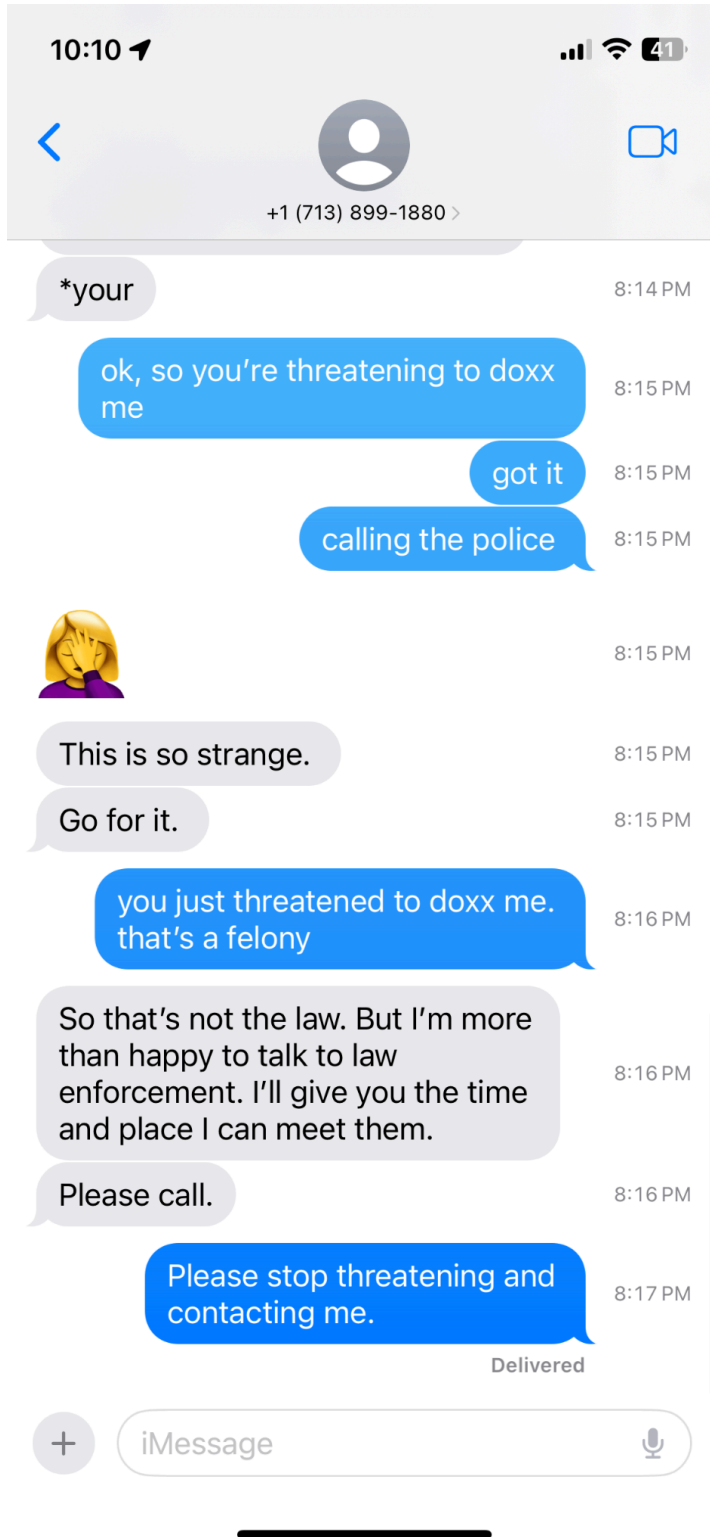


EXHIBIT B

**Transcript from conversation with Jennifer Yeager starting on or about July 15, 2024,
8:11 PM.**

Link to recording:

<https://drive.google.com/file/d/1AEzWK6orinjeo9HIUqAQ-Uug7bnoNiFc/view?usp=sharing>

YEAGER: Got it.

DUPUIS: Hey, Jennifer.

YEAGER: Yeah?

DUPUIS: I'm sorry, I, I, for, you know, reaching out this way, I just didn't really know any other way to contact you, um, I, you know, had just heard through the grapevine that you had left. Um, not really sure how that person came across your name, they won't tell me, but I did see your name on, like, the list of employees.

YEAGER: Well, I, I, I call bullshit on they won't tell you, but hold on, let me, let me look up your name. Give me just a second. Because I am not remotely comfortable having a conversation about my ex employer, who is a political official. And I fully expect that you're recording this. So... and I'm incredibly frustrated by the fact that you would contact me, by the way. Not, not happy. This is not a pleasant engagement.

DUPUIS: Okay, well, I'm not sure why you asked me to call you then.

YEAGER: Why the hell would you reach out to me?

DUPUIS: Because my understanding is that you left out of frustration with the office. Maybe that's [Yeagar talks over] not the case?

YEAGER: How do you know any of this? How do you know any of this? I'm sorry, you're getting information from somebody and I have no idea how you're getting this information and you're asking me to give you information.

DUPUIS: I'm asking you to file an affidavit into a public case and you can.

YEAGER: You're going to get absolutely fucking nothing from me.

YEAGER: Um, but here's what I'm going to tell you. If you're getting information from me, first of all, what's your bar number? That's what I thought. What's your bar number?

DUPUIS: I'm, I'm not a lawyer.

YEAGER: You're not a lawyer. You're not an attorney.

DUPUIS: Yeah. Are only attorneys allowed to call people?

YEAGER: Hold on.

YEAGER: You said you filed the removal petition. Are you Betsy Dupuis?

DUPUIS: Yeah, I'm pro se.

YEAGER: Okay. So no, not only attorneys are allowed to.... sue people, but it's, I want to know who got my information.

DUPUIS: Hey, I can't tell you. And honestly, with your attitude, [Yeagar cuts off]

YEAGER: I think you're barking up the wrong tree, dude. Find somebody else.

EXHIBIT C

Public url:

<https://acdla.com/wp-content/uploads/2023/02/DA-Atty-Pros-Lineup-1.9.23.pdf>

Trudy Strassburger
First Assistant

Travis County District Attorney's Office – Attorney Assignments
As of 1.09.23

José Garza
District Attorney

<p>Trial/Grand Jury Division Guillermo Gonzalez, Director Efrain De La Fuente, Director Andrea Austin, Asst. Director</p> <p>Trial Court Teams: 147th Victor Erbring, Team Lead Erika Hansen Alyssa Patterson</p> <p>167th Kiera Kilday, Team Lead Angie Creasy Dondraius Mayhew</p> <p>299th Brandy Gann, Team Lead Libby Lawson Destinee Williams</p> <p>331st James Booher, Team Lead Mona Shea Monica Mendoza (SPW)</p> <p>390th Neha Naik, Team Lead Andrea Richter Jason Rew-Hunter</p> <p>403rd Adriana Biggs, Team Lead Dominic Selvera Cyrus Morgan</p> <p>427th Habon Mohamed, Team Lead Dan LaBruyere Joshua Ogidi-Olu</p> <p>450th David Livingston, Team Lead Jean Sullivan Rebekah Mata</p>	<p>Trial Division (Cont.) 460th Erik Nielsen, MC/Team Lead Melissa Pulido Jazmine Smith</p> <p>Child Abuse: 147th – David Carvajal 167th – Jaime Slaughter 299th – Vivek Grover 331st – 390th – Kyle Smith 403rd – JD Castro 427th – Dymond Hayes 450th – Alrum Kim 460th – Matt Shawhan</p> <p>Grand Jury/Vehicular Crime: Matthew Foye, Team Lead</p> <p>Homicide: Joe Frederick Dan Egan (SPW) Chris Crozier</p>	<p>Special Victims Unit (Cont.)</p> <p>CPS: Cristina Gonzalez, Team Lead Nikki Darter Jannice Joseph Julie Bohrer Bridget O’Shaughnessy Mae Carter Kayley Viteo Emily Redden Shawna Al-Mashouq</p> <p>Child Protection Team: Katie Drummond</p> <p>Sex Crimes Unit: Matt Campbell, Team Lead Jamie Lui Dana Weiss Andrea Farrell</p>	<p>Civil Rights Division Dexter Gilford, Director Holly Taylor, Asst. Director</p> <p>Civil Rights: Joshua Smalley, Team Lead Raman Gill Eran Sharon</p> <p>Conviction Integrity Unit: Colin Bellair Saran Crayton Mia de Saint Victor Sarah Byrom (grant)</p> <p>Appellate: Lisa Stewart, Team Lead Danielle Tierney Nancy Nicolas Bret Benedict Jacquelynn Chuter (SPW)</p>	<p>Public Integrity & Complex Crimes Division Jackie Wood, Director</p> <p>Public Integrity Unit: Rob Drummond, Team Lead Bernard Ammerman Sam Henry</p> <p>White Collar Crime Unit: Bill Bishop, Team Lead Adam Alvarez TJ Harris</p> <p>TDI Special Prosecutors Worker’s Comp Fraud Unit: Jessica Bergeman Insurance Fraud: Brian Chandler</p>	<p>Violence Prevention & Youth Justice Division Rickey Jones, Director Channing Neary, Asst. Director</p> <p>MH/MAG: Doran Sauer Randy Ortega</p> <p>Violence Prevention: Ruben Baeza, Team Lead Amber Goodwin Amanda Reid Valerie Desrosiers (SPW)1/3/23</p> <p>Juvenile: Ali Crowley, Team Lead Gus Garcia Helen Tschurr Lorraine Garcia Alexandra Vargas</p>	<p>Special Victims Unit Erin Martinson, Director Michelle Hallee, Asst. Director</p> <p>Family Violence: Kathryn Seales, APD Intake Jordan Foster - TCSO Intake 147th – Nancy Nemer 167th – Jennifer Yeager 299th – Jacob Swaab 331st – Amy Wright 390th – Kate Hall 403rd – Jeff Flammagan (SPW) 427th – Daniela Garcia 450th – Zach Bidner 460th – Sissi Phillips</p>	<p>Community Outreach Stephanie Gharakhanian</p>
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been delivered to Travis County District Attorney Jose Garza, (tcdapress@traviscountytx.gov, wchristian@gdhm.com, county.attorney@bellcounty.texas.gov, msatin@milchev.com, wchristian@gdhm.com, msatin@milchev.com), and County Attorney James Nichols, (county.attorney@bellcounty.texas.gov) on July 10, 2024, via email.

Mary Dupuis

