

Wolfgang P. Hirczy de Miño, PhD

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Amicus Curiae

August 11, 2025

Via Texas eFile & eServe

Hon. Blake Hawthorne
Clerk, Supreme Court of Texas

RE: Tex. Case No. 25-0674

STYLE: In Re Abbott

CASE TYPE: Original Quo Warranto Action in the state court of last resort

Let's Oust the Central Docket Judges Too!

Dear Clerk:

I am thrilled that Governor Abbott has taken the position that anyone can file a quo warranto action. As a former member of this Court and Chief Lawyer for the State, Governor Abbott's legal views no doubt command great respect.

If this Court is swayed, I want to get into the act too, for I have grievances against multiple derelict Texas officials, and their removal from office would provide the most effective remedy. From the viewpoint of standing doctrine, my complaints would be eminently redressable by way of quo warranto.

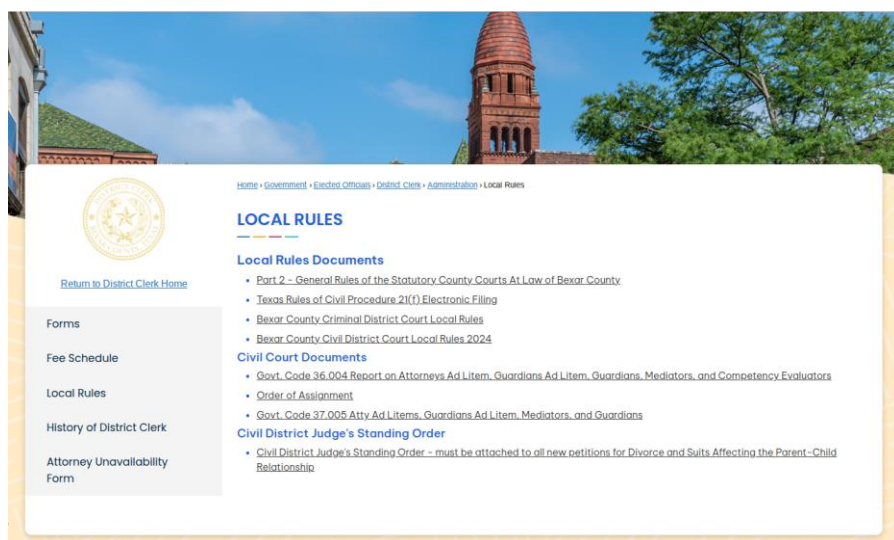
Short of ouster from office, this Court could issue conditional writs threatening removal from office, as astutely prayed for by AG Paxton as a lesser form of extraordinary relief in his parallel writ proceedings against a multitude of alleged shirkers and scofflaws. It may sound like civil contempt mandamus or civil-case habeas (with opportunity for purge), but if "QW" is the magic mantra to root

out nonfeasance, secure obedience, and to assure performance of official duties, *why not?*

Especially if such writ can be meted out without the pesky constraints and intricacies of existing case law, not to mention the inconvenience of an evidentiary hearing and service of citation or precept in preparation of a trial on the merits. The Court can simply take judicial notice of the relevant procedural facts in summary fashion (including incriminating material on the Internet) and deem the failure of the targeted officials to do their jobs as not merely plausibly established.

As for my own parade of honorable shirkers, I suggest that the High Court address the judges taking turns on the rotating docket carousel in San Antonio.

Under the Central Docket System in Bexar County, No Judge Is Responsible, With the Result that Cases Linger For Years¹



¹ Bexar County has a central docket system which provides for available judges to hear motions regardless of whether a case was assigned to their particular court. As a result, a succession of different judges may be involved in the case as it progresses, dealing with bits and pieces only.

In order to qualify under Article III,² to the extent it is an additional requisite to *any-person* standing to seek a quo warranto writ, I have to show that I am adversely affected. So, permit me to elaborate:

While I am not a resident of San Antonio, I am a party to a case in Bexar County that was filed in **2021**: a case that remains pending in **2025**, with no end in sight even though the Seventh Circuit has definitely removed any doubt that the litigation belongs anywhere but in Texas. *See Braid v. Stilley*, No. 22-2815 (7th Cir. July 10, 2025)(affirming federal abstention in federal action to declare S.B.8 unconstitutional). The local case is *Stilley v. Braid*, Cause No. 2021CI19940.

Seventh Circuit says: Go Home!

FILED 7/17/2025 10:58 AM Gloria A. Martinez Bexar County District Clerk Accepted By: Jessica Gonzalez Bexar County - 438th District Court		2021CI19940 Stilley v. Braid	
UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT			
Everett McKinley Dirksen United States Courthouse Room 2722 - 219 S. Dearborn Street Chicago, Illinois 60604		Office of the Clerk Phone: (312) 435-5860 www.ca7.uscourts.gov	
FINAL JUDGMENT			
July 10, 2025			
Before DIANE S. SYKES, <i>Chief Judge</i> MICHAEL Y. SCUDDER, <i>Circuit Judge</i> THOMAS L. KIRSCH II, <i>Circuit Judge</i>			
No. 22-2815	ALAN BRAID, Plaintiff - Appellant v. OSCAR A. STILLEY, et al., Defendants - Appellees		
Originating Case Information:			
District Court No: 1:21-cv-05283 Northern District of Illinois, Eastern Division District Judge Jorge L. Alonso			
The judgment of the District Court is AFFIRMED, with costs, because this case belongs in the Texas courts.			

² The reference is to the federal constitution, not the state counterpart. It just so happens that provision of Article III of the Texas constitution address quorum breaks and remedies, as cited with particularity in the briefs already on file.

[Embedded image of Seventh Circuit Judgment in Braid v. Stilley]

Four Bexar County district judges (named below) have conducted hearings in the Stilley case, and none has bothered to assure themselves of the district court's jurisdiction even though I filed my plea to the jurisdiction in 2021 only a few days after Oscar Stilley filed a collusive action against noted San Antonio feticide practitioner Alan Braid on **September 20, 2021**. Nor has any judge ruled on the constitutional challenge urged by Intervenor Felipe Gomez in the same suit (and in his own).

The promulgated time standards for disposition of nonjury cases call for case resolution within 12 months, but this case has now been pending for almost four (4) years.

For the record, the implicated judicial officers in San Antonio are as follows:

PROSPECTIVE

RESPONDENTS:

Presiding judge in Oscar Stilley v. Alan Braid, MD:

Hon. Rosie Alvarado, elected judge of the 438th Dist. Ct.

Other judges who entertained motions for the 438th District Court in Oscar Stilley v. Alan Braid, Cause No. 2021CI19940:

Hon. Mary Lou Alvarez, assigned per central docket

Hon. Antonia Arteaga, assigned per central docket

Hon. Norma Gonzales, assigned per central docket

Hon. Angelica Jimenez, assigned per central docket

Nor is the Stilley case unique. I was also one of several defendants in Cause No. 2022CI21049, styled Gomez v. State et al (*Gomez III*), which was assigned to

the 407th District Court of Bexar County. The elected judge of that court is **Hon. Tina Torres**, but under the centralized docket the identity of the judge makes little difference because the case assignment is merely a formality.

In that case, too, which has now been pending for **three (3) years**, I also filed a dispositive motion. Alas, to no avail.

Case No. 2022CI21049 FELIPE N. GOMEZ § IN THE DISTRICT COURT Plaintiff, § vs. § OF BEXAR COUNTY ALAN BRAID, MD, et al § Defendant. § 45th JUDICIAL DISTRICT Plea to the Jurisdiction and Motion to Quash Service As to Defendant De Mino Comes now one of the defendants, sued in the name of Wolfgang De Mino (rather than his complete name), and responds to the latest iteration of a pro se IFP suit by Felipe Gomez as follows: - Multiple suits are currently pending or on post-judgment status between the same parties, including some in Bexar County. - On December 8, 2022, a district judge in this county dismissed Felipe Gomez, finding that he did not have standing to assert a claim under S.B.B. against Alan Braid, MD, who is once more a named defendant here. See Order in Cause No. 2022CI08302. Image reproduced below: 1	CAUSE NO. 2022CI08302 FELIPE N. GOMEZ, § IN THE DISTRICT COURT (Plaintiff) § vs. § 45th JUDICIAL DISTRICT ALAN BRAID, MD, § (Defendant) § BEXAR COUNTY, TEXAS ORDER After considering Defendant Alan Braid M.D.'s Plea to the Jurisdiction and Motion to Terminate the Intervention of Wolfgang P. Hirczy de Mino, Ph.D., my response and the arguments of counsel, the court: GRANTS the plea to the jurisdiction, and GRANTS the motion to terminate the intervention. It is, therefore, ORDERED that all of Plaintiff Felipe N. Gomez's claims and causes of action are dismissed without prejudice. It is further ORDERED that Intervenor Wolfgang P. Hirczy de Mino, Ph.D.'s claims and causes of action are dismissed without prejudice. It is further ORDERED that any and all other claims and requests for relief are DENIED. This order fully and finally disposes of all claims and all parties and is appealable. SIGNED on December 12, 2022 <i>Arnon S. Haas</i> PRESIDING JUDGE JUDGE ARNON S. HAAS PRESIDING JUDGE 385th DISTRICT COURT 3. Felipe Gomez is a male resident of Illinois who is not regulated by Texas abortion laws and lacks standing to invoke the Texas Declaratory Judgments Act. 4. His claims for declaratory judgment should accordingly be dismissed for lack of subject-matter jurisdiction like the earlier one. 5. Should Gomez nevertheless believe that he has standing, he should amend his pleadings prior to serving the named defendants, and set 2
forth the relevant facts. 6. The undersigned can only speak for himself, not for the other named defendants. 7. Speaking for himself, the undersigned respectfully requests that the clerk refuse to issue a citation against Wolfgang De Mino in light of the filing of this plea. Respectfully submitted, /s/ Wolfgang P. Hirczy de Mino Wolfgang P. Hirczy de Mino, Ph.D. ("WPHDM") P.O. BOX 521 Bellaire, Texas 77402-0521 Email: wphdmphd@gmail.com Defendant in Case No. 2022CI21049 [this case] Intervenor in Case No. 2022CI08302 [related case] Defendant in Case No. 2021CI19920 [unrelated case]	CERTIFICATE OF SERVICE I hereby certify that I am serving the following through the e-filing system: DEFENDANT / INTERVENOR DEFENDANT ALAN BRAID, MD THROUGH HIS RULE 8 ATTORNEY IN THE PRIOR CASE: Rick Hess a/k/a Richard Wolf Hess SUSMAN GODFREY LLP 1000 Louisiana Street, Suite 5100 Houston, TX 77002 Email rhess@susmangodfrey.com Attorney in Charge for Defendant Alan Braid, MD PLAINTIFF FELIPE GOMEZ, UNREPRESENTED: Felipe N. Gomez 1415 Ardmore #7139 Villa Park, IL 60181 Email: fgomez9592@gmail.com Pro Se /s/ Wolfgang P. Hirczy de Mino Wolfgang P. Hirczy de Mino, Ph.D.

[Embedded image of Hirczy de Mino's Plea to the Jurisdiction in Gomez v. Braid III]

At some point, Plaintiff Felipe Gomez removed the case to Bankruptcy Court in Illinois, and that Judge Benjamin Goldgar (since retired) then remanded it back.³ No reaction by Judge Torres. Or any of her colleagues in the Bexar County courthouse.

Case 24-00177 Doc 4 Filed 08/08/24 Entered 08/08/24 15:56:55 Desc Main Document Page 1 of 3			
United States Bankruptcy Court, Northern District of Illinois			
Name of Assigned Judge	A. Benjamin Goldgar	CASE NO.	23 B 3023
DATE	August 8, 2024	ADVERSARY NO.	24 A 177
CASE TITLE	Gomez v. State of Texas, et al.		
TITLE OF ORDER	Order remanding removed action		

DOCKET ENTRY TEXT

On the court's own motion, this matter is remanded to the 407th District Court, Bexar County, Texas.

[For further details see text below.]

STATEMENT

Pro se debtor Felipe Nery Gomez is a former Illinois lawyer who was suspended from practice for sending threatening and harassing emails to other lawyers. *See* <http://www.iardc.org>, then enter Gomez and Felipe in "Lawyer Search." He is also a nuisance litigant who has filed more than a hundred lawsuits here and elsewhere, most if not all of them frivolous. *See In re Gomez*, 655 B.R. 738, 740-41 (Bankr. N.D. Ill. 2023).

After several courts awarded a total of \$267,000 in sanctions against him Gomez filed a chapter 7 bankruptcy case in March 2023. Since then, he has turned what should have been an ordinary chapter 7 case into all-out litigation against the U.S. Trustee and the chapter 7 trustee, Frank Kokoszka. As one of his tactics, Gomez has removed (or sought to remove) to the bankruptcy court several of his lawsuits pending in other courts.

On June 28, 2024, Gomez removed an action styled *Gomez v. State of Texas, et al.*, No. 2022CI21049 (407th Dist. Ct., Bexar Cnty., Tex.), to this court under 28 U.S.C. § 1452(a). (The Texas court's records – subject to judicial notice, *see BMO Harris Bank N.A. v. Brahos (In re Brahos)*, 589 B.R. 381, 386 n.5 (Bankr. N.D. Ill. 2018) – are available at <https://portal-txbexar.tylertech.cloud/Portal/Home/Dashboard/29>, search "Braid, Alan"). Since the removal, no defendant has appeared in the action, and Gomez has done nothing to pursue the matter.

Because the Texas action was improperly removed, it will be remanded. Removal was improper for three reasons.

³ The bankruptcy judge opined as follows: Gomez's removed action is a constitutional challenge to a Texas state law. That means his claim in the action does not arise under title 11: the claim is not one created or determined by a provision of title 11. *Nelson v. Welch (In re Repository Techs., Inc.)*, 601 F.3d 710, 719 (7th Cir. 2010). It also means his claim does not arise in a case under title 11: the claim is not an administrative matter that could arise only in a bankruptcy case. *Id.* And, finally, it means his claim is not related to his bankruptcy case.

[Partial image of In re Gomez Remand Order by Bankruptcy Court in N.D. Illinois]

Gomez then nonsuited me and so I am gone from that case, in which he again endeavored challenge the constitutionality of S.B.8, and also named the State of Texas as a party. My plea to the jurisdiction was never adjudicated even though each court is supposed to take up the matter of subject-matter jurisdiction *sua sponte*, as this supreme court of Texas has said repeatedly.

Nor are the problems with the Bexar County District Courts and their judges failing to bring cases to completion limited to the lack of accountability under the centralized docket system where numerous judges rotate in and out for pretrial matters and no one is effectively in charge of any case from beginning to end.

No Submission or DWOP Docket Either

The local rules in Bexar County also do not provide for hearings upon submission (unlike Harris County and other counties), which is problematic for litigants who can't afford to travel to San Antonio and pay for a hotel stay there so they can attend the rotating presiding judge's general docket call in the morning and then march down to the hall to see an available judge.

They also do not have a standard procedure (as in Harris County) to issue a docket control order and give rule 165a notice of intent to dismiss when cases are not diligently prosecuted. In the *Stilley* case, a motion for DWOP was actually filed and heard, but the assigned judge did not enter a proper order, so her conduct couldn't even be challenged by appeal (or mandamus, for that matter).⁴

⁴ See Gomez v. Stilley, [No. 04-23-00129-CV](#). (Tex.App.-San Antonio March 22, 2023)(dismissing appeal complaining failure to dismiss for lack of a signed order).

Because no judge is truly and continuously responsible for the cases formally assigned to their court, and because the local rules dissipate accountability, laxness rules. Cases remain unadjudicated and stay in limbo for years.

Does litigation involving the constitutionality of a controversial Texas abortion statute (or its viability on state court standing and justiciability grounds) really have fester that long? Four years and counting? If you ask me, it's pathetic!

CONCLUSION

A quo warranto writ looks like a promising tool to clean house or at least get the district judges in Bexar County to revise their local rules and introduce accountability and greater diligence in the disposition of their numerous courts' business.

In passing I note that legislator Gene Wu has at best been absent from his duty station for a few days, prompting the Governor to file an *emergency* petition. By stark contrast, the neglect of official business in Bexar County, as demonstrated by the two examples of public interest litigation in which I *am* (or *was*, until recently) a party, spans not just days or weeks, but several years. With no end in sight.

Something ought to be done about it: More urgently than what is proposed for Lege member Wu, who couldn't be replaced instantaneously in any event. Nor could immediate relief solely against Wu restore the quorum independent of collective action against his colleagues, which would provide grounds for this proceeding to be held in abeyance until the Attorney General's copycat class action against AWOL legislators is resolved or dismissed. But in single-judge trial courts, no quorum is needed.

Perhaps QW is the solution when judges are not necessarily truant, but tardy. Granted, the problem in Bexar County is seemingly systemic. But if the remedy is individual, even if merely threatened, the many players comprising the system will no doubt take note. I suggest that Judge Rosie Alvarado be first to be made a paragon of. The Stilley case is before her with several pending motions as we discourse and collectively ponder the political fate of Mr. Wu.

Finally, unlike with legislative-branch member Wu, there are no separation-of-powers problems with trial court judges.

I am now eagerly awaiting the Court's decision. I am sure I am not alone, albeit for different reasons.

Date: August 9, 2025

Respectfully submitted,

/s/ Wolfgang P. Hirczy de Miño

Wolfgang P. Hirczy de Mino, Ph.D.

Email: wphdmphd@gmail.com

Political Scientist, not Attorney at Law

Amicus Curiae in support of neither party

TRAP 11 STATEMENT AND CERTIFICATE OF SERVICE

The undersigned amicus curiae is a political scientist by academic training, not an attorney acting in a representational capacity, and hereby certifies that he has authored this amicus letter solely upon his own initiative and is not being paid by any party or nonparty for doing so. Nor has any compensation been promised for submitting this amicus curiae contribution. Tex. R. App. P. 11.

All parties to this case are being served through the Texas e-filing system.

/s/ Wolfgang P. Hirczy de Miño

Wolfgang P. Hirczy de Mino, Ph.D.

APPENDIX: JUDGE-SIGNED MEMO RULING NOT ENOUGH IN THE FOURTH COA

Felipe GOMEZ, Appellant,
v.
Oscar STILLEY and Alan Braid, Appellees.

[No. 04-23-00129-CV.](#)

Court of Appeals of Texas, Fourth District, San Antonio.

Delivered and Filed: March 22, 2023.

Appeal from the 438th Judicial District Court, Bexar County, Texas, Trial Court No. 2021CI19940, Honorable Norma Gonzales, Judge Presiding.

DISMISSED FOR WANT OF JURISDICTION.

Sitting: Patricia O. Alvarez, Justice, Luz Elena D. Chapa, Justice, Irene Rios, Justice.

MEMORANDUM OPINION

PER CURIAM.

In 2021, Felipe N. Gomez moved to intervene in the case of *Oscar Stilley v. Alan Braid, M.D.*, trial court cause number 2021CI19940. On February 15, 2023, Appellant Gomez filed a notice of appeal. His notice "states his intent to appeal the 2.6.23 refusal of the Trial Court to hear [Appellant]'s 402.010 Motion, as well as failing to dismiss the case for DWOP otherwise." Appellant acknowledges the trial court did not sign an order.

The clerk's record shows the trial court's handwritten notes from February 6, 2023, but a judge's notes "are not the kind of document[] that constitute a judgment, decision or order from which an appeal may be taken." See [Goff v. Tuchscherer, 627 S.W.2d 397, 398-99 \(Tex. 1982\)](#); [Lares v. Muniz, No. 04-20-00047-CV, 2020 WL 2441423, at *1 \(Tex. App.-San Antonio May 13, 2020, no pet.\)](#) (mem. op.); see also [In re A.W., 384 S.W.3d 872, 873 \(Tex. App.-San Antonio 2012, no pet.\)](#) ("[A] judge's notes are for his or her own convenience and form no part of the record.").

On March 1, 2023, we ordered Appellant to show cause in writing by March 13, 2023, why this appeal should not be dismissed for want of jurisdiction. See TEX. R. APP. P. 42.3(a). We warned Appellant that if he did not timely provide written proof as ordered, we would dismiss this appeal without further notice. See *id.* To date, Appellant has not filed a response.

Because the clerk's record does not contain an appealable order or final judgment, we dismiss this appeal for want of jurisdiction.

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(arguing extension of quo warranto to Bexar County District Court
incumbents)

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