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JACK B. ZIMMERMANN

BOARD CERTIFIED, CRIMINAL LAW

NATIONAL BOARD OF TRIAL ADVOCACY &

TEXAS BOARD OF LEGAL SPECIALIZATION

PERSONAL

- ▶ Bachelor of Science from United States Naval Academy, 1964
- ▶ Master of Science in Industrial Administration from Purdue University, 1970
- ▶ Doctor of Jurisprudence from University of Texas, 1975
- ▶ In Vietnam earned two Bronze Star Medals for heroism, and the Purple Heart. Commanded two artillery batteries
- ▶ Retired as a Colonel, United States Marine Corps Reserve on July 1, 1994. Served in several capacities: General Court-Martial Trial Judge; Commander of Inspector Detachment for Marine Reserve ground forces; Infantry Battalion Commander; Air Wing Staff Judge Advocate; Deputy Chief Defense Counsel of the Marine Corps
- ▶ Married for over forty-nine years to Ilene
- ▶ Daughter, Colonel in the Marine Corps Reserve, Criminal Defense Attorney; son, former Marine Captain, Special Agent with the FBI

LEGAL BACKGROUND

- ▶ Partner, Zimmermann, Lavine, Zimmermann, & Sampson, P.C.
- ▶ Board Certified in Criminal Law by National Board of Trial Advocacy and Texas Board of Legal Specialization
- ▶ Formerly, on active duty in the United States Marine Corps, served in three assignments: Chief Defense Counsel, then Chief Prosecutor, then Trial Judge
- ▶ Former Partner, Haynes & Fullenweider, P.L.C.
- ▶ Named a "Super Lawyer" by Texas Monthly Magazine (top 5% in State), every year from 2003 to 2013
- ▶ Named Lawyer of the Year by the Harris County Criminal Lawyers Association and Texas Criminal Defense Lawyers Association, 2006
- ▶ Received Warhorse Award for Lifetime Achievement by the Southern Trial Lawyers Association, 2007

BAR AND CIVIC ACTIVITIES

- ▶ Co-Chair, Military Law Committee, National Association of Criminal Defense Lawyers
- ▶ Current or Former Faculty Member of the National College of Advocacy, the Texas Criminal Trial College, State Bar of Texas Advanced Criminal Law Course, Marine Corps Trial Advocacy Course, and Professional Education Systems, Inc.
- ▶ Special Prosecutor, Dallas, Texas
- ▶ Examiner, National Board of Trial Advocacy
- ▶ Former Chairman, Harris County Judicial Qualifications Committee
- ▶ Former Chairman, Criminal Law Section, American Association for Justice
- ▶ Former Chairman, Military Law Section, American Association for Justice
- ▶ Former President, Texas Association of Board Certified Specialists in Criminal Law
- ▶ Former President, Harris County Criminal Lawyers Association
- ▶ Former Director, Texas Criminal Defense Lawyers Association
- ▶ Former Member, Penal Code and Criminal Procedure Committee of the State Bar of Texas
- ▶ Former President, Waterwood Improvement Association
- ▶ Former President, Post Oak Homeowners Association
- ▶ Former President, Bayou Bend Civic Association
- ▶ Former Member, Board of Governors, Marine Corps Association
- ▶ Continuing Legal Education Speaker in Alabama, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Kansas, Louisiana, Massachusetts, Mississippi, Montana, New Jersey, New Mexico, Nevada, North Carolina, Ohio, Oklahoma, Tennessee, Texas, Virginia, Washington, D.C., West Virginia. Also in Alberta, Ireland, Okinawa, Ontario, Quebec.
- ▶ Chairman, Congressman Ted Poe's Service Academy Nomination Board

NOTEWORTHY CASES

- ▶ 1981 - State v. Vickie Daniel (acquitted of murder of her husband former Speaker of the Texas House of Representatives - Liberty, Texas)
- ▶ 1984 - State v. Patricia Latourette (acquitted by instructed verdict of murder of her husband, radiologist and former NFL star - Houston, Texas)
- ▶ 1984 - United States v. Sheriff Darrell White (acquitted of perjury relating to "water torture" cases - Houston, Texas)
- ▶ 1993-1994 - United States v. David Koresh, et al (represented Steve Schneider, chief negotiator for the Branch Davidian religious group during the stand-off with the FBI after ATF raid on Mt Carmel Center, which ended in tragic fire and loss of 80 lives; spent 2 days inside Center - Waco, Texas. Defense witness at trial of survivors; all acquitted of murder of federal agents - San Antonio, Texas. Testified before Congressional hearings into Waco matter)
- ▶ 1994-1996 - United States v. Scott Phillips (acquitted by instructed verdict of 27 counts of bank fraud and related charges. 10 defendants, 8 week trial - Houston, Texas)
- ▶ 1997-1998 - State v. Corporal Clemente Bañuelos and United States v. Corporal Clemente Bañuelos (represented active-duty Marine on anti-drug mission on U.S.-Mexican border who returned fire from a man on U.S. side, killing him. Two State grand juries refused to indict. Federal civil rights grand jury investigation was closed with no prosecution. Military investigation found no crime - Marfa and Pecos, Texas, and Camp Pendleton, California)
- ▶ 1994-2000 - State v. Gary Graham (Shaka Sankofa) (represented man on habeas corpus, who was executed after 19 years on death row despite compelling evidence of innocence. Focused nation's attention on problems with death penalty - Houston, Texas)
- ▶ 2001-2002 - United States v. LTC Robert Clinton Morris, Jr. (represented active-duty Army officer in civilian federal court - acquitted in 45 minutes of conspiring to steal \$7,000,000.00 of equipment - Dallas, Texas and Columbus, Georgia)
- ▶ 1999-2003 - United States v. George L.J. Wilson (represented Bahamian businessman at trial and on appeal; mail fraud, money-laundering convictions and 20-year sentence reversed on appeal and charges dismissed - Houston, Texas)
- ▶ 2004 - United States v. LCpl Christian Hernandez (represented activated Marine reservist at Article 32 preliminary hearing. Accused of homicide of Saddam Hussein party official in Iraq. All charges dismissed - Camp Pendleton, California)
- ▶ 2004-2005 - Deputy Special Prosecutor (investigated judiciary, District Attorney's office, criminal defense bar, and crime lab in "fake drug scandal" - Dallas, Texas)
- ▶ 2005-2007 - United States v. Kevin Howard (represented Enron Broadband Services CFO. Judge acquitted on two counts. Mistrial declared on fifteen counts after 14 week trial, jury deadlocked on conspiracy, securities fraud, and wire fraud charges. After retrial, judge granted motion to vacate all convictions - Houston, Texas)
- ▶ 2005 - United States v. Timothy Kramer (represented Duke Energy VP. Jury acquitted on seven counts of conspiracy to commit wire fraud, mail fraud, and falsification of books. Mistrial declared on twelve counts after seven week trial, jury deadlocked, dismissed on motion of Government - Houston, Texas)
- ▶ 2006-2008 - United States v. LCpl Stephen Tatum (represented active-duty Marine originally charged with murder of Iraqi civilians, withdrawn after Article 32 hearing; involuntary manslaughter, aggravated assault, and reckless endangerment charges dismissed with prejudice on first day of trial - Camp Pendleton, California)
- ▶ 2008- 2012 - United States v. 1LT Michael Behenna (represented active-duty Army officer at trial and on appeal of conviction of murder of suspected Iraqi terrorist- Ft. Campbell, Kentucky)

GUEST ON

Larry King Live (CNN), Nightline, Rivera Live, Good Morning America, The Today Show, CBS Early Show, Dateline, On Both Sides (CNN), American Justice (A & E Cable), Court TV, and numerous local television and radio shows

PUBLICATIONS

"Civilian v. Military Justice," Trial Magazine, October 1981

"The Trials of Vickie Daniel," Litigation Journal, Fall 1982

"Resisting the Crown: Analyzing the Role of the Criminal Defense Lawyer," Trial Magazine, October 1983

"Defending the White Collar Case," American Journal of Trial Advocacy, Spring 1984

"Hypnotically Enhanced Testimony In The Criminal Trial," Trial Diplomacy Journal, Summer 1984

"Attorney Conflict of Interest," Voice for the Defense, March and April 1987

"Attorney Subpoenas Imperil Choice of Counsel," Trial Magazine, April 1990

"Protecting the Innocent: Seeking Disclosure of Exculpatory Evidence," Trial Magazine, April 1992

"Subpoenaing Counsel: What's the Big Deal?" Texas Bar Journal, March 1993

"Criminal Justice System on Trial," Trial Magazine, March 1996

"Trial Techniques Column," The Trial Lawyer, July/August, September/October, November/December 1998

"Liberty at Risk, Part 5: Handling Legal Aspects of Captured al Qaeda Detainees," The Champion, July 2002

"Representing High Profile Clients the Ethical Way," Texas Bar Journal, October, 2004

Book: Co-Author, Criminal Procedure in Practice (NITA - Third Edition, 2009)