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01-26-00459-CV
FIRST COURT OF APPEALS
HOUSTON, TEXAS
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DELILAH ALVAREZ
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CASE NO. 01-26-00459-CV
IN THE FIRST COURT OF APPEALS
HOUSTON, TEXAS

RODNEY SAMUEL SPRAWLING, JR.,
Appellant,

v.

ANDREI DUNCA,
Appellee.

APPELLANT'S COURT SUBMISSION PACKET

IN SUPPORT OF PENDING MOTIONS:

(I) APPELLANT'S MOTION TO DENY PRO HAC VICE ADMISSION AND TO DISQUALIFY JOSHUA PAGAN AND MUDD LAW AS COUNSEL FOR APPELLEE

Filed: July 17, 2026, 4:05 PM | Accepted by First Court of Appeals

(II) APPELLANT'S MOTION FOR INVESTIGATION INTO JOSHUA PAGAN, CHARLES MUDD, MUDD LAW OFFICES, AND ALL COUNSEL OF RECORD FOR POTENTIAL INVOLVEMENT IN CRIMINAL ACTS INCLUDING CYBER ATTACK, FALSE IMPRISONMENT, AND INTENTIONAL INFLICTION OF EMOTIONAL AND ECONOMIC HARM; AND FOR REFERRAL TO APPROPRIATE AUTHORITIES

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(III) APPELLANT'S SUPPLEMENTAL MOTION TO DISQUALIFY LOCAL COUNSEL CARYN CARTER GOMAR AND PEGGY SUE BITTICK, AND FOR SANCTIONS FOR BAD FAITH LITIGATION, MISREPRESENTATION TO THE TRIBUNAL, AND FRAUD ON THE COURT

Filed: July 20, 2026, 8:26 PM | Accepted by First Court of Appeals

CONTAINS:

PART I – APPELLANT'S SUPPLEMENTAL UNSWORN DECLARATION

PART II – TRANSCRIPT OF SFPD CALL (JULY 14, 2026, 2:29 PM)

PART III – IN-DEPTH ANALYSIS OF SFPD TELEPHONE TRANSCRIPT

Filed by:
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PART I

APPELLANT'S SUPPLEMENTAL UNSWORN DECLARATION IN SUPPORT OF MOTION FOR INVESTIGATION INTO JOSHUA PAGAN, CHARLES MUDD, MUDD LAW OFFICES, AND ALL COUNSEL OF RECORD

My name is Rodney Samuel Sprawling. My address is 565 Ortega Street, San Francisco, California 94122. I am the Appellant in Cause No. 01-26-00459-CV. I declare under penalty of perjury under the laws of the State of Texas that the following facts are true and correct, and are within my personal knowledge.

I submit this supplemental declaration in support of my Motion for Investigation into Joshua Pagan, Charles Mudd, Mudd Law Offices, and all counsel of record. This declaration details newly acquired, contemporaneously documented evidence of Mudd Law's active, ongoing interference with law enforcement protocols and their systemic obstruction of an active missing person investigation.

On July 14, 2026, I engaged in a follow-up telephone call with Sgt. Ali Hingina, a detective from the San Francisco Police Department (SFPD), regarding Missing Person Case No. 240555714, which pertains to my missing husband, Andrei George Dunca.

To secure this call, I was forced to navigate extreme evasion by the SFPD. I originally contacted Taraval Station (415-759-3100), the station that took the initial report. They directed me to the SFPD Missing Persons Unit (415-734-3070), which is an unmonitored loop that goes straight to voicemail. After leaving several urgent messages with no return call, I was forced to contact the SFPD Homicide Department (415-553-1145) just to compel a response. When Sgt. Hingina finally returned my call at 2:29 PM, he deliberately did so from a blocked/restricted number.

During this call, the detective's opening was a calculated setup reliant on feigned ignorance. He immediately pretended he did not know the case or who I was, claiming he was just "reading from a screen." However, he quickly contradicted himself and engaged in textbook gaslighting by recalling specific, unprompted details about me — specifically asking if I was still residing in Houston, Texas. This proved he had reviewed the file and was weaponizing feigned ignorance to set me up for dismissal.

The mechanism he used for this dismissal was a "cease and desist" demand submitted to the SFPD by Mudd Law Offices. Relying entirely on this unverified civil intervention by Mudd Law, the detective wrongfully concluded that my husband simply "wanted to be left alone" and closed the case.

Crucially, the detective cited Mudd Law's cease and desist as the primary basis to conclude that Mr. Dunca was not missing. The detective made absolutely no mention of a video call having taken place — directly contradicting Mudd Law's sworn representations in civil proceedings wherein they claimed that a video call (with a passport held to the camera) was the mechanism used by the SFPD to verify his identity and close the missing persons case. If such a call took place, it is not in the SFPD narrative.

When I questioned the detective on how a case could be closed without in-person verification to ensure my husband wasn't being coerced or held against his will, the detective actively misrepresented standard law enforcement policy. He falsely stated, "there is no set interview process" and "there's no formal found person interview," contradicting strict protocols that require visual, independent confirmation to close a missing person report.

I informed the detective that Mudd Law Offices is not my husband's actual counsel, as they lack verified authority or a wet-ink signature to act on his behalf. I explained the factual reality of our marital and corporate estate: Andrei and I are legally married, we are not divorced, I maintain access to our shared accounts, and we retain our own shared legal counsel. I explained that if my husband were to seek other representation, it would not happen in a vacuum without a legal separation.

Instead of treating me as a concerned spouse reporting a kidnapping/missing person, the detective adopted a hostile posture and made highly improper, biased assumptions about my marriage, stating, "I understand you're the husband, but you know things happen in life." The detective completely refused to accept the legal facts of our marriage and shifted all attention to interrogating me, aggressively questioning why I did not have a case number since filing the report in August 2024 and blaming me for police administrative failures — all while ignoring the larger reality that my husband has been missing since September 2022, nearly four years prior to this call.

I wish to clarify for the record the full context of the two-year period between Mr. Dunca's disappearance in September 2022 and my filing of the SFPD missing person report in August 2024. I did not wait two years to seek law enforcement assistance. I first reported Mr. Dunca missing to the Beverly Hills Police Department. I was subsequently subjected to an unlawful arrest at our property at 420 N. Camden Drive, Beverly Hills, California 90210 — an arrest used as the mechanism of an illegal eviction from that property. Following the arrest, I was interrogated by Det. Geoff of the BHPD without access to a lawyer. I was held for three days under a false name. I was denied the right to view the warrant, denied access to counsel, and denied the right to appear before a judge before being released on my own recognizance. That arrest made me homeless. I fled to Houston, Texas, where I faced further obstruction and deliberate avoidance from Mudd Law Offices, which rendered me completely indigent and cut me off from our shared accounts, shared counsel, and my entire support network. During this period, my attempts to locate my husband, communicate with him, and seek help were actively interfered with, and adverse parties simultaneously propagated a false narrative of drug-induced psychosis and mental illness to discredit my reports and isolate me further. It was under these circumstances — homelessness, indigence, isolation, and coordinated obstruction — that it took me two years to finally file the SFPD missing person report. That report was then immediately corrupted by Mudd Law's unsolicited cease and desist intervention before any meaningful investigation could occur.

Finally, despite explicitly promising on the recording to "verify and double check what's going on with this" and to see if the SFPD had "legitimately made contact with this person," the detective has entirely failed to follow up. He has not returned my call, solidifying the pattern of evasion that began with his blocked caller ID.

This July 14, 2026 interaction provides direct, contemporaneous evidence that Mudd Law Offices has intentionally tainted a missing person investigation by inserting irrelevant, unverified civil threats. By filing an unauthorized cease and desist demand with the SFPD, Mudd Law successfully diverted law enforcement's focus away from locating Andrei Dunca.

The fact that Mudd Law intervened without Dunca having been contacted directly by SFPD further supports the allegations of cyber attacks, communication interference, and illegal surveillance detailed in my Motion for Investigation. This documented interference demonstrates that Mudd Law Offices is leveraging unverified claims to supersede the documented facts provided by a legal spouse, actively preventing the SFPD from conducting the mandatory in-person verification required to close a missing person case.

Executed on this 21st day of July, 2026.

/s/Rodney Samuel Sprawling
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PART II
EXHIBIT A
TRANSCRIPT OF "MISSING PERSONS CALL AUDIO.M4A"

DATE AND TIME OF CALL: JULY 14, 2026, 2:29 PM
SFPD SGT. ALI HINGINA AND RODNEY SAMUEL SPRAWLING
IN SUPPORT OF APPELLANT'S MOTION FOR INVESTIGATION

TRANSCRIPTION NOTE: The following is a verbatim transcription of the audio recording file "Missing Persons Call Audio.M4A," recorded July 14, 2026 at 2:29 PM. Verbal fillers (uh, um) are preserved as spoken. Ellipses (…) indicate pauses or trailing speech. This transcript has been prepared in support of Appellant's Motion for Investigation.

Sgt. Ali Hingina: Hi, my name is Sergeant Ali Hingina with the San Francisco Police Department.

Rodney Samuel Sprawling: How are you.

Sgt. Ali Hingina: I am good. You asked, uh, for someone to give you a call back?

Rodney Samuel Sprawling: Uh, yes, uh, cause the um, the missing person's report I filed, uh, it was close some time ago and I am still, um, I am now uh, uh, following up with uh, with the case with uh, in a court uh proceeding. And um, uh, so I just need to fill in some blanks. Uh, the case was closed without um, ever having an in-person interview uh, with the um, person that was reported missing. So I was trying to find out uh, um, why that was done um, and what it says on the report why it was closed.

Sgt. Ali Hingina: Um, let me take a look at something. You're saying that there was no in-person interview. How do you know that?

Rodney Samuel Sprawling: Uh, it's what uh, was reported to the uh, lawyers of the missing person.

Sgt. Ali Hingina: The lawyers. Okay, um …

Rodney Samuel Sprawling: It's my husband.

Sgt. Ali Hingina: And who is the missing person?

Rodney Samuel Sprawling: Andre Dunka. A-N-D-R-E-I. Last name is Dunka, D-U-N-C-A.

Sgt. Ali Hingina: Okay, hold on one second. I mean there's just speaking in in general, there is no set interview process um regarding missing person um follow-up interviews. When, when, normally what happens that you know you file a missing person report and when the missing person is found or located for, for a number of reasons we close the um … it's called they, we remove 'em from the database. So it's a national database that has, that is accessible to all you know, law enforcement wherever they are because if they run that person's name it'll come up as a missing person. Um, so it's a, it's a national database. So what happens that when you file a report it gets entered into the system and when they are located for whatever reason, somehow some way, they get removed from that system. So there's no formal found person interview.

Rodney Samuel Sprawling: Got you. So this is uh, it so it's my, my husband uh, so they haven't been found actually. And so I'm trying to figure out why it was reported that he uh, why he was taken out of the, out of the database.

Sgt. Ali Hingina: Okay, hold on. Let me just see something real quick. You filed this report back in August of 2024 it looks like, right?

Rodney Samuel Sprawling: Yes.

Sgt. Ali Hingina: Okay, hold on one second.

Rodney Samuel Sprawling: And do you have a case number? The uh, the person I gave the report to never gave me …

Sgt. Ali Hingina: The case number, the case number to the report that you filed?

Rodney Samuel Sprawling: Yes.

Sgt. Ali Hingina: Yeah, I do. Let me just verify something real quick. Hold on. What's your date of birth, sir?

Rodney Samuel Sprawling: 4/12/86.

Sgt. Ali Hingina: 4/12 … Okay. So the report … Do you have a pen?

Rodney Samuel Sprawling: Yes.

Sgt. Ali Hingina: Okay, so this is, this is the same number that you received when you filed this report. So it's 240-555-714.

Rodney Samuel Sprawling: Okay … 714. Okay.

Sgt. Ali Hingina: And you're still … you don't live in California, right? If my memory is correct, you're, you're in Houston? Is that where you're at?

Rodney Samuel Sprawling: Uh currently at the moment, but I do have a residence in San Francisco, yes. In Golden Gate Heights.

Sgt. Ali Hingina: Oh, okay. Um … So you mentioned something about an attorney. Is it, this is your husband's attorney that's been, that you've been in contact with?

Rodney Samuel Sprawling: Yes, uh, and they told me that the um uh, report was uh, closed but they didn't mention anything uh, they said there was no mention of him being uh, contacted or in-person interview. So I'm trying to figure out what the report says uh, as far as um, why it was closed.

Sgt. Ali Hingina: What um … did the attorney contact you? You contacted an attorney?

Rodney Samuel Sprawling: Uh, it's my husband's attorney, so they were in contact with each other.

Sgt. Ali Hingina: Okay. What's the name of the attorney?

Rodney Samuel Sprawling: It's Mudd Law.

Sgt. Ali Hingina: Who?

Rodney Samuel Sprawling: Mudd Law Offices.

Sgt. Ali Hingina: Mudd Law Offices. Let's see here. So I'm reading this report … um, and it looks like the officers did some uh, follow-up I guess when you filed a report, right?

Rodney Samuel Sprawling: Yep.

Sgt. Ali Hingina: Um, and they, they made contact with your husband.

Rodney Samuel Sprawling: They uh, did … that was not uh … they did not. Uh they did a welfare check uh, at his last known out of the last known location, our home in Golden Gate Heights at 565 Ortega, and …

Sgt. Ali Hingina: Right, I see that.

Rodney Samuel Sprawling: And uh he was not there. Um the current uh resident said that he was in uh uh uh I don't remember where they said he was at uh but they didn't make contact, they didn't talk to uh anyone uh, they didn't talk to him, they talked to the residents that were there, so they couldn't confirm if he was missing or not.

Sgt. Ali Hingina: Okay, so I'm reading this further. And it looks like there was a cease and desist letter. What, what do you know about that?

Rodney Samuel Sprawling: A cease and desist? Uh, it was for making a missing person's report, which is the problem.

Sgt. Ali Hingina: I'm sorry?

Rodney Samuel Sprawling: It was for making …

Sgt. Ali Hingina: There's a cease and desist for making a missing … I don't understand.

Rodney Samuel Sprawling: I don't understand that either. But what I'm trying to understand is why the case was closed. This is my report, uh, I filed the report …

Sgt. Ali Hingina: Right, so the case is closed because the person's not, it was, it was determined … and I don't know the case, okay? So I'm just going on what I'm reading here. It was determined that this missing person is not missing and the officers made contact some way somehow with this person and there's mention to a cease and desist letter regarding you. So there may be other things going on. I don't know the whole story. Um …

Rodney Samuel Sprawling: Yes. So what you're telling me though right now is that there hasn't been, there's no documentation on your report right now that says he has been, that there have, that they've made contact with him. They just said that it has been determined that he's not missing. So I am his husband. I have the right to this information. I would like to know why he is not missing. If not, I want, I need to file another report saying that uh, he is actually still missing because I am his husband. I haven't seen him. No one will tell me uh, why it is or how it is that you determined that he was not missing.

Sgt. Ali Hingina: Mm-hmm.

Rodney Samuel Sprawling: I can send you the cease and desist. The cease and desist was to say that he uh, stopped saying that he was missing.

Sgt. Ali Hingina: Well, basically the cease and desist I don't know the whole letter, the cease and desist I'm assuming that this person doesn't want to be in contact with you.

Rodney Samuel Sprawling: Okay, that's not … that's not uh … that's not true. If they're missing and they can't tell you that themselves, then uh, I don't know how you could come to that uh, conclusion that the person has doesn't want to be uh, spoken to or or whatever. I am their husband. I filed a missing person's report. I'd like to know how it is that you guys determined that he was not missing.

Sgt. Ali Hingina: Well, I guess what you can … So you can get a … what I would do is I would get a copy of the report, which you should be entitled to.

Rodney Samuel Sprawling: Okay, you have, you have it in your hand right now though. To get a copy of the report I have to go to records and it's been a whole thing. I am not in San Francisco at the moment.

Sgt. Ali Hingina: Right, I'm reading the report. It says that that the person is not missing and there's a cease and desist letter and he wants to be left alone. So I, I don't, I don't know what else to tell you, sir.

Rodney Samuel Sprawling: Okay. That does not … that's not uh … that's not it saying that he said he wants to be left alone. This is what the cease and desist is saying, it's about making a missing person's report. So this is my report. Uh, you can't someone else just hijack the report. It's a missing person's report. So just because a cease and desist says that they want to be left alone, it does not uh, invalidate my marriage. It does not uh, make it so that I do not have rights uh, to this information.

Sgt. Ali Hingina: I, I understand that. You filed a missing person report, the officers made contact with this person, they're saying I'm not missing, I am fine. And I don't want to be contacted …

Rodney Samuel Sprawling: They have not made contact. So this is what I want to follow up with. Uh, they have not made contact. They made contact with the lawyers who uh, issued a cease and desist. They have never met my husband in person. They do not have a wet ink signature. These are not his lawyers. These are not his lawyers. They do not represent him. I have fired these people. Uh, these people are uh scammers. They do not represent my husband. Uh, there's a current …

Sgt. Ali Hingina: How do you know that? I mean if they're calling you …

Rodney Samuel Sprawling: Because I am their husband. Because I am his husband. I know our lawyers. We have …

Sgt. Ali Hingina: I understand you're, you're, you're the husband, but you know things happen in life. I don't, I don't know your situation …

Rodney Samuel Sprawling: Okay, so I'm not calling to be counseled right now. I'm telling you facts right now. This is not a counseling … this is not a therapy session. Thank you, please. Uh, I'm their husband. I uh, have access to all of our bank accounts, all of our everything. I have access to our lawyers. These people are not our lawyers. If there he was getting other lawyers we'd get a divorce or something, we're not divorced. We're not separated. There's been no legal proceedings uh, uh, anything like that that would have it that we would have all of a sudden different lawyers. So you're making conclusions that shouldn't be made right now when I'm speaking about a missing person. Your conclusions, do not, your conclusions, your guesses, your opinions, they, they are not uh, relevant right now. My husband is missing. I'm telling you uh, there are people that are not his lawyers who have said uh, stop filing a missing person's report and there's someone missing. Uh, does that not sound suspicious and and something that uh, should be followed up on? If someone is missing, their husband is telling you that someone is claiming to be their lawyers who are not their lawyers … and these lawyers are telling me or these lawyers are telling you that he's not missing and to stop filing a missing person's report, which is what the cease and desist is. So I need the case reopened because these things need to be looked at, looked into because he is still missing. The lawyers on, on, on file that you have right now, they are not his lawyers. I have proved this in court in uh, in Harris County already. They cannot provide verified authority. They do not have a signature. They have never met him in person. These are all facts. So any conclusions you've drawn based on this uh, I need you to uh, push them aside because my husband's still missing. I need his case reopened, please. I need these things looked into because you can't you can't …

Sgt. Ali Hingina: I will, let me look into this because there, there, there's … okay first of all this, this happened two years ago.

Rodney Samuel Sprawling: Yes, it doesn't matter if it happened 10 years ago, my husband's missing.

Sgt. Ali Hingina: No, I, I understand that, but I'm, I'm telling you based on my, so let me do this. I, like I said, I am looking at this as I'm talking to you and I'm just kind of reading off the report and, and what the officers documented. Okay? So what I need to do is let me look into this further and I'll give you a call back.

Rodney Samuel Sprawling: What is it that you're going to look into? Because I have a very basic, I have a very basic uh, uh, question that requires a very simple … well I'd like to finish so that were clear, listen, listen to me. My husband's missing. I'd like to finish continuing I finish what I'm, what I'm saying so that when you go and look into this, if you actually care to, you know the specifics of what answers we need to get here to determine my husband is not missing. Would that be okay with you please?

Sgt. Ali Hingina: I'm listening.

Rodney Samuel Sprawling: Okay, thank you. So uh, he is still missing. The lawyers on file have been proven uh, that they are not his lawyers. So all I need right now, the first question I need answered is the case has been closed, so why was it closed? You're saying because they made contact. So uh, if you're looking into it, I'd like to know how it is that they made contact with him. You will then discover that they did not make contact with him in person. You will discover they did not uh, make contact with him directly. They have only made contact with these people that uh, claim to be his lawyers but they are not his lawyers. We have the same lawyers. We're not divorced. So who, who do they make contact with? And uh, that gives you a big clue here because these people are not his lawyers. And so he has not been uh, contacted directly. You cannot determine someone is not missing without direct contact. Normally uh, you guys's procedure is that that you've, I mean you've told me something different than uh, uh, when I made the report and and different than, different than uh, other officers that I've uh, spoke to. Uh, they all say that you guys need uh, to make an in-person interview. Just in case the person is being held against their will, just in case the person is being coerced or or or something uh, because they're a missing person. And this person uh, happens to uh, have wealth uh, and uh, has been targeted as well through cyber attacks and and and things. And I myself was a victim of a kidnapping. So I need to know why it is that you would close a case without speaking to him directly. It's that simple. You have not spoken to him directly. When you follow up, you will discover no one has spoken to him directly. We need direct contact. If you cannot make direct contact, there is a problem.

Sgt. Ali Hingina: Understood. I, I mean I, I are you done yet? So what I will do when I say that I will look into it, I will see if they have legitimately made contact with this person, and if not, I will myself look into trying to make contact with this person. So with that being said, this lawyer that you keep mentioning, what's the name and phone number so I can figure out if this is the same cross reference those are the same attorneys that um supposedly is providing this information.

Rodney Samuel Sprawling: Uh so that's a separate investigation uh uh, I don't know why you would contact them. You, you need to do a you're …

Sgt. Ali Hingina: I'm not contacting them. I actually for the name so I can cross reference if that's the same one that they're referring to.

Rodney Samuel Sprawling: I gave you the name, it was uh Mudd Law. But contacting them uh, would not be uh, good for us. I'm telling you they're scammers already. I'm asking you guys to do something that is internal uh, because it is you guys that would someone, one of you that would have spoken to uh, Andre if you guys made contact. So to cross reference Mudd Law, that's another uh, police report. If you want to take that uh for me. Um, these people claim represent uh, my husband. They do not represent my husband. They have not been able uh, in two years since claiming representation they have not been able to uh, provide me with a wet ink signature to verify authority. They have not met him in person.

Sgt. Ali Hingina: Okay. So like I said, let me verify and and double check what's going on with this and then I will give you a call back. Okay? And then I'm just curious, I gave you the report number. So how come you never had this report number when you filed this report?

Rodney Samuel Sprawling: The guy never gave me the report number. I spoke to him on the phone …

Sgt. Ali Hingina: So it took you two years to get this report number?

Rodney Samuel Sprawling: Uh I didn't need the report number until I'm going to court right now. Which is why I'm following up with you. Am I, am I, I don't understand why you have the, why it's so suspicious or why you'd be questioning me right now. When I'm asking about a missing person. And so it took you, it took um, because you know what? You guys didn't do your job in the, the first, the first guy didn't give me a case number. No one gave it to me. I didn't know I, I was supposed to have one. I didn't know one was associated with it. I am not the one that's uh, tasked with giving uh, doing investigations here and making sure that the person who is the reporting party has everything they need to know when they're calling and they are emotional like I am. And I'm supposed to know to ask you for a, a case number? I've never filed for a miss, I've never filed a missing person's report before. Do you know what you need uh, you, if you're doing my job and there was a call sheet? You walk onto my set, here's a call sheet. Do you know what you need uh, you know to read this thing? No. This is your, this is your job. I'm asking you with your help for, for your job please. And you guys uh, I'm asking for a little forgiveness here uh, cause I'm, I'm emotional and I don't appreciate uh, uh, being questioned. No, I didn't ask for a fucking case number. I want you to find my husband, please. Okay. Do you have a, our, our address you can follow up to? It's 565 Ortega Street, 94122, it's in Golden Gate Heights. It's a very nice home. I'd like you to follow up, please, and see if he's there. Even if, if anyone's seen him around. I've been missing, I was kidnapped, so there was that part too, which uh, might help your investigation if you wanted to question.

Sgt. Ali Hingina: Okay. Thank you.

Rodney Samuel Sprawling: Thank you.

[END OF TRANSCRIPT]

PART III
IN-DEPTH ANALYSIS OF SFPD TELEPHONE TRANSCRIPT
(JULY 14, 2026, 2:29 PM)
IN SUPPORT OF APPELLANT'S MOTION FOR INVESTIGATION

INTRODUCTION AND SCOPE OF ANALYSIS

This analysis examines the official transcript of the July 14, 2026, 2:29 PM telephone call between Appellant Rodney Samuel Sprawling, Jr. (hereinafter "Appellant") and SFPD Sgt. Ali Hingina regarding Missing Person Case No. 240555714. The transcript constitutes contemporaneous, audio-recorded evidence of: (1) extreme law enforcement protocol deviation; (2) deliberate feigned ignorance and gaslighting; (3) material contradictions between the SFPD narrative and sworn representations made by Mudd Law Offices in civil proceedings; (4) the unauthorized and obstructive influence of Mudd Law Offices on an active criminal missing person investigation; (5) improper assumptions and hostile interrogation of the reporting spouse; and (6) a documented, unfulfilled promise of follow-up contact.

All quotations in this analysis are taken verbatim from the transcript of the audio recording and are referenced by the transcript page number where applicable.

This analysis is organized into the following sections:

- Section I. Procedural Context: The Pattern of SFPD Evasion Prior to the July 14th Call
- Section II. The Call as a Manufactured Setup: Feigned Ignorance and Self-Contradicting Gaslighting
- Section III. Misrepresentation of Standard Law Enforcement Protocol Regarding Missing Person Case Closure
- Section IV. The Obstructive Influence of Mudd Law Offices' Cease and Desist: Civil Interference with a Criminal Investigation
- Section V. The Critical Evidentiary Gap: The Absent Video Call
- Section VI. Improper Assumptions, Marital Bias, and Hostile Interrogation of the Reporting Spouse

SECTION I. PROCEDURAL CONTEXT: THE PATTERN OF SFPD EVASION PRIOR TO THE JULY 14TH CALL

Before analyzing the substance of the July 14th call, this Court must understand the extraordinary procedural obstacles Appellant was forced to overcome simply to reach a live human being within the San Francisco Police Department.

A. The Three-Station Gauntlet

Appellant initially contacted Taraval Station (415-759-3100), the originating station of Missing Person Case No. 240555714. Taraval Station directed Appellant to the SFPD Missing Persons Unit (415-734-3070). That unit's telephone line operates as an unmonitored voicemail loop — it does not connect callers to a live officer and does not guarantee a return call. After leaving multiple urgent messages that went unanswered, Appellant was compelled to contact the SFPD Homicide Department (415-553-1145) in order to reach a living person who could route the communication.

This three-stage obstacle course is not consistent with the responsiveness expected of a law enforcement agency conducting an active missing persons investigation. For a reporting spouse attempting in good faith to follow up on a case involving a missing, at-risk individual, this pattern of institutional inaccessibility is itself evidence of systemic unresponsiveness.

B. The Blocked Caller ID: Evasion from the First Moment

When Sgt. Hingina finally returned the call at 2:29 PM, he deliberately did so from a blocked or restricted number. The practical effect of a law enforcement officer calling from a blocked number is significant: Appellant cannot call back if the call is dropped, cannot independently verify the identity of the caller, and has no mechanism to initiate contact with the same officer again. This establishes a dynamic of un-accountability from the very first second of the interaction — one that is consistent with and predictive of the evasive and dismissive conduct that characterizes the entirety of the call.

SECTION II. THE CALL AS A MANUFACTURED SETUP: FEIGNED IGNORANCE AND SELF-CONTRADICTING GASLIGHTING

The transcript reveals a stark and legally significant internal contradiction in Sgt. Hingina's conduct during the call. On one hand, he repeatedly disclaims any knowledge of the case. On the other hand, he spontaneously recalls a specific personal detail about Appellant that was not volunteered in the conversation. These two positions cannot be simultaneously true, and their coexistence constitutes textbook gaslighting.

A. The Feigned Ignorance Strategy

From the outset of the substantive portion of the call, Sgt. Hingina positions himself as a blank slate:

> "Right, so the case is closed because the person's not, it was, it was determined … and I don't know the case, okay? So I'm just going on what I'm reading here." (Transcript, Page 4)

This posture serves a calculated purpose: by disclaiming personal knowledge of the file, the sergeant insulates himself from accountability regarding the specific decisions made to close the case. He cannot be pressed on investigative choices he claims not to know. He presents himself as a mere reader of a screen, not a responsible agent of the investigation.

B. The Self-Contradicting Revelation: The Houston Detail

The feigned ignorance strategy collapses, however, at a specific and critical moment in the transcript. After providing Appellant the case number and performing a date-of-birth verification, Sgt. Hingina says, without any prompting from Appellant:

> "And you're still … you don't live in California, right? If my memory is correct, you're, you're in Houston? Is that where you're at?" (Transcript, Page 3)

This single sentence is devastating to the feigned-ignorance narrative. Appellant had not volunteered his location in Houston. The detail that Appellant resides in Houston, not San Francisco, is a specific fact that exists in the SFPD file. The sergeant's invocation of "my memory" — as opposed to "what I'm reading here" — is a direct admission that he had prior, personal familiarity with the file's contents. He reviewed the file before the call. He knew who Appellant was. He chose to perform ignorance in order to stonewall Appellant's legitimate inquiries, particularly those directed at the mechanism by which the missing person case was closed.

C. Legal Significance of the Gaslighting Pattern

Gaslighting in a law enforcement interaction — the practice of making a reporting party doubt their own recollection of facts or doubt the legitimacy of their concerns by deliberately misrepresenting the officer's knowledge — undermines the integrity of the investigative process. When an officer feigns ignorance of a file he has demonstrably reviewed, and then uses that feigned ignorance to avoid accountability for specific investigative decisions, the reporting party is denied the ability to meaningfully exercise their rights in the investigative process. This Court should recognize this pattern as evidence of deliberate evasion designed to protect the closure of the case from scrutiny.

SECTION III. MISREPRESENTATION OF STANDARD LAW ENFORCEMENT PROTOCOL REGARDING MISSING PERSON CASE CLOSURE

One of the most consequential statements in the entire transcript is Sgt. Hingina's early, categorical assertion about missing person protocol. When Appellant first raises the issue of the absence of an in-person interview, the sergeant responds:

> "I mean there's just speaking in in general, there is no set interview process um regarding missing person um follow-up interviews … So there's no formal found person interview." (Transcript, Page 2)

A. Why This Statement Is a Misrepresentation

This statement flatly contradicts the purpose and foundational operating procedures of missing person investigations under California law and SFPD policy. California Welfare & Institutions Code and standard SFPD operating procedures require, at minimum, direct, independent contact with a reported missing person before that individual can be removed from the National Crime Information Center (NCIC) Missing Persons File. The NCIC guidelines — the very national database Sgt. Hingina himself references in this same portion of the call —

provide that a missing person may only be removed from the system upon confirmation of the individual's well-being, typically requiring direct, verified contact with the subject themselves.

The reason for this requirement is obvious and its rationale is articulated with precision by Appellant himself during the call:

> "They all say that you guys need uh, to make an in-person interview. Just in case the person is being held against their will, just in case the person is being coerced or or or something uh, because they're a missing person." (Transcript, Page 7)

Direct, independent contact serves a vital protective function: it ensures that the individual being removed from the missing persons database is not being coerced into claiming they are "fine." A third party — particularly an attorney whose authority to speak on behalf of the subject is unverified — cannot serve as an adequate substitute for direct contact.

B. The Specific Risk Factors That Make Direct Contact Non-Negotiable in This Case

The Appellant did not raise the issue of direct contact abstractly. He identified specific, particularized risk factors that elevate the standard of care required:

- The subject, Andrei George Dunca, has wealth, making him a target for financial exploitation.
- Dunca has been targeted through cyber attacks.
- Appellant himself was the victim of a kidnapping, establishing a documented pattern of serious criminal conduct in proximity to this case.

Given these specific risk factors, the closure of the missing person case without direct, verified contact with Andrei George Dunca constitutes a significant deviation from the heightened duty of care owed in this investigation.

C. The Detective's Correction and Implicit Acknowledgment

It is notable that, upon hearing Appellant's articulation of the protocol, Sgt. Hingina does not defend his original statement. He instead says, "I will see if they have legitimately made contact with this person" (Transcript, Page 7), thereby implicitly acknowledging the possibility that such contact may not have been made. This is a functional retreat from his opening assertion that "there is no formal found person interview." The detective's willingness to investigate the contact question only after being confronted by Appellant further confirms that his initial misrepresentation of policy was designed to shut down the inquiry, not to inform it.

SECTION IV. THE OBSTRUCTIVE INFLUENCE OF MUDD LAW OFFICES' CEASE AND DESIST: CIVIL INTERFERENCE WITH A CRIMINAL INVESTIGATION

The transcript provides direct, unambiguous evidence that the SFPD used a civil cease and desist letter from Mudd Law Offices as the operative basis for closing a criminal missing person investigation. This is legally impermissible and constitutes obstruction of the investigative process.

A. The Cease and Desist as the Stated Reason for Closure

Sgt. Hingina reads directly from the SFPD report during the call:

> "It was determined that this missing person is not missing and the officers made contact some way somehow with this person and there's mention to a cease and desist letter regarding you." (Transcript, Page 4)

And then again:

> "Right, I'm reading the report. It says that that the person is not missing and there's a cease and desist letter and he wants to be left alone." (Transcript, Page 5)

The language "some way somehow" regarding contact is itself extraordinary. An official law enforcement narrative that closes a case by stating contact was made "some way somehow" is not a documented confirmation of wellbeing — it is an admission of procedural ambiguity being papered over with a conclusory finding. It is precisely the type of narrative that allows a civil intervention to function as a substitute for actual investigative verification.

B. The Legal Impermissibility of a Civil Cease and Desist Closing a Criminal Investigation

A cease and desist letter is a civil instrument. It may be issued by any attorney or party and requires no judicial authorization, no due process, and no verification of the underlying facts. It carries no legal weight in a criminal or quasi-criminal investigative proceeding. The fact that a cease and desist letter — issued by a law firm whose authority to speak for the subject has never been verified — was placed in the SFPD file and used as part of the basis for concluding that a missing person "wants to be left alone" is a fundamental violation of investigative integrity.

Appellant correctly identifies this issue during the call: "just because a cease and desist says that they want to be left alone, it does not uh, invalidate my marriage. It does not uh, make it so that I do not have rights uh, to this information." (Transcript, Page 5) The cease and desist does not speak for Andrei Dunca. It speaks for Mudd Law Offices. Until Andrei Dunca is directly and independently contacted by law enforcement, the cease and desist carries no evidentiary weight whatsoever regarding his safety, whereabouts, or wishes.

C. The Question of How Mudd Law Accessed the Confidential Report

Missing person reports are confidential investigative documents. For Mudd Law Offices to have been in a position to submit a cease and desist letter in response to the SFPD missing person investigation, they would first need to have known the investigation existed. The SFPD did not make direct contact with Andrei Dunca. The question of how Mudd Law came to know about the confidential report — and therefore how they were positioned to respond to it — is a critical investigative question. It suggests either that: (a) Mudd Law was monitoring Appellant's legal and personal activities through unauthorized means, consistent with the allegations of cyber attacks and illegal surveillance; or (b) there was a communication between SFPD officers and Mudd Law that provided the firm with knowledge of the confidential report, raising serious questions about the integrity of the law enforcement process itself.

SECTION V. THE CRITICAL EVIDENTIARY GAP: THE ABSENT VIDEO CALL

One of the most significant evidentiary findings in the transcript is not what is said, but what is conspicuously absent from the SFPD narrative.

A. Mudd Law's Sworn Representation in Civil Proceedings

In civil proceedings before courts in this matter, Mudd Law Offices has represented under oath that the SFPD conducted a video call with Andrei George Dunca — during which Dunca held a passport up to the camera — as the mechanism by which the SFPD verified his identity and well-being, thereby justifying the closure of the missing person case.

B. The Complete Absence of Any Video Call in the SFPD File

During the July 14th call, Sgt. Hingina reads the SFPD report to Appellant in real time. He describes the welfare check at 565 Ortega Street, acknowledges the cease and desist letter, and reads the finding that the subject "is not missing." At no point — at no point — does Sgt.

Hingina mention a video call. He does not mention a passport. He does not mention any form of visual, electronic, or remote identification. His narrative is limited to the welfare check (at which Dunca was not present), the unspecified "contact some way somehow," and the cease and desist letter.

C. The Legal Weight of This Absence

If a video call with passport identification had occurred, it would be — by far — the most significant and definitive piece of verification in the entire file. It would be the centerpiece of the case closure narrative. That such an event is entirely absent from the SFPD report as read by the investigating sergeant in a live follow-up call is not a minor discrepancy. It is a fundamental contradiction between Mudd Law's sworn representations in civil proceedings and the actual contents of the official law enforcement record.

This contradiction raises two possibilities, both of which warrant investigation: (1) the video call never occurred, and Mudd Law's sworn representation to that effect is false; or (2) the video call occurred but was never documented in the official SFPD narrative, which is itself a serious breach of investigative protocol. Either possibility undermines the legitimacy of the case closure and demands reopening of Missing Person Case No. 240555714.

D. Mudd Law's Claim That Andrei Dunca Relocated to Germany

Separate and apart from the video call representation, Mudd Law Offices has also claimed in civil proceedings that Andrei George Dunca relocated to Germany. This is an extraordinary and highly specific factual assertion. A confirmed international relocation — to a foreign country on another continent — would be, without question, the single most significant and dispositive basis for removing an individual from the national missing persons database. It would appear as the primary documented reason for case closure in the SFPD file. It would be the first fact cited by any officer reviewing the report. It is precisely the kind of concrete, verifiable, geographic fact that law enforcement is required to document when closing a missing person investigation.

If Mr. Dunca had in fact relocated to Germany and that relocation had been verified by the SFPD, that fact would not be incidentally omitted from the narrative. It would be the headline of the case closure. A person cannot be removed from the national missing persons database on the basis of a cease and desist letter when the stated reason for his safety is that he is living in another country — those are two entirely different closure rationales, and only one of them appears in the SFPD file.

E. The Complete Absence of Any Germany Relocation Reference in the July 14, 2026 Call

During the July 14th call, Appellant pressed Sgt. Hingina directly and repeatedly on the single most critical question in the entire proceeding: how and why was Missing Person Case No. 240555714 closed? Appellant asked this question in multiple ways across multiple exchanges, explicitly demanding to know the basis on which the SFPD determined that Mr. Dunca was not missing. Sgt. Hingina read from the file in real time and provided his account of its contents.

At no point during any portion of the call did Sgt. Hingina mention Germany. He did not reference a foreign relocation. He did not describe any international verification, any travel documentation, any emigration record, or any contact with Mr. Dunca abroad. His entire account of the case closure is contained in exactly two elements: (1) the welfare check at 565 Ortega Street at which Dunca was not present, and (2) the cease and desist letter submitted by Mudd Law Offices. Germany does not appear. No foreign country appears. No relocation of any kind appears.

This is not a matter of the sergeant forgetting a peripheral detail. A confirmed international relocation to Germany is not a detail that a reviewing officer omits from his account when the stated purpose of the call is to explain, in full, why a missing person case was closed. If Germany is not in the sergeant's account of the file, it is because Germany is not in the file. And if it is not in the file, it was never verified — because it never happened in any manner that the SFPD independently confirmed.

F. The Combined Significance: Two Sworn Civil Claims, Neither Documented in the SFPD Record

Taken together, the simultaneous absence of both the video call and the Germany relocation from Sgt. Hingina's live reading of the SFPD file establishes a pattern that this Court cannot treat as coincidental. Mudd Law Offices has advanced two specific, concrete, independently verifiable claims in civil proceedings to justify the closure of Andrei Dunca's missing person case:

First: that the SFPD conducted a video call during which Mr. Dunca held a passport to the camera to verify his identity and well-being.

Second: that Mr. Dunca relocated to Germany.

Neither claim appears anywhere in the SFPD case file as reported by Sgt. Hingina during a live, audio-recorded follow-up call made for the express purpose of explaining the basis for case closure.

The inescapable inference is that neither event occurred in any manner that was independently verified or documented by the San Francisco Police Department. Instead, the SFPD closed the case of a man who has been missing since September 2022 based solely on a civil cease and desist letter submitted by a law firm that has never produced verified authority to represent Mr. Dunca and whose claimed authority has been formally contested in court. The sworn civil representations made by Mudd Law Offices regarding both a video call and a Germany relocation are directly contradicted by the SFPD's own documented file — and that contradiction, captured in real time on a recorded call, now stands before this Court as evidence that the civil proceedings in this matter have been built upon a factual foundation that does not exist in the law enforcement record.

SECTION VI. IMPROPER ASSUMPTIONS, MARITAL BIAS, AND HOSTILE INTERROGATION OF THE REPORTING SPOUSE

Throughout the call, Sgt. Hingina's treatment of Appellant shifts from ostensibly neutral to adversarial. Rather than treating Appellant as a concerned, legally recognized spouse following up on a missing person report, the detective adopts a posture that presumes the breakdown of the marital relationship and dismisses Appellant's factual representations about the marriage.

A. The "Things Happen in Life" Dismissal

When Appellant presents the factual legal status of his marriage — that he and Andrei Dunca are legally married, share legal counsel, share financial accounts, and are neither divorced nor separated — the detective's response is:

> "I understand you're, you're, you're the husband, but you know things happen in life. I don't, I don't know your situation …" (Transcript, Page 5)

This response is remarkable in its dismissiveness. The detective does not dispute any specific fact Appellant presents. He does not point to any documentation suggesting separation or independent representation. He simply gestures at the abstract possibility that "things happen in life" as sufficient grounds to disregard the legal facts of a marriage. This is a biased, assumption-laden response that substitutes conjecture for evidence.

B. The Legal Facts Are Not Conjecture

Appellant is not speculating about his marriage. He is reporting documented legal facts: there has been no divorce filing, no legal separation proceeding, and no court order altering the marital relationship. As Appellant states: "If there he was getting other lawyers we'd get a divorce or something, we're not divorced. We're not separated. There's been no legal proceedings uh, uh, anything like that that would have it that we would have all of a sudden different lawyers." (Transcript, Page 6) These are verifiable facts. The detective's choice to override these facts with a generalized assumption about what "happens in life" demonstrates a failure to engage with the evidence as presented.

C. The Effect of the Bias on the Investigation

The detective's marital bias has a direct investigative consequence: it causes him to implicitly credit Mudd Law's representation of Andrei Dunca as legitimate, even though that representation is unverified. By assuming that the marriage may have broken down and that Dunca may have legitimately sought independent counsel, the detective lends credence to a scenario that the documented facts of the marriage contradict. This assumption-based crediting of Mudd Law's intervention — at the expense of the documented legal facts presented by Appellant — is exactly the type of investigative bias that allows an unauthorized third party to successfully obstruct a missing person investigation.

SECTION VII. VICTIM-BLAMING, GASLIGHTING, AND ADMINISTRATIVE DEFLECTION: THE CASE NUMBER INTERROGATION AS A TOOL OF DISCREDITING

In the final portion of the call, after Sgt. Hingina has committed to following up, he abruptly pivots to interrogating Appellant about why he did not have the case number for two years — that is, since the report was filed in August 2024. This pivot is significant for what it reveals about the detective's orientation toward Appellant. Notably, the sergeant's framing treats the two-year gap since the report filing as the relevant timeline — when in fact Andrei Dunca has been missing since September 2022, nearly four years prior to this call, making the institutional failures far more grave than the sergeant's framing suggests.

A. The Detective's Interrogation

> "And then I'm just curious, I gave you the report number. So how come you never had this report number when you filed this report? … So it took you two years to get this report number?" (Transcript, Page 8)

B. The Administrative Failure Is SFPD's, Not Appellant's

Appellant correctly responds that the officer who took the original report never provided him with the case number. This is not a failure of Appellant's diligence; it is an administrative failure of the SFPD officer who took the report. Standard law enforcement practice when taking a missing person report requires providing the reporting party with the case number as a matter of course. The failure to do so is an error attributable solely to the SFPD.

Appellant articulates this with clarity: "I am not the one that's uh, tasked with giving uh, doing investigations here and making sure that the person who is the reporting party has everything they need to know when they're calling … This is your job." (Transcript, Page 8)

C. Why the Interrogation Matters

The case number interrogation serves no investigative purpose whatsoever. Whether or not Appellant had the case number since the report was filed in August 2024 is entirely irrelevant to the question of whether Andrei George Dunca — missing since September 2022 — is missing and whether the case was properly closed. The only function of this interrogation is to shift the narrative from SFPD accountability to Appellant culpability — to frame Appellant as the delinquent party in a situation where the institutional failures belong entirely to the SFPD. It is victim-blaming: the spouse of a person who has been missing for nearly four years is being cross-examined about a procedural bureaucratic detail as a deliberate deflection from the substantive failures of the investigation.

SECTION VIII. THE BROKEN PROMISE: DELIBERATE FAILURE TO FOLLOW UP

During the call, Sgt. Hingina makes an explicit, on-the-record commitment to Appellant:

> "So what I will do when I say that I will look into it, I will see if they have legitimately made contact with this person, and if not, I will myself look into trying to make contact with this person … let me verify and and double check what's going on with this and then I will give you a call back. Okay?" (Transcript, Pages 7–8)

This is not an ambiguous statement. It is a clear, specific, three-part promise: (1) to determine whether legitimate contact was made with Andrei Dunca; (2) if not, to personally attempt to make contact; and (3) to call Appellant back with findings.

As of the date of this filing — July 21, 2026 — Sgt. Hingina has not called back. He has not confirmed whether legitimate contact was made. There is no record of any independent attempt by the SFPD to contact Andrei George Dunca following the July 14th call.

This failure is not a minor oversight. A sergeant who, in a recorded conversation, explicitly promises to investigate and call back — and then does nothing — has either been directed not to follow up, or has made a conscious choice to abandon his commitment. Given the pattern of evasion that preceded the call (the voicemail loop, the blocked number), the failure to follow up is consistent with a systemic institutional posture of avoiding accountability in this case.

SECTION IX. SYNTHESIS: PATTERN OF OBSTRUCTION AND ITS LEGAL SIGNIFICANCE

Taken together, the evidentiary record established by the July 14th transcript reveals a coherent and deeply troubling pattern. Each element reinforces the others:

- Institutional inaccessibility (voicemail loops, blocked caller ID) prevents meaningful oversight of the investigation.
- Feigned ignorance and gaslighting prevent Appellant from obtaining accountable answers about specific investigative decisions.
- Misrepresentation of protocol provides a false justification for the inadequate case closure.
- Reliance on Mudd Law's cease and desist as a basis for closure substitutes a civil instrument for an investigative finding.
- The absent video call exposes a material contradiction between the SFPD record and Mudd Law's sworn civil representations.

- Marital bias and hostile interrogation delegitimize the reporting spouse's factual representations and lend unearned credibility to the unauthorized third-party intervention.
- The broken follow-up promise ensures that the contradictions identified during the call are never resolved.

The legal significance of this pattern is that it establishes, with contemporaneous, audio-recorded evidence, that Mudd Law Offices successfully inserted itself into a criminal missing person investigation — using a civil cease and desist as a tool — and that the SFPD allowed this civil intervention to supersede its own investigative obligations. This is obstruction of justice by a civil law firm, and dereliction of investigative duty by the SFPD, each enabling the other.

Critically, Appellant notes that this conduct has already been partially adjudicated in Harris County, where a court has received evidence that Mudd Law cannot establish verified authority to represent Andrei George Dunca. That court finding is directly relevant to the weight the SFPD assigned to the cease and desist letter: if Mudd Law cannot establish verified authority in a court of law, the cease and desist letter they submitted to the SFPD had no legitimate basis.

SECTION X. RELIEF REQUESTED BASED ON THE TRANSCRIPT EVIDENCE

Based on the foregoing analysis, Appellant respectfully requests that this Court:

- Order the production of the complete SFPD file for Missing Person Case No. 240555714, including all notes, contact logs, and communications related to Mudd Law Offices.
- Order an investigation into whether any SFPD officer communicated the existence of the confidential missing person report to Mudd Law Offices or any of its agents, and if so, the circumstances and authority under which that communication occurred.
- Compel SFPD Sgt. Ali Hingina and any supervising officer to provide sworn testimony regarding the basis for closing Missing Person Case No. 240555714 and the SFPD's communications with Mudd Law Offices.
- Direct law enforcement to conduct an immediate, independent, in-person welfare check on Andrei George Dunca, with direct verbal contact with Mr. Dunca himself, consistent with the mandatory protocols for closing a missing person report.
- Order Mudd Law Offices to produce, under oath, the factual and evidentiary basis for their representation that a video call with passport identification was used by the SFPD to verify Mr. Dunca's identity, including the date, time, participants, and documentation of such call.

- Grant all other relief that this Court deems just and proper in the interest of locating Andrei George Dunca and ensuring that the investigation into his disappearance has not been improperly tainted by the unauthorized civil intervention of Mudd Law Offices.

CONCLUSION

The transcript of the July 14, 2026, 2:29 PM call is not merely a record of a conversation. It is contemporaneous, audio-recorded evidence of systemic investigative failure, institutional evasion, protocol misrepresentation, unauthorized civil interference, and unfulfilled duty. It confirms every allegation set forth in Appellant's Supplemental Declaration and provides this Court with the factual foundation it needs to compel the investigation Appellant has been seeking.

Andrei George Dunca has been missing since September 2022 — nearly four years. No law enforcement officer has spoken to him directly. No verified contact has been made. The case was closed on the basis of a civil letter submitted by a law firm that courts have found cannot establish verified authority to represent him. Appellant did not file the missing person report with the SFPD until August 2024, nearly two years after the initial disappearance — a delay that itself reflects the extraordinary obstacles Appellant faced in accessing institutional relief. The time for further evasion is over. Appellant respectfully urges this Court to act.

I certify under penalty of perjury that all contents of this document are true and correct.

Respectfully submitted,

/s/Rodney Samuel Sprawling
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01-26-00459-CV
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CASE NO. 01-26-00459-CV

IN THE FIRST COURT OF APPEALS

HOUSTON, TEXAS

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Clerk of The Court

RODNEY SAMUEL SPRAWLING, JR., *Appellant*, v. ANDREI DUNCA, *Appellee*.	**Case No. 01-26-00459-CV In the First Court of Appeals Houston, Texas**

APPELLANT'S MOTION TO DENY PRO HAC VICE ADMISSION AND TO DISQUALIFY JOSHUA PAGAN AND MUDD LAW AS COUNSEL FOR APPELLEE

INTRODUCTION

Appellant Rodney Samuel Sprawling, Jr., appearing pro se, respectfully moves this Court to deny the pro hac vice admission of Illinois attorney Joshua Pagan of Mudd Law and to disqualify Mudd Law as counsel for Appellee Andrei Dunca. Appellant has now raised substantive, documented objections in two prior filings (filed July 3, 2026 and July 8, 2026), and counsel has still not provided an in-person notarized affidavit bearing a wet-ink signature confirming that the named Appellee, Andrei Dunca, has actually retained Mudd Law. In light of counsel's continued failure to cure this foundational deficiency, and for the additional reasons set forth below, this Court should deny admission and disqualify counsel.

I. PROCEDURAL BACKGROUND AND PRIOR OBJECTIONS

On July 3, 2026, Appellant filed his Objection to Pro Hac Vice Admission and Motion for Extension of Time to Respond, raising threshold concerns about Joshua Pagan's authority to represent the Appellee, documented service failures, and a material conflict of interest arising from the Appellant's common-law marital relationship with Andrei Dunca. [Clerk's Record].

On July 8, 2026, Appellant filed his Appellate Response: Objection to Motion for Pro Hac Vice Admission, responding directly to counsel's reply and further elaborating on the insufficiency of digital-only verification and the broader pattern of bad-faith litigation conduct. [Clerk's Record].

Despite these two formal objections on the record, as of the date of this filing, Joshua Pagan and Mudd Law have still not produced an in-person notarized affidavit bearing a wet-ink signature, personally executed by Andrei Dunca before a licensed notary public, confirming his retention of Mudd Law. Counsel's repeated refusal to provide this minimal, standard safeguard is not a procedural impossibility — it is a deliberate choice that this Court should not reward with the privilege of special admission.

II. ARGUMENT

A. Counsel Has Failed to Establish Verifiable Authority to Represent Appellee.

The fundamental prerequisite for pro hac vice admission is the existence of a valid, verified attorney-client relationship. An out-of-state attorney seeking the privilege of appearing before a Texas appellate court must demonstrate not merely that he has filed a sworn motion, but that the named party has knowingly, voluntarily, and verifiably authorized that representation. *See* Tex. R. App. P. 4.4; *see also* Texas Disciplinary Rule of Professional Conduct 1.02(a) (requiring that the attorney abide by the client's decisions concerning the objectives of representation and that such representation be affirmatively authorized by the client).

Here, counsel's sole evidence of authorization consists of a single still screenshot of a Zoom video conference during which Appellee allegedly held a passport up to a camera — an interaction that occurred only after Appellant formally challenged counsel's authority. This retroactively produced digital image does not constitute a standard, contractually authenticated retainer agreement, nor does it satisfy the threshold requirement that a licensed out-of-state attorney be actively and knowingly directed by the actual named party to an appeal.

Appellant has now explicitly and repeatedly demanded one thing to resolve this dispute: an in-person notarized affidavit bearing a wet-ink signature from Andrei George Dunca, executed before a licensed notary public, confirming that he has retained Mudd Law and authorized prosecution of this appeal. An in-person notarized affidavit bearing a wet-ink signature is a standard, minimal procedural safeguard routinely employed in civil litigation to authenticate client authority. It is neither burdensome nor unusual. Counsel's continued refusal to provide it — despite two formal objections on the record — raises a serious and unresolved question about whether the named Appellee is actually directing this litigation.

B. Digital-Only Verification Is Legally Insufficient and Factually Suspect.

Counsel has acknowledged that they have never met their client, Andrei Dunca, in person. Their entire verification of his identity and authorization rests on remote, digital interactions that Appellant has formally and specifically challenged in the record. This admission alone is extraordinary for an attorney seeking special admission to practice before a court of appeals.

The insufficiency of digital-only verification is compounded by the following documented facts in the record:

First: Counsel has represented that the SFPD missing person case concerning Andrei Dunca was closed based on a video call. However, Appellant has personally verified with the San Francisco Police Department that their official protocol requires an in-person interview to close a missing person case, and that no record of the claimed video call exists in the official SFPD file. Counsel's reliance on this unsubstantiated claim to establish the legitimacy of their client contact undermines the credibility of their digital-only verification.

Second: Andrei Dunca has a documented professional background in advanced video and artificial intelligence infrastructure. Given this background, Appellant has raised documented, good-faith concerns about the authenticity of remote digital communications purportedly from Dunca, including the suspicious nature of Appellant's final communication with his spouse before Dunca's disappearance, which lacked the human characteristics of the man Appellant has known for over a decade. These concerns are not speculative; they are grounded in documented facts in the record.

Third: Appellee has been physically missing and uncontactable by Appellant since 2022. A single Zoom call in which someone holds a passport to a camera does not — and cannot — conclusively establish that the person appearing was in fact Andrei Dunca, particularly given counsel's background in video technology and the absence of any in-person verification.

In sum, counsel's digital-only verification methodology is legally insufficient to satisfy the pro hac vice threshold, factually suspect given the documented circumstances of Appellee's disappearance, and contradicted by the SFPD's own records regarding its missing person protocols.

C. Counsel Operates Under a Material, Incurable Conflict of Interest in Violation of TDRPC 1.06.

Texas Disciplinary Rule of Professional Conduct 1.06 prohibits an attorney from representing a client when the representation involves a substantially related matter in which that attorney's duties to another client, a former client, or a third person create a significant risk of material limitation on the attorney's ability to represent the client. TDRPC 1.06(b). Texas courts treat disqualification as the appropriate remedy when an incurable conflict of interest is established. *See In re EPIC Holdings, Inc.*, 985 S.W.2d 41 (Tex. 1998).

Appellant is the common-law husband of Appellee Andrei Dunca under Texas Family Code § 2.401. The parties entered into a common-law marriage in Harris County, Texas in 2018, having been in a committed relationship since 2011, which has never been formally dissolved. This common-law marital status was disclosed to counsel prior to and throughout the trial court proceedings, and it is extensively documented in the underlying record.

The marital estate between Appellant and Appellee includes two co-founded corporate entities: Sean Sprawling Productions LLC and Teak Stage Productions LLC. The civil litigation that Mudd Law has aggressively prosecuted — obtaining a summary judgment and permanent injunction that dismantles these entities, removes Appellant's published book from circulation, and eliminates his digital presence — directly attacks the shared marital and corporate estate. Counsel knowingly entered a family law dispute and deployed punitive civil mechanisms to dismantle joint marital property, despite having been provided with clear, facially valid evidence of the common-law marriage.

This constitutes a material conflict of interest that is not waivable. An out-of-state attorney who disregards explicit, documented notice of marital property rights — and who actively uses civil litigation to destabilize a joint marital estate without verifiable authorization from the missing spouse — should be denied the privilege of appearing before this Court. Admission would effectively sanction counsel's participation in what amounts to the unilateral destruction of community property without the informed, verifiable consent of both spouses.

D. Counsel's Conduct Reflects a Pattern of Bad Faith That Warrants Disqualification.

Texas courts have recognized that an attorney's conduct before the tribunal is a relevant consideration in the pro hac vice admission analysis, and that disqualification is appropriate where counsel's conduct reflects a pattern inconsistent with the integrity of the proceedings. *See Spears v. Fourth Court of Appeals*, 797 S.W.2d 654 (Tex. 1990).

The record in this case reflects the following pattern of conduct by Mudd Law:

First: Counsel attempted to confer regarding the pro hac vice motion by email, unilaterally imposing a three-day response deadline on an indigent, pro se litigant with documented housing instability and unreliable internet access. Counsel's attempt to leverage this arbitrary deadline to prejudice Appellant's ability to respond formally is inconsistent with the good-faith obligations of counsel.

Second: The Automated Certificate of eService appended to multiple filings in this case — including filings dated June 25, July 3, and July 8, 2026 — reflects a recurring "ERROR" status for Appellant's email address (r.s.dunca@andreigeorgedunca.llc). Proper service is a foundational requirement of appellate procedure. Counsel's repeated reliance on an electronic service method that demonstrably fails to reach Appellant — and counsel's continued failure to take affirmative steps to cure this service deficiency — further compounds the prejudice to Appellant.

Third: Rather than responding to Appellant's substantive objections about authority and missing-person verification with the requested in-person notarized affidavit bearing a wet-ink signature, counsel has characterized Appellant's good-faith filings as procedurally improper and speculative — a rhetorical tactic designed to deflect from counsel's own failure to produce basic verification.

Fourth: The civil litigation that Mudd Law has prosecuted resulted in a permanent injunction prohibiting Appellant from publishing his book, operating websites, and communicating about Appellee — all without competent, non-self-serving evidence, and while relying on deemed admissions that arose from a discovery dispute Appellant raised the very day after the Requests to Admit were served, as detailed in Appellant's Brief filed June 25, 2026.

Taken together, this pattern of conduct — unilateral deadlines, defective service, refusal to produce basic verification, and aggressive civil mechanisms deployed against a pro se, indigent litigant without verifiable client authorization — reflects the kind of bad faith that warrants disqualification even in the absence of the other grounds presented herein.

E. The Court Should Sustain Appellant's Prior Objections and Deny Admission.

Appellant's prior objections filed on July 3, 2026 and July 8, 2026 are now ripe for ruling. Counsel's reply in support of pro hac vice admission has not cured the foundational deficiency — the absence of an in-person notarized affidavit bearing a wet-ink signature from Andrei Dunca. The question for this Court is straightforward: should an out-of-state attorney be admitted to practice before this Court on the basis of an unauthenticated Zoom screenshot, when the person that screenshot purportedly depicts is the subject of an open missing person matter, has been uncontactable since 2022, and when the attorney has explicitly refused to provide the one piece of documentation — an in-person notarized affidavit bearing a wet-ink signature — that would immediately resolve the dispute?

The answer must be no. Pro hac vice admission is a privilege, not a right. That privilege should not be extended when counsel cannot provide basic, verifiable proof that the named party has authorized the representation. The integrity of these appellate proceedings depends on the Court's assurance that the party prosecuting this appeal against Appellant is doing so with the genuine, verified, knowing consent of the named Appellee — not on the basis of a digital interaction that no one has been able to independently verify.

III. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Appellant Rodney Samuel Sprawling, Jr. respectfully prays that this Court:

1. **SUSTAIN** Appellant's Objections to Pro Hac Vice Admission filed on July 3, 2026 and July 8, 2026;

2. **DENY** the pro hac vice admission of Joshua Pagan to practice before this Court;

3. **DISQUALIFY** Joshua Pagan and Mudd Law as counsel for Appellee, or in the alternative, **STAY** the pro hac vice admission pending production by Movant of a notarized affidavit bearing a wet-ink signature from Andrei George Dunca confirming his retention of Mudd Law and his direction of this appeal;

4. **ORDER** Appellee to demonstrate through independent, in-person verified documentation that Andrei George Dunca is alive, has authorized this litigation, and has knowingly retained Mudd Law to represent him; and

5. **GRANT** Appellant all other and further relief, at law or in equity, to which he may be justly entitled.

Respectfully submitted,

Rodney Samuel Sprawling

Appellant, Pro Se

565 Ortega Street

San Francisco, California 94122

Email: R.S.Dunca@AndreiGeorgeDunca.Llc

Phone: 346.785.6657

UNSWORN DECLARATION

My name is Rodney Samuel Sprawling, Jr. My address is 565 Ortega Street, San Francisco, California 94122. I declare under penalty of perjury under the laws of the State of Texas that the facts stated in the foregoing Motion are true and correct, to the best of my knowledge and belief.

Executed on this 17th day of July, 2026.

Rodney Samuel Sprawling

Declarant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellant's Motion to Deny Pro Hac Vice Admission and to Disqualify Joshua Pagan and Mudd Law as Counsel for Appellee has been served upon all counsel of record via eFileTexas.gov and/or U.S. First Class Mail on this 17th day of July, 2026, addressed as follows:

Joshua Pagan

Mudd Law

411 S. Sangamon St., Suite 1B

Chicago, Illinois 60607

josh@muddlaw.com

Counsel for Appellee (Pro Hac Vice Movant)

Caryn Gomar / Scott M. Brown & Associates

6302 W. Broadway St., Suite 250

Pearland, Texas 77581

caryn@smbattorney.com

Sponsoring / Local Counsel for Appellee

Rodney Samuel Sprawling, Jr.

Appellant, Pro Se

* * *

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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Joshua Martinez		Josh@smbattorney.com	7/17/2026 4:05:08 PM	SENT
ANDREI GEORGEDUNCA		ANDREI@DUNCA.NAME	7/17/2026 4:05:08 PM	SENT
Caryn Gomar		caryn@smbattorney.com	7/17/2026 4:05:08 PM	SENT
Joshua Pagan		josh@muddlaw.com	7/17/2026 4:05:08 PM	SENT
RODNEY SAMUELSPRAWLING		r.s.dunca@andreigeorgedunca.llc	7/17/2026 4:05:08 PM	ERROR

ACCEPTED
01-26-00459-CV
FIRST COURT OF APPEALS
HOUSTON, TEXAS
7/17/2026 4:51 PM
DELILAH ALVAREZ
CLERK OF THE COURT

CASE NO. 01-26-00459-CV

IN THE FIRST COURT OF APPEALS

HOUSTON, TEXAS

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
7/17/2026 4:51:25 PM
DELILAH ALVAREZ
Clerk of The Court

RODNEY SAMUEL SPRAWLING, JR., ***Appellant,***	**No. 01-26-00459-CV**
v.	
ANDREI DUNCA, ***Appellee.***	

APPELLANT'S MOTION FOR INVESTIGATION INTO JOSHUA PAGAN, CHARLES MUDD, MUDD LAW OFFICES, AND ALL COUNSEL OF RECORD FOR POTENTIAL INVOLVEMENT IN CRIMINAL ACTS INCLUDING CYBER ATTACK, FALSE IMPRISONMENT, AND INTENTIONAL INFLICTION OF EMOTIONAL AND ECONOMIC HARM; AND FOR REFERRAL TO APPROPRIATE AUTHORITIES

INTRODUCTION

Appellant Rodney Samuel Sprawling, Jr., appearing pro se, respectfully moves this Court to initiate or refer for investigation the conduct of Joshua Pagan, Charles Mudd, Mudd Law Offices, and all counsel of record purporting to represent Appellee Andrei George Dunca in the above-captioned appellate proceeding.

This Motion is a successor to, and incorporates by reference in its entirety, Appellant's Amended Motion for Investigation Into Joshua Pagan, Charles Mudd, Mudd Law Offices, and All Counsel of Record for Potential Involvement in Criminal Acts Including Cyber Attack, False Imprisonment, and Intentional Infliction of Emotional and Economic Harm, filed November 24, 2025, in the 334th Judicial District Court of Harris County, Texas (Cause No. 2025-17063) ("Original Motion"), a true and correct copy of which appears in the Clerk's

Record filed in this appeal at pages 565 through 614 of Volume I. All factual allegations, legal arguments, supporting exhibits, and prayers for relief set forth in the Original Motion are expressly incorporated herein by reference as though set forth at full length.

This Motion further incorporates by reference in its entirety Appellant's Motion to Deny Pro Hac Vice Admission and to Disqualify Joshua Pagan and Mudd Law as Counsel for Appellee ("Disqualification Motion"), filed in this Court on July 17, 2026, together with all factual recitations, legal arguments, and prayers for relief therein.

The grounds presented in those two filings, taken together with the additional matters set forth below, demonstrate a sustained, documented pattern of misconduct that now pervades the appellate record and warrants this Court's independent scrutiny.

I. PROCEDURAL POSTURE AND INCORPORATION OF PRIOR RECORD

A. The Trial Court Proceedings

This appeal arises from proceedings in Cause No. 2025-17063, styled *Andrei George Dunca v. Rodney Samuel Sprawling, Jr.*, in the 334th Judicial District Court of Harris County, Texas. The trial court entered a summary judgment and permanent injunction against Appellant that, among other things, ordered the removal of Appellant's published memoir from public circulation, prohibited operation of websites, and eliminated Appellant's digital presence — all without competent, non-self-serving evidence, and while relying on deemed admissions that arose from a discovery dispute Appellant raised the very day after the Requests to Admit were served, as detailed in Appellant's Brief filed June 25, 2026.

B. The Original Motion for Investigation

On November 24, 2025, Appellant filed in the trial court his Amended Motion for Investigation Into Joshua Pagan, Charles Mudd, Mudd Law Offices, and All Counsel of Record for Potential Involvement in Criminal Acts Including Cyber Attack, False Imprisonment, and Intentional Infliction of Emotional and Economic Harm (Clerk's Record, Vol. I, pp. 565–614). That fifty-page motion presented, among other matters:

1. Documented failure by eight legal professionals across two firms — Mudd Law Offices (Joshua Pagan, Charles Mudd, Elizabeth Miller, Katherine Stahl, Mila Janusonis, and Katie Sunstrom) and Burrus Law Group (David Burrus and Alexys Wortman) — to produce a verified, wet-ink retainer agreement or sworn declaration of client engagement, despite requests dating from November 2024 through the date of filing;
2. The "Insurmountable Knowledge Bar" theory: Mudd Law Offices is an internationally recognized boutique firm specializing in Internet Law, AI, Cybersecurity, and Identity Theft — including SIM Swap Fraud, deepfakes, and Account Takeover — and therefore possesses an elevated professional duty to verify client identity against precisely the digital manipulation tactics Appellant has documented;
3. The theory and evidence of "Digital Kidnapping" — AI-generated synthetic media, deepfake voice and video, and SIM-based communication-infrastructure manipulation — as the mechanism by which Appellee Andrei George Dunca may be incapacitated, impersonated, or otherwise not directing or consenting to this litigation;
4. Documented forensic plausibility of synthetic impersonation based on Appellee's professional background as co-founder and CTO of Bluefish AI and Ezra (an AI-driven medical imaging company), establishing his unparalleled access to and expertise in the technologies of manipulation;

5. The documented geographic and thematic nexus among Joshua Pagan (Chicago, Illinois), Kyle Joseph Egan, and Richie Vetter, including Egan's repeated, unexplained misidentification of Appellant as "Josh" — a name directly associated with Joshua Pagan;
6. The coordinated misconduct of Dr. Richard Austin Heafey, PsyD, including diagnostic reversal without clinical justification (from PTSD to "meth-induced psychosis" despite negative toxicology results), financial entanglement with Petitioner, false location data on Zocdoc, and narrative synchronization with Mudd Law's litigation filings;
7. The false arrest and illegal eviction from 420 N. Camden Drive, Beverly Hills, California, executed under a false name ("Anthony Sprawling"), with denial of legal counsel and seizure of personal property, involving a law enforcement officer with documented ties to both Dr. Heafey and landlord Yuri Spiro;
8. The coordinated suppression of Appellant's memoir *Wallflower of the Year*, constituting a violation of Appellant's First Amendment rights and a component of a broader effort to silence survivor testimony and obstruct judicial review;
9. A comprehensive Prayer for Relief, including mandatory removal of counsel under TRCP 12, disqualification under TDRPC 1.06, sanctions under TRCP 13 and CPRC Chapter 10, application of the Crime-Fraud Exception to MLO's files, forensic production of Call Detail Records and SIM-change history pursuant to 18 U.S.C. § 2703(d), appointment of an independent forensic examiner, compelled production of communications between Pagan and Dr. Heafey, and referral to the State Bar of Texas.

All exhibits incorporated in the Original Motion — including Exhibit A (Expert Forensic Analysis of Digital Kidnapping), Exhibit B (Analysis of MLO's Elevated Technical Duty), Exhibit C (Directed Energy / Non-Lethal Technology Analysis), Exhibit D (Federal Agency Referral Correspondence), Exhibit F (Amended Third-Party Petition), Exhibit HH

(Memorandum of Law in Support), Exhibit KK (Contradictory Claims / Security Video), Exhibit T (Pro Hac Vice Motion), Exhibit W (Supplemental Declaration / 1,695 Hours of Litigation Labor), and all other lettered exhibits referenced therein — are incorporated herein by reference and form part of the record in this appeal.

C. The Disqualification Motion Filed July 17, 2026

On July 17, 2026, Appellant filed in this Court his Motion to Deny Pro Hac Vice Admission and to Disqualify Joshua Pagan and Mudd Law as Counsel for Appellee ("Disqualification Motion"). That motion, which is expressly incorporated herein by reference in its entirety, presented, among other matters:

10. Counsel's continued failure — despite formal objections filed July 3, 2026 and July 8, 2026 — to produce an in-person notarized affidavit bearing a wet-ink signature, personally executed by Andrei George Dunca before a licensed notary public, confirming his retention of Mudd Law and his knowing, voluntary direction of this appeal;
11. The legal insufficiency of digital-only verification: counsel's sole evidence of authorization consists of a single still screenshot of a Zoom video conference during which Appellee allegedly held a passport up to a camera — an interaction produced only after Appellant formally challenged counsel's authority;
12. The SFPD Protocol Contradiction: Appellant has personally verified with the San Francisco Police Department that its official protocol requires an in-person interview to close a missing person case, and that no record of the claimed video call exists in the official SFPD file — directly contradicting counsel's representations regarding verification of Appellee's whereabouts;
13. The Common-Law Marriage Conflict: Appellant is the common-law husband of Appellee Andrei Dunca under Texas Family Code § 2.401, having entered into a

common-law marriage in Harris County, Texas in 2018, following a committed relationship since 2011, which has never been formally dissolved — creating a material, incurable conflict of interest under TDRPC 1.06 that precludes Mudd Law's representation;

14. Documented defective electronic service: the Automated Certificate of eService appended to multiple filings — including filings dated June 25, July 3, and July 8, 2026 — reflects a recurring "ERROR" status for Appellant's email address, compounding the prejudice to an indigent, pro se litigant with documented housing instability;
15. The permanent injunction's direct attack on the shared marital and corporate estate — including co-founded entities Sean Sprawling Productions LLC and Teak Stage Productions LLC — constituting unilateral destruction of community property without the informed, verifiable consent of both spouses.

II. ADDITIONAL GROUNDS ARISING IN THE APPELLATE RECORD

A. Escalation of Misconduct Into the Appellate Proceeding

The misconduct documented in the Original Motion and the Disqualification Motion has not abated upon appeal — it has escalated. The same patterns that pervaded the trial court proceedings now characterize counsel's appellate conduct: unverified client authority, defective service, resistance to basic verification, and aggressive use of procedural mechanisms against a pro se, indigent appellant.

Counsel has sought and apparently obtained pro hac vice admission to this Court on the identical evidentiary basis — a Zoom screenshot — that Appellant has formally and specifically challenged as legally insufficient and factually suspect. This Court is now in the same position that the trial court was: presiding over a proceeding in which the nominal party on whose behalf appeals are being prosecuted has not been independently, in-person verified to be alive, present, directing, or consenting to this litigation.

B. Appellee Has Been Physically Missing and Uncontactable Since 2022

Andrei George Dunca has been physically missing and uncontactable by Appellant since 2022. A single Zoom call in which someone holds a passport to a camera does not — and cannot — conclusively establish that the person appearing was in fact Andrei Dunca, particularly given counsel's specialization in video technology and AI-based identity manipulation, and the absence of any in-person verification. The SFPD missing person matter has not been closed through the in-person protocol that SFPD's own records require.

C. The Permanent Injunction Constitutes Irreparable Harm to the Marital Estate

The trial court's permanent injunction — which removes Appellant's published memoir from circulation, prohibits operation of websites, and eliminates Appellant's digital presence — directly attacks the shared marital and corporate estate without verifiable authorization from the missing spouse. The prosecuting of this appeal by counsel who cannot establish verified client authorization, in furtherance of a judgment that dismantles joint marital property, represents an ongoing and compounding harm.

D. The Pattern of Bad Faith Warrants Appellate Intervention

Texas appellate courts have inherent authority to regulate the conduct of proceedings before them and to take measures necessary to protect the integrity of the appellate record. *See* Tex. R. App. P. 2; *see also Spears v. Fourth Court of Appeals*, 797 S.W.2d 654 (Tex. 1990). The documented pattern — unverified client authority across eight attorneys, defective service, Zoom-only verification, SFPD record contradiction, common-law marriage conflict, permanent injunction against marital property, suppression of protected speech, and refusal to produce a wet-ink notarized affidavit — is precisely the kind of systemic bad faith that warrants intervention at the appellate level.

III. LEGAL AUTHORITY

A. This Court's Inherent and Rule-Based Authority

This Court possesses inherent authority to regulate attorney conduct in proceedings before it and to refer matters of professional misconduct to appropriate authorities. Texas Rule of Appellate Procedure 2 permits this Court to suspend the operation of any rule to prevent injustice. The State Bar Act, Tex. Gov't Code § 81.072, authorizes courts to refer attorneys for disciplinary investigation. TDRPC 1.02(a) requires that the attorney abide by the client's decisions concerning the objectives of representation, and that such representation be affirmatively authorized by the client — a requirement counsel has persistently refused to satisfy.

B. Failure to Establish Verified Authority — TRCP 12

Texas Rule of Civil Procedure 12 mandates that upon an attorney's failure to show "sufficient authority," the court shall refuse to permit the attorney to appear and shall dismiss unauthorized pleadings. The collective and sustained refusal by eight legal professionals to produce a wet-ink retainer or declaration of engagement, despite requests dating from November 2024, is not a clerical oversight — it triggers the mandatory remedy under TRCP 12 and supports referral for disciplinary investigation.

C. Conflict of Interest — TDRPC 1.06

Texas Disciplinary Rule of Professional Conduct 1.06 prohibits representation involving a substantially related matter in which the attorney's duties create a significant risk of material limitation on the ability to represent the client. Texas courts treat disqualification as the appropriate remedy when an incurable conflict is established. *See In re EPIC Holdings, Inc.*, 985 S.W.2d 41 (Tex. 1998). Counsel's representation of the missing spouse against the present spouse — in a matter directly attacking the marital and corporate estate — constitutes an incurable conflict under TDRPC 1.06.

D. Candor and Misconduct — TDRPC 3.03 and 8.04

TDRPC 3.03 prohibits making false statements of material fact or law to a tribunal. TDRPC 8.04 prohibits conduct involving dishonesty, fraud, deceit, or misrepresentation. Counsel's representation to this Court that a Zoom screenshot constitutes adequate verification of client identity and authority — when counsel's own specialty is AI-based identity manipulation — and counsel's misrepresentation of the SFPD's protocol for closing a missing person case, raise serious questions under both rules.

E. Crime-Fraud Exception to Attorney-Client Privilege

Where an attorney's representation is undertaken in furtherance of an ongoing crime or fraud, the attorney-client privilege does not apply, and courts are authorized to compel in camera review of privileged communications. *Clark v. United States*, 289 U.S. 1 (1933); *see also In re Grand Jury Proceedings*, 43 F.3d 966 (5th Cir. 1994). The factual record developed in the Original Motion presents a prima facie basis for application of this exception to MLO's files.

F. Elevated Technical Duty and Heightened Authentication Standard

Given the verified and escalating threat of deepfake and AI-generated impersonation documented in Exhibit A to the Original Motion, and given Mudd Law's acknowledged specialization in precisely these technologies, this Court should impose a heightened standard of scrutiny on all digital evidence submitted by or on behalf of counsel. Texas Rule of Evidence 901 requires authentication as a condition precedent to admissibility. Failure to produce native source files and metadata for all disputed electronic evidence — including the Zoom screenshot — constitutes the evidentiary equivalent of spoliation.

IV. EXHIBITS INCORPORATED BY REFERENCE

Appellant expressly incorporates by reference into this Motion all exhibits attached to or referenced in the Original Motion (Clerk's Record, Vol. I, pp. 565–614) and the Disqualification Motion (filed July 17, 2026), including without limitation:

- **Exhibit A** — Expert Forensic Analysis: Digital Kidnapping, AI Impersonation, and SIM Swap Fraud
- **Exhibit B** — Analysis of Mudd Law's Insurmountable Knowledge Bar and Elevated Technical Duty
- **Exhibit C** — Directed Energy / Non-Lethal Technology and the Frey Effect: Medical and Forensic Plausibility
- **Exhibit D** — Federal Agency Referral Correspondence (FBI / IC3, and related agencies)
- **Exhibit F** — Amended Third-Party Petition and Joinder of Additional Corporate and Individual Defendants
- **Exhibit HH** — Memorandum of Law in Support of Motion for Investigation
- **Exhibit KK** — Video Evidence / Contradictory Claims: 420 N. Camden Drive Security Footage (January 2, 2023)

- **Exhibit T —** Mudd Law Pro Hac Vice Motion
- **Exhibit W —** Appellant's Amended Supplemental Declaration (including documentation of 1,695+ hours of litigation-related labor)
- All other lettered exhibits (C through GG and beyond) referenced in the Original Motion

V. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Appellant Rodney Samuel Sprawling, Jr. respectfully prays that this Court grant the following relief:

A. Investigation and Referral

16. REFER Joshua Pagan, Charles Mudd, Mudd Law Offices, and all counsel of record to the State Bar of Texas for investigation into potential violations of Texas Disciplinary Rules of Professional Conduct 1.02, 1.06, 1.16(a)(1), 3.03, 4.04(b)(1), and 8.04, arising from their sustained failure to verify client authority, their reliance on digitally unauthenticated evidence, and their prosecution of a litigation that may be unauthorized by the named Appellee;
17. REFER the matter to appropriate law enforcement or judicial authorities for forensic investigation into the circumstances of Andrei George Dunca's continued missing status, including the potential use of AI-generated synthetic media, deepfake video, SIM-swap fraud, and digital isolation tactics as documented in Exhibit A to the Original Motion;
18. ORDER production, or referral to appropriate federal authority for production, of Call Detail Records (CDRs) and SIM-change history logs for phone numbers associated with Appellee, Joshua Pagan, and Mudd Law Offices, pursuant to the Stored Communications Act, 18 U.S.C. § 2703(d);

B. Admission and Appearance

19. DENY the pro hac vice admission of Joshua Pagan, or in the alternative STAY that admission, pending production of an in-person notarized affidavit bearing a wet-ink signature from Andrei George Dunca, executed before a licensed notary public in the physical presence of a commissioned notary, confirming his retention of Mudd Law and his knowing, voluntary direction of this appeal;
20. ORDER Appellee to demonstrate, through independent, in-person verified documentation, that Andrei George Dunca is alive, legally competent, has authorized this appeal, and has knowingly retained Mudd Law to represent him;
21. DISQUALIFY Joshua Pagan and Mudd Law as counsel for Appellee, or in the alternative ABATE this appeal pending the in-person verification described above;

C. Evidentiary and Forensic Relief

22. IMPOSE a heightened authentication standard on all digital evidence submitted by or on behalf of Mudd Law or Joshua Pagan in this proceeding, requiring production of native source files, device metadata, and chain-of-custody documentation for the Zoom screenshot offered as verification of Appellee's identity;
23. ORDER appointment of an independent forensic examiner to analyze all contested digital media, including the Zoom screenshot, any remote affidavits, and all electronic communications submitted in support of the pro hac vice admission;
24. APPLY the Crime-Fraud Exception to attorney-client privilege and ORDER in camera review of Mudd Law's retainer files, billing logs, internal communications, and client engagement records to determine whether representation is being prosecuted in furtherance of the ongoing criminal conduct documented in the Original Motion;
25. COMPEL production of all communications between Joshua Pagan and Dr. Richard Austin Heafey, PsyD, from January 2022 to present, and any internal Mudd Law communications referencing Dr. Heafey, Kyle Joseph Egan, Richie Vetter, or Victoria Garcia Winder;

D. Protection of Appellant

26. ISSUE a protective order prohibiting further retaliation against Appellant, including through the use of appellate filings as instruments of suppression of Appellant's protected speech, survivor testimony, or memoir *Wallflower of the Year*;

27. ORDER that Appellee cure the recurring "ERROR" service status for Appellant's email address by providing alternative service through U.S. Mail for all future filings in this proceeding, pending resolution of the electronic service deficiency;

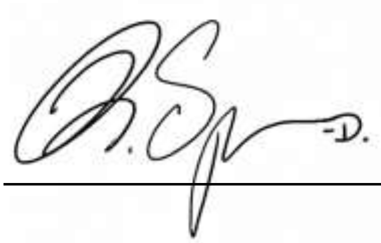
E. General Relief

28. SUSTAIN all prior objections to pro hac vice admission filed July 3, 2026 and July 8, 2026, which remain pending and unanswered;

29. GRANT Appellant such other and further relief, at law or in equity, to which he may be justly entitled, including evidentiary hearings to establish factual findings, judicial findings necessary to safeguard Appellant's rights, and all relief necessary to restore the integrity of these appellate proceedings.

Respectfully submitted,

Respectfully submitted,



Rodney Samuel Sprawling

Appellant, Pro Se

565 Ortega Street

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Email: R.S.Dunca@AndreiGeorgeDunca.Llc

Phone: 346.785.6657

UNSWORN DECLARATION

My name is Rodney Samuel Sprawling, Jr. My address is 565 Ortega Street, San Francisco, California 94122. I declare under penalty of perjury under the laws of the State of Texas that the facts stated in the foregoing Motion are true and correct, to the best of my knowledge and belief.

Executed on this 17th day of July, 2026.

Rodney Samuel Sprawling
Declarant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellant's Motion to Deny Pro Hac Vice Admission and to Disqualify Joshua Pagan and Mudd Law as Counsel for Appellee has been served upon all counsel of record via eFileTexas.gov and/or U.S. First Class Mail on this 17th day of July, 2026, addressed as follows:

Joshua Pagan

Mudd Law

411 S. Sangamon St., Suite 1B

Chicago, Illinois 60607

josh@muddlaw.com

Counsel for Appellee (Pro Hac Vice Movant)

Caryn Gomar / Scott M. Brown & Associates

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Pearland, Texas 77581

caryn@smbattorney.com

Sponsoring / Local Counsel for Appellee

/S/Rodney Samuel Sprawling, Jr.

Appellant, Pro Se

Automated Certificate of eService

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Case Contacts

Name	**BarNumber**	**Email**	**TimestampSubmitted**	**Status**
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Joshua Pagan		josh@muddlaw.com	7/17/2026 4:51:25 PM	SENT
RODNEY SAMUELSPRAWLING		r.s.dunca@andreigeorgedunca.llc	7/17/2026 4:51:25 PM	ERROR

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01-26-00459-CV
FIRST COURT OF APPEALS
HOUSTON, TEXAS
7/20/2026 8:26 PM
DELILAH ALVAREZ
CLERK OF THE COURT

CASE NO. 01-26-00459-CV

IN THE FIRST COURT OF APPEALS

HOUSTON, TEXAS

RODNEY SAMUEL SPRAWLING, JR.,

Appellant,

v.

ANDREI DUNCA,

Appellee.

APPELLANT'S SUPPLEMENTAL MOTION TO DISQUALIFY LOCAL COUNSEL CARYN CARTER GOMAR AND PEGGY SUE BITTICK, AND FOR SANCTIONS FOR BAD FAITH LITIGATION, MISREPRESENTATION TO THE TRIBUNAL, AND FRAUD ON THE COURT

INTRODUCTION

Appellant Rodney Samuel Sprawling, appearing pro se, respectfully submits this Supplemental Motion to Disqualify Local Counsel Caryn Carter Gomar and Peggy Sue Bittick of Scott M. Brown & Associates as counsel for Appellee Andrei Dunca. This motion is filed as a supplement to Appellant's Motion to Deny Pro Hac Vice Admission and to Disqualify Joshua Pagan and Mudd Law filed on July 17, 2026 (the "Disqualification Motion"), and it incorporates by reference all arguments and exhibits contained therein.

The grounds for disqualification of local counsel are distinct and independent from, though related to, those supporting disqualification of pro hac vice counsel Joshua Pagan. Gomar and Bittick, as sponsoring and resident Texas counsel, have: (1) sponsored and advocated for the pro hac vice admission of an attorney whose authority to represent the named Appellee has been formally and repeatedly challenged on the record; (2) advanced through their sponsorship, filings, and continued presence in this case litigation that rests on a deliberately misleading misrepresentation to this Court regarding the character of the sole verification evidence offered to prove Dunca's authority; (3) permitted and enabled a pattern of defective electronic service on Appellant that has persisted across at least three consecutive filings without correction; and (4) continued to prosecute and support a case that has already inflicted irreversible constitutional harm upon Appellant including the suppression of a published book and the elimination of his digital presence harms that cannot be undone regardless of the ultimate outcome of this appeal.

Disqualification of counsel is appropriate not only to protect the integrity of these proceedings, but because the conduct of all counsel of record in this case reflects a coordinated pattern that this Court should not continue to countenance. Where local counsel's role has been to provide the institutional legitimacy and Texas-court access required to enable an out-of-state attorney to engage in the conduct described herein, that local counsel bears independent responsibility for the consequences of that conduct.

I. PROCEDURAL AND FACTUAL BACKGROUND

A. The Underlying Litigation and Its Irreversible Constitutional Consequences.

This appeal arises from a civil action initiated by Appellee Andrei Dunca against Appellant on March 13, 2025, in the 334th Civil Judicial District Court of Harris County, Texas, Case No. 202517063, asserting claims for defamation per se, intrusion upon seclusion, civil stalking under Tex. Civ. Prac. & Rem. Code Chapter 85, and intentional infliction of emotional distress. All counsel of record including Gomar and Bittick of Scott M. Brown & Associates, and Joshua Pagan of Mudd Law - have appeared and actively prosecuted or supported this action.

The trial court entered a Temporary Restraining Order on March 18, 2025, without an evidentiary hearing an order Appellant's Brief demonstrates was a facially unconstitutional prior restraint on speech, press, and the right to petition. [Appellant's Brief, Arg. VII]. The trial court subsequently entered a sweeping Permanent Injunction on March 24, 2026, ordering Appellant to (a) cease publication and sale of his published book; (b) remove websites and all internet content; (c) cease all social media posting about Appellee; and (d) refrain from filing law enforcement reports about Appellee. [Appellant's Brief, App. A]. The court further entered a capias for Appellant's arrest on March 26, 2026, without an evidentiary hearing, directed to Appellant as a pro se litigant appearing from California. [Appellant's Brief, App. B].

The irreversibility of these harms cannot be overstated. Appellant's published book has been suppressed and removed from circulation. Websites and digital content reflecting his personal narrative have been destroyed. His right to publish, speak, and petition has been enjoined by court order. These losses are not compensable in full by a monetary award on remand. Even if this Court reverses the summary judgment in its entirety as Appellant respectfully urges the months of suppressed publication, the reputational damage from the capias, and the loss of Appellant's digital presence during the pendency of this appeal are irretrievable. Local counsel Gomar and Bittick, as the Texas-licensed attorneys who provided the institutional access that made this litigation possible in Texas courts, bear direct responsibility for their role in enabling and sustaining these irreversible harms.

B. Counsel of Record and Their Respective Roles.

Caryn Carter Gomar is an attorney licensed in Texas (TX Bar No. 24050669) with Scott M. Brown & Associates, 6302 W. Broadway St., Suite 250, Pearland, Texas 77581. On July 6, 2026, Gomar filed a two-page Motion for Admission of Joshua Pagan Pro Hac Vice, in which she stated that she finds Pagan to be "a reputable attorney" and recommends that he be granted permission to participate in this proceeding. [Motion for Admission, filed 7/6/2026].

Peggy Sue Bittick is an attorney associated with Scott M. Brown & Associates and has appeared as local counsel of record for Appellee in this proceeding. As resident Texas counsel, Bittick shares with Gomar the obligations of Texas-licensed attorneys supervising and sponsoring the conduct of pro hac vice counsel, including the obligation to ensure that all representations made to this Court by admitted out-of-state counsel are accurate and not misleading.

Katherine Stahl, formerly of Mudd Law and Scott M. Brown & Associates, served as the original resident Texas attorney for Appellee at the trial court level. The trial court record reflects that Stahl was replaced, and the matter was thereafter handled by Mudd Law's Elizabeth Miller, and subsequently by Joshua Pagan, whose admission Gomar now sponsors. This succession of counsel all proceeding without in-person verification of Dunca's existence and authorization is part of the pattern Appellant identifies herein.

II. JOSHUA PAGAN'S REPLY CONTAINS MATERIAL MISREPRESENTATIONS TO THIS COURT CONTRADICTED BY THE RECORD

A. Pagan's Claim That Sprawling Challenged Authority Only Once Is Demonstrably False and Contradicted by Pagan's Own Filing.

In his Reply in Support of his Sworn Motion for Admission Pro Hac Vice, filed July 6, 2026, Pagan represented to this Court: "Although Sprawling did raise or mention the 'issue' of Mudd Law's authority to represent Dunca in several of his procedurally improper filings, the only time he raised it in a motion in accordance with Tex. R. Civ. P. 12 ... was when he filed his Emergency Motion to Compel Verified Authority, In-Person Appearance, Disclosure of Conflicts, and Referral for Investigation ('Motion to Compel') on October 10, 2025." [Reply, at 2,2].

This representation is contradicted by the record in multiple respects and is internally self-defeating.

First, Pagan's own reply acknowledges that Sprawling raised the authority issue in "several of his procedurally improper filings." Having so acknowledged, Pagan cannot simultaneously represent to this Court that Sprawling raised the issue only once. The authority challenge was continuous, documented, and present throughout the trial court record in multiple forms.

Second, the record appended to Pagan's own Reply specifically, Exhibit A, the Emergency Motion to Compel filed October 10, 2025 demonstrates that Appellant raised authority challenges specifically, explicitly, and in extensive documented detail as early as October 10, 2025, in a seven-page motion that invoked Tex. R. Civ. P. 21(a)(c), Tex. R. Civ. P. 166a(f), Tex. R. Evid. 901(a), Tex. Gov't Code § 82.051, and Texas Disciplinary Rules 1.02(a), 3.03(a)(1), 4.04(a), and 8.04(a)(3). That filing expressly demanded a wet-ink signature on an affidavit personally drafted and notarized in person by Dunca. [Emergency Motion to Compel, at § III, 11 1-3]. The Motion also explicitly invoked Appellant's concerns about digital manipulation, AI-generated communications, and the specific technological capabilities of Appellee. [Id., at §§ I.C, I.E, I.F].

Third, and most critically: Pagan's rhetorical strategy of characterizing Sprawling's earlier filings as "procedurally improper" to exclude them from the authority-challenge count is self-defeating. An attorney cannot simultaneously argue that a litigant's earlier filings were improper and therefore do not count as proper authority challenges, while also relying on the same characterization of those filings as "baseless" and "speculative" to paint a picture of the litigant's broader conduct. Pagan selected one framing when it favored the admission motion and the opposite framing when it did not. This selective invocation of the record is a misrepresentation of the record's actual contents to this Court.

Fourth, and most decisively: the trial court itself already ruled on this question and ruled against Mudd Law. The Clerk's Record confirms that the 334th Civil Judicial District Court denied Mudd Law's Motion to Strike Sprawling's filings. [Clerk's Record, p. 221; see also Order Denying Sanctions, signed October 22, 2025, Clerk's Record, p. 461]. The trial court's denial of the Motion to Strike is a judicial determination on the merits that Appellant's filings were procedurally cognizable and worthy of consideration by the court of record. Appellant's own subsequent filings in the trial court which are themselves part of the Clerk's Record before this Court explicitly characterized the trial court's denial in precisely those terms: "Petitioner's counsel repeatedly characterizes Respondent's filings as 'frivolous,' despite the Court's denial of their Motion to Strike. This denial is a judicial determination that Respondent's filings are procedurally valid and worthy of consideration." [Clerk's Record, p. 221]. And again: "The denial of Petitioner's Motion to Strike confirms that Respondent's filings are procedurally valid." [Clerk's Record, p. 226].

This is dispositive. Pagan came before this Court and represented that Sprawling's filings were "procedurally improper" the identical characterization that the trial court rejected when it denied the Motion to Strike. The trial court had the complete record before it. It considered the filings. It declined to strike them. That judicial determination is part of the Clerk's Record before this Court. Pagan's repetition of the "procedurally improper" label to this Court - without disclosing that the trial court had already rejected that characterization and denied the Motion to Strike is not a good-faith advocacy position. It is a misrepresentation by omission of a material judicial ruling directly relevant to the credibility of the argument Pagan was making. Texas Disciplinary Rule of Professional Conduct 3.03(a)(1) prohibits a lawyer from making a false statement of material fact or law to a tribunal. A lawyer who characterizes an opposing party's filings as "procedurally improper" while omitting that the court of record below denied a motion to strike those very filings has made a materially incomplete and therefore misleading representation to the tribunal.

That conduct, engaged in before this Court in a sworn reply in support of pro hac vice admission, is an independent basis for this Court to deny admission and sanction counsel.

Taken together, these four grounds the continuous and documented authority challenges throughout the record, the self-defeating dual framing, the selective invocation, and the trial court's own denial of the Motion to Strike - establish that Pagan's representations to this Court regarding the character of Appellant's filings are factually inaccurate and materially misleading.

B. The "Irrefutable Evidence" Claim Is a Misrepresentation: Dunca's Affidavit Was Notarized Remotely Online, Not In Person.

This is the most critical contradiction in the record and the most significant misrepresentation made to this Court by opposing counsel.

In his Reply, Pagan represented: "Mudd Law previously submitted irrefutable evidence proving its authority." [Reply, Intro., at 2]. Pagan's Reply then cites as this "irrefutable evidence" the Affidavit of Andrei Dunca filed September 24, 2025, and Pagan's own Declaration filed October 14, 2025. [Reply, Arg. I, at 3].

Examination of the Dunca Affidavit specifically, the Notarization Acknowledgment appearing at Page 4 of 4 of the Affidavit reveals the following:

ONLINE NOTARIZATION ACKNOWLEDGMENT

State of Florida

County of BROWARD

Subscribed to and sworn before me by Andrei Dunca, who personally appeared before me by means of an interactive two-way audio and video communication, on this 24th day of September, 2025.

[Electronic Signature of Notary Public] Notary Public, State of Florida

Online Notary Public ID No. HH584464

My commission expires: 08/19/2028

Notarized remotely online using communication technology via Proof.

[Affidavit of Andrei Dunca, filed September 24, 2025, at p. 4 (emphasis added)].

This is remote online notarization not in-person notarization. The notary, identified as Florida Online Notary Public ID No. HH584464, never met Andrei Dunca in person. The notarization was conducted via "interactive two-way audio and video communication" through the platform identified as "Proof" a remote online notarization technology service. The notary's acknowledgment is not a traditional, in-person notarial act. It is precisely the species of digital-only, remote-video verification that Appellant has objected to throughout this litigation as insufficient to establish the identity and authorization of a person whose physical whereabouts have been contested since 2022.

Pagan's representation that this document constitutes "irrefutable evidence" when the affidavit's own notarization acknowledgment discloses that it was executed via remote video technology and signed electronically, by a person Pagan himself has acknowledged he has never met in person is a material misrepresentation to this Court. The document does not establish in-person identity verification. It does not establish that the individual who appeared on the Proof platform video was in fact Andrei George Dunca. The notary verified only that someone appeared via video claiming to be Dunca. This is not irrefutable. It is, by definition, the same category of digital-only, remotely-conducted verification that Appellant has specifically, repeatedly, and formally challenged as inadequate.

By representing to this Court that a remotely-notarized, electronically-signed affidavit constitutes "irrefutable evidence" while simultaneously arguing that Appellant's concerns about remote digital verification are "speculation" and "unsupported accusations" Pagan made contradictory representations to this Court. In so doing, he misrepresented the nature of the sole verification evidence in the record. This Court is entitled to know that the affidavit Pagan characterized as "irrefutable" was notarized remotely online by a Florida online notary who never physically encountered the declarant.

C. Pagan's Certificate of Service Contains an Internal Inconsistency That Supports a Finding of Defective Service.

Pagan's Certificate of Service appended to his Reply lists Appellant's email address as both ssp.llc.me@gmail.com and r.s.dunca@andreigeorgedunca.llc, and certifies service on both. [Reply, Cert. of Service, at 7]. However, the Automated Certificate of eService generated by the eFileTexas system for the same filing, dated July 6, 2026, shows only one Sprawling address captured (r.s.dunca@andreigeorgedunca.llc), with status "ERROR." [Reply, Auto. Cert. of eService, at 54]. The ssp.llc.me@gmail.com address does not appear in the automated eService log at all.

This discrepancy means either: (a) Pagan's manual certificate of service certifies service by a method that did not occur through the eFileTexas system; or (b) the eFileTexas system failed to capture and deliver to both addresses. In either case, the result is that Appellant's receipt of the filing through the official electronic filing system was documented as an ERROR, while Pagan certified service under oath. Pagan's certification of service while the automated system simultaneously recorded an ERROR for Appellant's registered address and while the alternate gmail address does not appear in the automated log undermines the reliability of any manual service certification by Pagan in this case.

III. THE RECURRING ESERVICE ERRORS CONSTITUTE A PATTERN OF DEFECTIVE SERVICE NEVER CORRECTED BY ANY COUNSEL

The following three consecutive Automated Certificates of eService, all filed through the official eFileTexas system, reflect a pattern of documented electronic service failure on Appellant that no party including Gomar, Bittick, and Pagan has taken any affirmative step to cure:

First: The eService Certificate for Appellant's Brief, filed June 25, 2026, records the following for Appellant's address r.s.dunca@andreigeorgedunca.llc: Status - ERROR. [Appellant's Brief, Auto. Cert. of eService, at last page].

Second: The eService Certificate for Gomar's Motion for Admission of Pro Hac Vice, filed July 6, 2026, records the following for "RODNEY SAMUEL SPRAWLING" at r.s.dunca@andreigeorgedunca.llc: Status ERROR. [Motion for Admission, Auto. Cert. of eService].

Third: The eService Certificate for Pagan's Reply in Support of Pro Hac Vice Motion, filed July 6, 2026, records the following for "RODNEY SAMUEL SPRAWLING" at r.s.dunca@andreigeorgedunca.llc: Status ERROR. [Reply, Auto. Cert. of eService, at 54].

Three consecutive filings, across at least three separate filing events, have produced documented eService ERRORS for Appellant. This pattern has persisted for at least three weeks without any attorney of record filing a corrective notice, attempting alternative service, or alerting this Court to the ongoing service failure. As a result, an indigent pro se litigant has been systematically denied reliable electronic notice of filings in his own appeal while opposing counsel continued briefing and advocacy.

Gomar, as resident Texas counsel and the party responsible for the Motion for Admission filing that itself generated an ERROR for Appellant, had a direct professional obligation under Texas Disciplinary Rule 3.04(d) and Texas Rules of Appellate Procedure Rule 9.5 to ensure service was actually accomplished. Her continued silence regarding the service ERROR on her own filing and her failure to file any notice of corrected service is an independent ground for sanction.

In addition to the recurring ERROR status for Appellant's address, a cross-examination of the Automated Certificates of eService across all filings in this appeal reveals a second, independently significant pattern: Appellee Andrei George Dunca himself is inconsistently and selectively notified of filings made in his own name a pattern that directly undermines counsel's claim that Dunca is actively directing this litigation.

A. Dunca Is Entirely Absent From the eService Certificate on Pagan's Own Reply.

The Automated Certificate of eService appended to Gomar's Motion for Admission of Pro Hac Vice, filed July 6, 2026 at 1:11 PM, lists the following Case Contacts with a SENT status: Caryn Gomar (caryn@smbattorney.com); Joshua Pagan (josh@muddlaw.com); Joshua Martinez (Josh@smbattorney.com); and ANDREI GEORGEDUNCA (ANDREI@DUNCA.NAME). [Motion for Admission, Auto. Cert. of eService, Envelope ID: 116964594]. Dunca appears as a registered Case Contact in the eFileTexas system and received electronic delivery of Gomar's filing.

The Automated Certificate of eService appended to Pagan's Reply in Support of his Sworn Motion for Admission Pro Hac Vice, filed July 6, 2026 at 1:03 PM the same day, by the same counsel team, in the same proceeding lists only two Case Contacts: Caryn Gomar (caryn@smbattorney.com) and RODNEY SAMUEL SPRAWLING (r.s.dunca@andreigeorgedunca.llc STATUS: ERROR). [Reply, Auto. Cert. of eService, Envelope ID: 116964052]. Andrei George Dunca is completely absent from the eService certificate on Pagan's own Reply. He was not listed. He was not served. He received no electronic delivery of the filing that Joshua Pagan submitted in his name to support Pagan's own admission to practice before this Court.

This is not a minor clerical discrepancy. Pagan's Reply is the most substantive document in the pro hac vice admission record. It is the filing in which Pagan represented to this Court that Mudd Law has "irrefutable evidence" of its authority to represent Dunca. It is the filing in which Pagan characterized Appellant's objections as meritless. It is the filing that, if accepted by this Court, results in a licensed attorney being granted the privilege of appearing before this Court on behalf of a named party. And it is the filing from which the named party himself - Andrei George Dunca was entirely excluded from electronic service.

B. The Inconsistency Creates an Irreconcilable Contradiction With Counsel's Claim That Dunca Is Actively Directing This Litigation.

Pagan's position before this Court is that Dunca is alive, present, engaged, and actively directing this litigation. [Reply, Arg. I, at 3; Affidavit of Andrei Dunca, 7]. If that is true if Dunca is a present, engaged client who is directing counsel's strategy in real time then there is no coherent explanation for why Pagan would file his own Reply in support of his own admission without serving that Reply on his client. An actively engaged client has a right to know what his attorneys are filing in his name. He has a right to review the representations being made to this Court on his behalf. He has a right to correct, approve, or object to those representations before they are submitted. The complete omission of Dunca from the eService on Pagan's own Reply is consistent with only one of two conclusions: either (a) Pagan does not have a reliable, direct digital communication channel through which he can serve filings on Dunca, which directly contradicts Pagan's claim that Dunca is accessible and directing this appeal; or (b) Pagan knows, or has reason to know, that Dunca is not in a position to receive, review, or respond to filings in this proceeding, and Pagan chose not to serve him accordingly.

Neither conclusion supports Pagan's admission to practice before this Court. Both conclusions support the relief Appellant requests.

C. The ANDREI@DUNCA.NAME Email Address Is an Unverified Custom Domain That Does Not Establish Dunca's Receipt, Comprehension, or Direction of These Proceedings.

On Gomar's Motion for Admission, the eFileTexas system records a SENT status for ANDREI@DUNCA.NAME. This is the email address registered in the case system for Andrei Dunca. The domain dunca.name is a custom domain registered to and exclusively controlled by an unknown party. The SENT status in the Automated Certificate of eService confirms only one thing: that the eFileTexas system successfully transmitted an email to that address. It does not confirm that any human being received it. It does not confirm that the person who received it is Andrei George Dunca. It does not confirm that the recipient read it, understood it, or took any action in response to it. It does not confirm that Andrei George Dunca controls the dunca.name domain, that he maintains access to the ANDREI@DUNCA.NAME mailbox, or that anyone is actively monitoring that inbox on his behalf.

If Andrei George Dunca has been physically uncontactable since 2022, as the record establishes [Appellate Response, July 8, 2026, § II], then the question of who controls the ANDREI@DUNCA.NAME email address and who has been reading the court filings delivered to it for the duration of this appeal is not a hypothetical. It is a live, unresolved, and material factual question. A SENT status in an automated eService log does not answer it.

D. The eService Record Creates a Self-Referential Closed Loop That Cannot Establish Independent Verification of Dunca's Participation.

Pagan's claimed authority to represent Dunca rests entirely on digital communications emails, video calls, and the remotely online-notarized affidavit executed via the Proof platform.

The court system's delivery of filings to Dunca likewise flows entirely through a digital channel the ANDREI@DUNCA.NAME email address. These are not independent channels of verification. They are the same channel. The person or system that controls the ANDREI@DUNCA.NAME mailbox receives both Pagan's direct communications and the court system's eService transmissions. If that person or system is not Andrei George Dunca if that address is being monitored and controlled by a third party, or if it is functioning as an automated relay with no human recipient then the entire electronic record of Dunca's participation in this litigation, including both the communications by which Pagan claims to have received authorization and the court filings that were nominally "served" on Dunca, passes through a single unverified digital choke point that this Court has never independently examined.

The self-referential nature of this loop is precisely why Appellant has demanded an in-person notarized affidavit bearing a wet-ink signature, executed before a licensed notary public in person. An in-person notarized affidavit cannot be generated by an email account. It cannot be produced by a video platform. It cannot be fabricated through a remote online notarization service operating at the direction of whoever controls a custom domain. It requires a living human being to appear physically before a licensed notary, present verifiable government-issued identification in person, and sign the document in the notary's physical presence. That is the one form of verification that breaks the digital loop. And it is the one form of verification that Mudd Law has refused, across three formal objections and the entirety of this appeal, to provide.

IV. GOMAR'S MOTION FOR ADMISSION IS LEGALLY INSUFFICIENT AND CONSTITUTES AN ABDICATION OF SPONSORING COUNSEL'S RESPONSIBILITY

Texas Rule Governing Bar Admission 19 imposes a gatekeeping function on the Texas-licensed attorney who sponsors a pro hac vice applicant. By filing a motion for pro hac vice admission, sponsoring counsel vouches to the Court for the applicant's fitness and the legitimacy of the representation. The motion filed by Gomar on July 6, 2026, is two pages in length and contains, beyond the administrative elements of the motion, only the following substantive statement: "I find Pagan to be a reputable attorney and recommend that he be granted permission to participate in this particular proceeding before the Court." [Motion for Admission, at 1].

At the time Gomar filed this motion, the record already contained Appellant's Objection to Pro Hac Vice Admission filed July 3, 2026, raising specific, documented, substantive concerns about Pagan's authority to represent a missing client, defective electronic service, and a material conflict of interest arising from the common-law marital estate. Gomar filed her endorsement motion three days after those objections had been formally placed in the record. Her two-paragraph endorsement made no reference to the pending objections, offered no independent verification of Dunca's authorization of Pagan's representation, and provided this Court with no basis to assess the legitimacy of the underlying attorney-client relationship independent of Pagan's own sworn motion and its contested exhibits.

A sponsoring attorney who endorses pro hac vice admission without addressing formal, pending, documented objections to the applicant's authority and without conducting any independent inquiry into those objections has not fulfilled the gatekeeping role that Rule 19 assigns to resident Texas counsel. Gomar's bare two-paragraph endorsement, filed with full knowledge of the pending objections, does not satisfy this obligation and itself warrants scrutiny by this Court.

V. LOCAL COUNSEL HAVE ENABLED BAD FAITH LITIGATION CAUSING IRREVERSIBLE HARM ACROSS EVERY DOMAIN OF APPELLANT'S LIFE

A. The Scope of Irreversible Harm Is Total: Constitutional Rights, Property, Business, Professional Network, Liberty, and Psychological Wellbeing.

The irreversible harm inflicted upon Appellant through this litigation is not confined to any single category. It spans every dimension of his life the creative, the financial, the professional, the relational, the psychological, and the constitutional. The Court is respectfully urged to consider each category independently and in its totality, because no appellate victory at any future date can restore what has already been taken from Appellant during the pendency of these proceedings.

1. Suppression of a Published Literary Work Permanent Loss of Authorship and Royalties.

On August 28, 2025, Appellant published his book, EXPOSÉ: WALLFLOWER OF THE YEAR: ESRĀ DUNCA-SPRAWLING a first-person memoir-style narrative written in his own voice, constituting protected expression under the First Amendment. [Appellant's Brief, Statement of Facts, § B; App. A; Arg. III]. The permanent injunction entered on March 24, 2026 ordered the immediate cessation of publication and sale of this work and required its removal from all commercial channels. [App. A]. The suppression of a published literary work is among the most historically disfavored harms in constitutional jurisprudence. Near v. Minnesota, 283 U.S. 697, 713 (1931). The harm has occurred. The book has been removed from sale. The months during which readership, reviews, distribution networks, and royalty income could have been established are permanently lost. Royalties not earned during the suppression period cannot be recaptured retroactively. A reversal of the injunction restores the right to publish going forward; it cannot restore the months of suppressed publication that have already elapsed.

2. Destruction of Digital Property Websites and Online Presence.

The permanent injunction ordered Appellant to remove from the internet all websites and digital content referencing Appellee, including the websites andrei-dunca-abuse.com and daisydaisy333.com, which Appellant created and maintained as platforms for his personal expression. [Appellant's Brief, Statement of Facts, § B; App. A]. These websites represented Appellant's digital property built and maintained at personal cost and effort over time. Domain reputations, search engine indexing, inbound links, readership networks, and the archived record of Appellant's public expression are not restored by the reinstatement of a domain name. The digital property destroyed by these orders cannot be reconstituted in the form it existed before the injunction.

3. Elimination of Social Media Presence Facebook, LinkedIn, and All Platforms.

The injunction additionally prohibited Appellant from posting any online content about Appellee across all social media platforms, effectively silencing his Facebook and LinkedIn presence. [Appellant's Brief, Statement of Facts, § B; App. A]. For an individual whose professional identity, creative work, and personal narrative were intertwined with his online expression, the enforced silence across social media platforms during the pendency of this litigation represents a sustained, compelled erasure of his public voice. Connections not made, professional opportunities not discovered, and audiences not reached during the suppression period represent irretrievable losses in professional networking, visibility, and economic opportunity.

4. Destruction of Co-Founded Business Enterprises.

The litigation directly attacked and dismantled the co-founded corporate entities of the parties including companies established during the course of the parties' nine-year relationship which constituted shared business assets of the common-law marital estate, including Sean Sprawling Productions LLC and Teak Stage Productions LLC. The injunction's prohibition on Appellant's online presence, communications, and publications effectively stripped him of his ability to operate, promote, or sustain any business enterprise dependent on his public identity, name recognition, or digital presence. The business value destroyed including ongoing ventures, professional relationships, revenue streams, and the goodwill associated with Appellant's creative and corporate work cannot be restored by a future judgment in his favor. A reversal of the summary judgment does not reconstruct businesses that ceased to operate during the litigation.

5. Severance of Professional Network and Industry Relationships.

The sweeping permanent injunction prohibits Appellant from contacting not only Appellee, but also Appellee's "agents, friends, family, or romantic partners." [Appellant's Brief, App. A; Arg. VII, § C]. This extraordinary prohibition severs Appellant's access to an entire network of personal and professional connections accumulated over the course of a nine-year intimate relationship. Professional contacts, collaborators, mutual friends, and industry relationships developed during or through that relationship have been placed off-limits by court order. A reversal on the merits cannot retroactively restore those relationships or the professional and economic opportunities foreclosed during the period of enforced silence.

6. Loss of Real Property and Forced Transfer of Community Estate Assets.

The record documents real property assets forming part of the parties' shared estate that have been lost or coerced away from Appellant through financial coercion and legal obstruction. Appellant documented in the trial court record that he was coerced under duress to sign away his rights to property located at 7711 Mulholland Drive a transfer accomplished through threats of forced bankruptcy by Appellee. [Clerk's Record, Vol. 1, Emergency Motion to Compel Verified Authority, § I.B, 4]. In addition, two Texas Statutory Durable Powers of Attorney executed by Appellee in January and February 2019 appointed Appellant as agent for real property at 5702 Spanish Oak Drive, Houston, Texas 77066 and 5823 Queensgate Drive, Houston, Texas 77066. [Affidavit of Andrei Dunca, filed September 24, 2025, 14-15; Ex. B-C]. These Texas properties constitute documented real estate transactions between the parties that form part of the community estate Appellant has been procedurally barred from addressing. No appellate reversal reconveys property coerced away under duress.

7. A $385,000 Fraudulent Financial Transfer Facilitated by AI-Like Communications.

The record documents a $385,000 financial loss suffered by Appellant as a direct result of coercion involving what Appellant has characterized as AI-generated or AI-manipulated communications. Specifically, communications purportedly from Appellee including a suspicious AI-like video were used to approve a loan transaction facilitating a $385,000 transfer to Appellant's former landlord, Yuri Spiro, after which the promised repayment was never made. [Clerk's Record, Vol. 1, Emergency Motion to Compel, § I.B, 4-5]. This financial loss has not been adjudicated, compensated, or acknowledged in these proceedings because the very litigation Mudd Law has prosecuted reframed Appellant's documented financial victimization as harassment of Appellee. No ruling in this appeal restores that $385,000.

8. Systematic Destruction of Physical Evidence and Surveillance Records.

The record reflects a pattern of physical evidence destruction that has permanently foreclosed Appellant's ability to substantiate key elements of his claims. Specifically, Appellant's landlord, Yuri Spiro, removed hard drives from building surveillance cameras and disabled Appellant's personal security cameras by shutting off internet access. [Clerk's Record, Vol. 1, Emergency Motion to Compel, § I.C, 7]. Additionally, Appellee's assistant, Victoria Garcia-Winder, who had access to Appellant's personal camera system, failed to archive or review surveillance footage, resulting in permanent loss of potentially incriminating evidence. [Id.]. Destroyed surveillance footage cannot be recreated. An appellate reversal cannot restore evidence that no longer exists.

9. False Arrest and Detention Under a Fabricated Name.

The record documents that Appellant was arrested and booked under the false name "Anthony Sprawling" a name provided by landlord Yuri Spiro rather than his legal name. [Clerk's Record, Vol. 1, Emergency Motion to Compel, § I.D, 9-10]. Despite Appellant's insistence that the error be corrected, the false name was maintained throughout the intake process. Appellant was denied access to legal counsel and his bail was inexplicably increased overnight. [Id., 11]. A false arrest entered into the public record under a fabricated name, occurring during the same period as the escalating civil litigation, represents an irreversible harm to Appellant's liberty, dignity, and legal record. No appellate reversal expunges an arrest record.

10. Public Capias - Irreversible Reputational Harm and Threat to Liberty.

On March 26, 2026, the trial court issued a capias directing the Harris County Sheriff to arrest Appellant and confine him in the Harris County Jail for up to six months without an evidentiary hearing. [Appellant's Brief, App. B; Arg. VIII, § C]. The capias is a public court record, accessible to anyone performing a records search. The reputational harm caused by a public arrest warrant cannot be erased by a successful appeal. Employers, business partners, collaborators, and landlords who encounter the capias in public records are not bound by this Court's eventual ruling.

11. Two Contempt Orders Permanently on the Public Record.

Two Indirect Civil Contempt Orders have been entered against Appellant on December 30, 2025 [App. D] and March 26, 2026 [App. B] both permanently part of the public record of this litigation, accessible to anyone conducting a legal or background search of Appellant's name. Their reputational consequences persist regardless of this Court's ruling on appeal.

12. Financial Devastation, Housing Instability, and Declared Indigency.

As documented in Appellant's filings of July 3 and July 8, 2026, Appellant is a verified indigent party currently experiencing severe housing instability and financial destitution. [Objection to Pro Hac Vice Admission, filed July 3, 2026, § I]. The financial harm caused by this litigation including the cost of defending a four-count civil action, the loss of book sales revenue, the destruction of business income, and the ongoing burden of appellate proceedings has contributed directly to the financial devastation Appellant has experienced. The loss of a home, the destruction of financial stability, and the prolonged state of economic destitution cannot be remedied by a judgment of reversal. These harms are already irreversible.

13. Psychological Harm, Mental Anguish, and Documented Trauma.

Appellant's conduct throughout this case arose in the context of a nine-year intimate relationship that ended in 2021, after which Appellant experienced documented psychological distress. [Appellant's Brief, Arg. III, § C; Arg. IV, § C]. The litigation itself the TRO entered without a hearing; the contempt orders; the capias; the summary judgment stripping Appellant of his voice, his book, and his business; and the ongoing experience of being an indigent pro se litigant facing a team of attorneys has compounded and extended that psychological harm across the duration of these proceedings. Mental anguish and psychological trauma sustained over months and years of litigation are not remedied by a reversal on the merits.

14. Suppression of the Right to Petition Enjoined From Contacting Law Enforcement.

The permanent injunction prohibits Appellant from filing any report with any law enforcement agency concerning Appellee. [Appellant's Brief, Arg. VII, § C; App. A]. This is a prohibition on the right to petition the government for redress among the most fundamental rights secured by the First Amendment. U.S. Const. amend. I. The months during which Appellant has been legally barred from contacting law enforcement about matters concerning Appellee represent a period during which his right to seek governmental protection was extinguished. That lost period cannot be recovered.

15. Chilling Effect on All Future Expression.

Having been subjected to a permanent injunction, two contempt orders, and a capias for the expression he engaged in before and during this litigation, Appellant faces a future in which the exercise of his First Amendment rights carries the demonstrated risk of contempt, confinement, and public legal action. The deterrent effect of this litigation on Appellant's future willingness to publish, speak, and petition is itself an irreversible harm one that operates silently long after any appellate ruling.

16. The Permanent Injunction Directly Impedes an Active Missing Persons Investigation and Forecloses All Inquiry Into Appellee's Safety and Whereabouts.

This category of harm is unique to this case and of singular legal significance, because it describes harm actively caused by the injunctive relief itself, operating in real time against the very interest justice requires be protected.

The permanent injunction expressly prohibits Appellant from "filing any reports with law enforcement concerning Appellee" and from contacting Appellee's "agents, friends, family, or romantic partners." [App. A]. Appellant is the common-law husband of Andrei George Dunca under Texas Family Code § 2.401 a man who has been physically uncontactable by Appellant since 2022. [Objection to Pro Hac Vice Admission, July 3, 2026, § I; Appellate Response, July 8, 2026, § II]. The San Francisco Police Department opened a missing persons case concerning Dunca. Appellant has personally verified with the SFPD that official protocol requires an in-person interview to close such a case, and that no record of the claimed closure video call exists in the official SFPD file. [Appellate Response, July 8, 2026, § II].

The practical consequence of this injunction, applied to these specific facts, is staggering: a Texas court order has made it a civil violation for the spouse of a potentially missing person to file a law enforcement report seeking information about that person's safety and whereabouts. The injunction has not merely silenced Appellant's speech it has legally barred him from doing the one thing any spouse of a missing person has a fundamental right and moral obligation to do: seek governmental assistance in locating them.

The injunction's prohibition on contact with Dunca's agents, friends, family, and romantic partners eliminates every informal avenue through which Appellant might seek information about Dunca's welfare. If Andrei George Dunca is in danger, or has been harmed, or is being held against his will, the permanent injunction obtained and maintained by attorneys who cannot verify their client's physical existence through anything other than a remote video platform has legally disabled the one person with the most personal knowledge of Dunca's life from taking any action to locate or protect him. Time lost in a missing persons investigation cannot be recovered. Evidence degrades. Witnesses' memories fade. Trails go cold. A court order that has impeded a missing persons inquiry during a critical window of time has caused harm that no subsequent reversal can undo.

17. The Catastrophic and Irreversible Consequences If Appellee Is in Fact Missing, Incapacitated, or Has Been Harmed.

This Court is respectfully asked to confront directly a possibility that the record raises but that no party in this litigation has been willing to name plainly: the possibility that Andrei George Dunca is not voluntarily directing this litigation not because he has willingly delegated it, but because he is no longer in a position to direct it at all.

The record discloses the following documented facts, each of which is individually remarkable, and which together constitute a pattern this Court cannot responsibly ignore:

First: Andrei Dunca has been physically uncontactable by Appellant - his spouse of over a decade since 2022. No in-person contact between Dunca and any attorney of record has ever been documented. [Appellate Response, July 8, 2026, § II].

Second: The SFPD opened a missing persons case concerning Dunca. Counsel's claim that this case was closed via a Zoom video call is directly contradicted by SFPD's official protocol requiring in-person closure interviews, and there is no record of the claimed call in the official SFPD file. [Id.].

Third: Three successive Mudd Law attorneys Katherine Stahl, Elizabeth Miller, and Joshua Pagan have represented Dunca in this matter. None has ever met him in person. The total inperson verification of Dunca's existence and authorization is zero. [Declaration of Joshua Pagan, October 14, 2025, 6-9].

Fourth: The sole affidavit purportedly executed by Dunca - filed September 24, 2025 contains the extraordinary statement that "I am alive and in overall good physical health." [Affidavit of Andrei Dunca, 7]. An individual who is unambiguously present and safe does not ordinarily need to begin an affidavit by affirming that he is alive. That counsel felt it necessary to include this statement reflects awareness that whether Dunca is alive is a live and contested issue in this record.

Fifth: That same affidavit was notarized remotely online via the "Proof" platform by Florida Online Notary ID HH584464 a person who never physically encountered Andrei Dunca and verified identity only through two-way audio and video communication. Appellee co-founded LiveRail, a video software company sold to Facebook for an estimated $500 million in 2014, the infrastructure of which is being used to develop artificial intelligence technology and Appellee's colleagues subsequently founded Bluefish AI. [Clerk's Record, Emergency Motion to Compel, § I.E, 12-13]. The possibility that a remote video notarization conducted through a consumer technology platform does not conclusively verify the physical existence and identity of the declarant is not speculation. It is a reasonable, documented, good-faith concern grounded in Appellee's actual technical capabilities.

Sixth: The final communication Appellant received from Dunca before his disappearance was "an abrupt, suspicious video conference that lacked the human characteristics of the man Appellant has known for over a decade." [Appellate Response, July 8, 2026, § II].

If Andrei George Dunca is missing, incapacitated, deceased, or being controlled by third parties, then this litigation every motion filed, every contempt order entered, every page of Appellant's book suppressed, every law enforcement report barred has been prosecuted in the name of a person who did not and could not authorize it. The harm of that scenario to Appellant is not merely irreversible; it is of a categorically different order than ordinary litigation error. A person whose spouse has been harmed or has disappeared, who sought for years to locate that person and alert authorities, and who was instead subjected to a permanent injunction, two contempt orders, a public capias, financial devastation, and the destruction of his literary work based on litigation brought in the name of the missing person by attorneys who never met him in person has suffered a harm for which no word in the law of remedies is adequate. No reversal, no damages award, no apology can restore the years lost, the warnings silenced, or the investigation impeded.

B. Irreversibility Is an Independent Basis for Disqualification.

The doctrine of disqualification exists not only to remedy current misconduct but to prevent a party from continuing to benefit from counsel whose conduct has already infected the proceedings. Courts have recognized that where an attorney's participation in litigation has produced harm that cannot be fully remediated on remand including suppression of First Amendment expression, destruction of digital property, and reputational harm disqualification serves the dual purpose of restoring the integrity of the proceedings and preventing further compounding of irreparable harm. See generally Spears v. Fourth Court of Appeals, 797 S.W.2d 654, 656 (Tex. 1990).

Here, across seventeen documented and distinct categories of irreversible harm, no appellate victory restores what has already been lost. The suppressed book is already off the shelves. The destroyed websites are already gone. The capias is already in the public record. The two contempt orders are already permanently filed. The professional network is already severed. The businesses are already dismantled. The real property is already gone. The $385,000 is already transferred. The surveillance evidence is already destroyed. The home is already lost. The psychological harm has already been suffered. The missing persons investigation has already been impeded for years. And if the worst has occurred if Andrei Dunca has been harmed - no court order in any proceeding can return him, or return the years during which this litigation silenced the one person who was trying to find him. Appellate reversal can stop the bleeding going forward. It cannot transfuse what has already been lost. Local counsel who sponsored, filed, and supported the motions and judgments that produced these seventeen categories of irreversible outcomes cannot be permitted to continue in their role as if their conduct had no consequence. Disqualification is appropriate, and the Court should enter such an order.

C. Continued Representation Would Compound the Harm.

Gomar and Bittick remain as counsel of record. If Pagan's pro hac vice admission is denied or stayed, all further filings and appellate advocacy on Appellee's behalf will run through local counsel. Given the pattern of conduct described herein misrepresentations to the tribunal, chronic defective service, a bare-endorsement admission motion filed in the face of pending documented objections, and prosecution of litigation causing seventeen documented categories of irreversible harm to a pro se indigent Appellant this Court should not permit Gomar and Bittick to continue as the vehicle through which this appeal is prosecuted. Each additional filing by counsel, prosecuted without verified authorization from a missing Appellee and in support of judgments that have already inflicted irreversible harm across every domain of Appellant's life, compounds the injury that began on March 18, 2025. To permit their continued representation would reward counsel's bad faith with continued access to the Court's processes, to the further prejudice of a pro se, indigent Appellant who has already lost more than any appellate reversal can return.

VI. SANCTIONS ARE WARRANTED UNDER TEX. R. APP. P. 45

Texas Rule of Appellate Procedure 45 authorizes this Court to award damages as sanctions if, after notice and a reasonable opportunity to respond, the Court determines that an appeal is frivolous. More broadly, Texas courts possess inherent authority to sanction counsel for fraud on the court and for conduct that interferes with the fair administration of justice. Metzger v. Sebek, 892 S.W.2d 20, 51 (Tex. App.-Houston [1st Dist.] 1994, writ denied).

The conduct described in this Motion specifically, the misrepresentation to this Court that a remotely-online-notarized affidavit constitutes "irrefutable evidence" of in-person identity verification, when the document's own notarial acknowledgment discloses that it was notarized via two-way audio/video technology through the platform "Proof" by Florida Online Notary ID HH584464 constitutes at minimum a misleading representation to the tribunal within the meaning of Texas Disciplinary Rule of Professional Conduct 3.03(a)(1) (prohibiting a lawyer from making false statements of material fact to a tribunal). It further constitutes, at maximum, the type of deliberate mischaracterization of evidence that courts have treated as fraud on the court. See Browning v. Prostok, 165 S.W.3d 336, 346 (Tex. 2005) (recognizing fraud on the court as conduct that prevents the opposing party from fully and fairly presenting his case).

Appellant respectfully requests that this Court enter an order to show cause requiring all counsel of record to address the specific misrepresentation identified in Section II.B of this Motion that is, why the Dunca Affidavit, which is expressly disclosed on its face as remotely online notarized through the "Proof" platform, was characterized to this Court as "irrefutable evidence" of Dunca's identity and authorization.

VII. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Appellant Rodney Samuel Sprawling, Jr. respectfully prays that this Court:

1. DISQUALIFY Caryn Carter Gomar and Peggy Sue Bittick of Scott M. Brown & Associates from serving as local counsel for Appellee in this proceeding, effective immediately upon entry of the Court's Order, on the grounds of: (a) sponsoring pro hac vice admission of an attorney whose authority has been formally challenged and whose reply contained material misrepresentations to this Court; (b) enabling a pattern of bad faith litigation that has produced irreversible constitutional harm; (c) persistent failure to cure documented electronic service deficiencies; and (d) filing a bare, pro forma endorsement motion for pro hac vice admission without addressing formal, pending, documented objections to the applicant's authority;
2. ISSUE an Order to Show Cause requiring Joshua Pagan, Caryn Carter Gomar, and Peggy Sue Bittick to appear before this Court and address the following specific matters: (a) why the Affidavit of Andrei Dunca, notarized remotely online by Florida Online Notary ID HH584464 via the "Proof" platform, was represented to this Court as "irrefutable evidence" of identity and authority; (b) why three consecutive automated eService ERROR notifications for Appellant's registered address were never corrected by any party; and (c)

whether Pagan's certification of service Appellant's ssp.llc.me@gmail.com address was made through means other than the eFileTexas system, and if so, by what method;

3. REFER the misrepresentation identified in Section II.B of this Motion to the Office of Chief Disciplinary Counsel of the State Bar of Texas and, with respect to Joshua Pagan, to the Illinois Attorney Registration and Disciplinary Commission, for investigation of potential violations of Texas Disciplinary Rule of Professional Conduct 3.03(a)(1) and its Illinois counterpart;
4. IMPOSE such sanctions as this Court deems appropriate under Tex. R. App. P. 45 and this Court's inherent authority, including but not limited to an award of Appellant's reasonable costs and any other relief designed to remedy the harm caused by counsel's conduct;
5. SUSTAIN all prior objections and motions filed by Appellant relating to pro hac vice admission, disqualification of Pagan and Mudd Law, and defective service, as set forth in Appellant's filings of July 3, 2026, July 8, 2026, and July 17, 2026; and
6. GRANT Appellant all other and further relief, at law or in equity, to which he may be justly entitled.

Rodney Sprawling-Dunca
565 Ortega Street
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Email: R.S.Dunca@AndreiGeorgeDunca.Llc
Phone: 346.785.6657
Date: July 18, 2026

Respectfully submitted,

/s/Rodney Samuel Sprawling
Rodney Samuel Sprawling
Appellant, Pro Se

UNSWORN DECLARATION PURSUANT TO TEX. CIV. PRAC. & REM. CODE § 132.001

My name is Rodney Samuel Sprawling, Jr. My date of birth is 04/12/1986. My address is 565 Ortega Street, San Francisco, California 94122. I declare under penalty of perjury under the laws of the State of Texas that every factual statement made in the foregoing Supplemental

Motion is true and correct to the best of my personal knowledge and belief, and that every citation to the record contained herein is a fair and accurate characterization of the referenced document.

Executed on this 18th day of July, 2026.

/s/Rodney Samuel Sprawling
Rodney Samuel Sprawling
Declarant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellant's Supplemental Motion to Disqualify Local Counsel Caryn Carter Gomar and Peggy Sue Bittick, and for Sanctions for Bad Faith Litigation, Misrepresentation to the Tribunal, and Fraud on the Court has been served upon all counsel of record via eFileTexas.gov and by U.S. First Class Mail on this 18th day of July, 2026, addressed as follows:

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/s/Rodney Samuel Sprawling
Rodney Samuel Sprawling
Appellant, Pro Se

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