

MITCHELL LAW

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January 8, 2026

Mr. Scott Harris
Clerk, Supreme Court of the United States
One First Street, NE
Washington, DC 20543

Re: *Dondero v. Jernigan*, No. 25-355

Dear Mr. Harris:

The Judicial Council of the Fifth Circuit recently considered a complaint against respondent Stacey G. Jernigan, the chief judge of the bankruptcy court for the Northern District of Texas who wrote and published two novels while presiding over the bankruptcy of petitioner James Dondero's hedge fund. These judge-authored novels, which are described in the petition for writ of certiorari, pit a heroic bankruptcy judge who resembles Chief Judge Jernigan against a nefarious hedge-fund manager bearing striking similarities to Mr. Dondero.

The complaint was filed after Chief Judge Jernigan responded to numerous media inquiries about whether the villain in her published novels was based on Mr. Dondero. The complainant alleged that Chief Judge Jernigan's responses to these media inquiries, which were made while bankruptcies related to Mr. Dondero were pending before her, violated Canons 3(A)(6) and 4 of the Code of Conduct for United States Judges, as well as Rules 4(a)(1) and 4(a)(7) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, because they constitute public comments about the merits of contested matters.¹

1. Canon 3(A)(6) provides: "A judge should not make public comment on the merits of a matter pending or impending in any court." Canon 4, in relevant part, provides: "[A] judge should not participate in extrajudicial activities that detract from the dignity of the judge's office, interfere with the performance of the judge's official duties, reflect adversely on the judge's impartiality, lead to frequent disqualification, or violate the limitations set forth below." Rule 4(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings provides: "Misconduct is conduct prejudicial to the effective and expeditious administration of the business of the courts." And Rule 4(a)(7) provides: "Cognizable misconduct includes conduct occurring outside the performance of official duties if the conduct is reasonably likely to have a prejudicial effect on the administration of the business of the courts, including a substantial and widespread lowering of public confidence in the courts among reasonable people."



Chief Judge Elrod, who serves as chief judge of the U.S. Court of Appeals for the Fifth Circuit, invited Chief Judge Jernigan to respond to these allegations. In her response, Chief Judge Jernigan acknowledged that she had responded to one of the e-mails that she had received from a media source from her personal e-mail account and provided a copy of that e-mail to the judicial council. Chief Judge Jernigan also explained that she did not perceive that her comments in that e-mail might be related to the merits of a pending judicial matter, and that she intended her comments to stop the barrage of media inquiries that she had been receiving about her extrajudicial writings. Chief Judge Jernigan also “expressed sincere sorrow that anyone would construe these comments as improper under the circumstances.” *In re Complaint of Judicial Misconduct Under the Judicial Improvements Act of 2002*, No. 05-26-90043, at 2 (attached as Exhibit 1).

Chief Judge Elrod thought it “debatable” whether the comments in Chief Judge Jernigan’s e-mail qualified as a “comment on the merits” of a pending matter. *See id.* at 3. But she nonetheless dismissed the complaint for two reasons. First, she determined that “any potential violation of Canon 3(A)(6) under these particular facts was unintended and minor and does not rise to the level of ‘conduct prejudicial to the effective and expeditious administration of the business of the courts.’” *Id.* Second, she determined that “corrective action” had been taken because Chief Judge Jernigan, in consultations with Chief Judge Elrod, had “expressed remorse” for the conduct and had promised to “consult with available ethics resources” when similar situations arise in the future. *Id.*

As it turns out, the corrective action was of limited effect, because Chief Judge Jernigan's questionable conduct recurred. Chief Judge Jernigan’s book publisher recently released a publicity piece harnessing and including her direct comments on the pending controversy regarding her books and presiding over the instant case. *See* Pet. for Certiorari at 11–12 (describing Brown Books Publishing Group, *Media Advisory Mystic Spires Post Mortem: A Cold Case Legal Thriller by Stacey Jernigan*, available at <http://bit.ly/48dS9ZF> and in a copy lodged with the Court and attached to this letter). Therein, Chief Judge Jernigan claimed that Mr. Dondero is “an individual who incorrectly asserted that one of her fictional characters was based on them,” while including a picture of Mr. Dondero and full reproduction of the Wall Street Journal article documenting the recusal problem presented by her book writing. Her publisher said the controversy showed that Chief Judge Jernigan “is recognized as a public figure” and is a reason to read her third book.

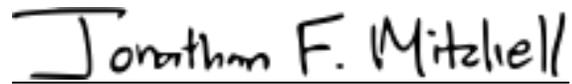
This episode makes it all the more imperative for this Court to resolve whether a bankruptcy judge’s or a district judge’s decision not to recuse is subject to de novo or deferential review. Certainly a judicial council does not apply deferential review when deciding whether a bankruptcy judge or a district judge violated the canons and rules governing judicial conduct by commenting on a pending matter or by failing to recuse from a case, as complaints alleging violations of the canons or rules are filed with the judicial council in the first instance and are never decided by the judge against whom the accusations are made. It makes no sense for an appellate court to apply an abuse-of-discretion standard when evaluating a judge’s decision not to recuse when that same

decision will be reviewed de novo whenever someone brings a complaint against that judge to the relevant judicial council.

Moreover, although the judicial council resolution is about Chief Judge Jernigan speaking on the recusal issue pending before the Court, it shows there are meaningful conduct issues surrounding this matter for which “corrective action” was warranted, reinforcing that the deferential standard of review made a difference in this case.

We have attached the judicial council’s decision and the media advisory issued by Chief Judge Jernigan’s publishing company as exhibits to this letter.

Sincerely,

A handwritten signature in black ink that reads "Jonathan F. Mitchell". The signature is written in a cursive style with a large, prominent initial "J".

JONATHAN F. MITCHELL

Mitchell Law PLLC

Counsel for Petitioner James Dondero

Exhibit A

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90043

IN RE COMPLAINT OF JUDICIAL MISCONDUCT
UNDER THE JUDICIAL IMPROVEMENTS ACT OF 2002.

ORDER

Complainant, former in-house counsel for a company, has filed a complaint alleging misconduct by a United States Bankruptcy Judge involving two cases that both relate to a Chapter 11 bankruptcy proceeding filed by the company.

Complainant alleges that the judge made public comments about the merits of contested matters raised in the two pending cases in violation of Canons 3(A)(6) and 4 of the Code of Conduct for United States Judges and Rules 4(a)(1)¹ and 4(a)(7) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (“JC&D Rules”).²

¹ Complainant cites JC&D Rule 4(a)(1) in his complaint. However, that rule’s examples of cognizable misconduct are not relevant to the allegations in this complaint.

² Canon 3(A)(6) provides that “[a] judge should not make public comment on the merits of a matter pending or impending in any court.” Canon 4, in relevant part, provides: “[A] judge should not participate in extrajudicial activities that detract from the dignity of the judge’s office, interfere with the performance of the judge’s official duties, reflect adversely on the judge’s impartiality, lead to frequent disqualification, or violate the limitations set forth below.” *See* Guide to Judiciary Policy, Vol. 2A, Ch. 2. JC&D Rule 4(a) provides that “[m]isconduct is conduct prejudicial to the effective and expeditious administration of the business of the courts.” JC&D Rule 4(a)(7) provides that “[c]ognizable misconduct includes conduct occurring outside the performance of official duties if the conduct is reasonably likely to have a prejudicial effect on the administration

Specifically, Complainant contends that the judge made comments to an online news organization addressing allegations that a character in her fictional novel was modeled after the former CEO of the company and a frequent participant in the legal proceedings related to the company bankruptcy. These comments were made while the two cases were pending—a motion to recuse and a petition for writ of mandamus filed in the two cases—that raised, in part, the issue of whether the judge should have recused from the bankruptcy due to the appearance of bias against the CEO created through her extrajudicial writings.

Pursuant to JC&D Rule 11(b), I invited the judge to respond to the complaint in writing. In her response, the judge stated that she had received many media requests asking her to comment about whether a character in her novel was based on the CEO and she responded to one e-mail from her personal e-mail account. She submitted a copy of the e-mail with her response.

This e-mail reflects that the judge expressly declined to comment on any pending case, denied that the novel was about a pending case or litigant, and explained generally the plot of the novel. While the article states that the judge addressed the [then-pending] recusal motion, the judge’s e-mail did not reference the recusal motion or any filing in any case.

The judge stated that, at the time she made the comments to the news organization, she did not perceive her comments as being related to the merits of a pending judicial matter. Rather she intended her comments to stop further media inquiries about her extrajudicial writings. Lastly, the judge expressed sincere sorrow that anyone would construe these comments as improper under the circumstances.

In a later correspondence with me regarding this complaint, the judge agreed to consult available ethics resources (e.g., codes of conduct,

of the business of the courts, including a substantial and widespread lowering of public confidence in the courts among reasonable people.”

commentary, etc.) when ethical dilemmas arise in the future and, if questions remain after consulting those sources, to seek particularized guidance in the form of either informal guidance from the Fifth Circuit's representative on the Committee on Codes of Conduct of the Judicial Conference of the United States or from Committee counsel, or in the form of a confidential advisory opinion from the Committee.

Canon 3(A)(6) provides in pertinent part that “[a] judge should not make public comment on the merits of a matter pending or impending in any court.” The Commentary on Canon 3(A)(6) adds:

The admonition against public comment about the merits of a pending or impending matter continues until the appellate process is complete. If the public comment involves a case from the judge's own court, the judge should take particular care so that the comment does not denigrate public confidence in the judiciary's integrity and impartiality, which would violate Canon 2A. A judge may comment publicly on proceedings in which the judge is a litigant in a personal capacity, but not on mandamus proceedings when the judge is a litigant in an official capacity.

While the Code's Canons are instructive, 28 U.S.C. § 351 (“the Act”) and the JC&D Rules are the governing authority for determining what constitutes cognizable misconduct. *See* Commentary to JC&D Rule 4. Those authorities define misconduct as conduct “prejudicial to the effective and expeditious administration of the business of the courts.” 28 U.S.C. § 351. An inadvertent, minor violation of the Code's specific rules, promptly remedied when brought to the attention of the judge, might be a violation of the Code, but might not rise to the level of misconduct contemplated by the Act. *See* Commentary to JC&D Rule 4.

While there was overlapping subject matter between the judge's comments to the news organization and the issues pending in litigation, it is debatable whether her comments constitute “comment[s] on the merits” of a pending matter. Regardless, any potential violation of Canon 3(A)(6) under

these particular facts was unintended and minor and does not rise to the level of “conduct prejudicial to the effective and expeditious administration of the business of the courts.” The complaint is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that misconduct has occurred.”

In addition, the judge expressed remorse that her statements could be construed as commenting on pending cases when she had made efforts to indicate that she could not comment on pending cases, and she promised to consult with available ethics resources when ethical dilemmas such as this arise in the future. This action constitutes appropriate corrective action. *See* Rule 11(d) (defining appropriate corrective action as voluntary action that acknowledges and remedies the problems raised by the complaint).

The complaint can therefore alternatively be concluded under 28 U.S.C. § 352(b)(2) (a chief judge may “conclude the proceeding if the chief judge finds that appropriate corrective action has been taken or that action on the complaint is no longer necessary because of intervening events”).

The complaint is DISMISSED. An unredacted private order is entered simultaneously herewith.

Pursuant to JC&D Rules 23(b)(1) and (8), IT IS ORDERED that a copy of this order be published on the court’s website forthwith.

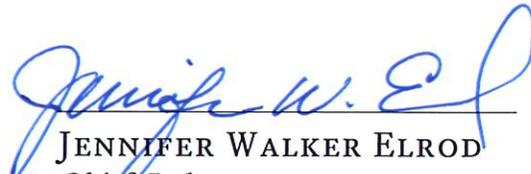

JENNIFER WALKER ELROD
Chief Judge

Exhibit B

MYSTIC SPIRES POST-MORTEM

A COLD-CASE LEGAL THRILLER

BY STACEY JERNIGAN

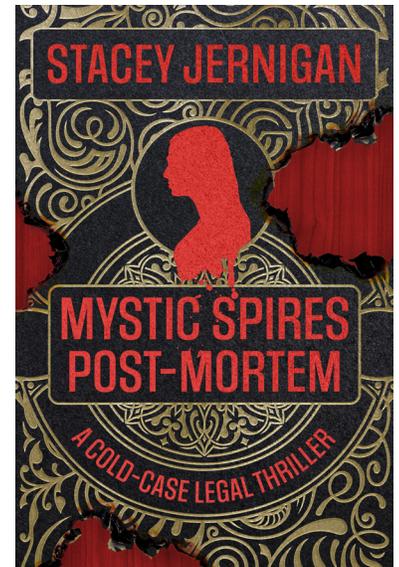
Chief Judge Stacey Jernigan Brings AI, Influencers, and Social Media to the Crime-Solving Forefront in Her Latest Novel

Disclaimer: Chief Judge, Stacey Jernigan is recognized as a public figure. As such, she has previously been featured in prominent media sources such as NPR, *The Wall Street Journal*, *The Daily Beast*, *LA Weekly*, and *The Dallas Morning News*, regarding statements on cases as well as in response to an individual who incorrectly asserted that one of her fictional characters was based on them. It must be emphasized here that Jernigan is an author of fiction—and that all characters in this story are also fictional.

That said, Jernigan’s history as both Chief Judge and former lawyer lends an authentic voice to the nature of Judge Avery Lassiter’s process as she unravels the murder case of wealthy hotel heiress Gigi Mesero.

With a nod to Hulu’s *Only Murders in the Building*, this whodunit murder mystery involves podcasters who stir up a lethal social media and influencer sensation amid societal true crime fervor. In *Mystic Spires Post-Mortem: A Cold-Case Legal Thriller* by Stacey Jernigan (Brown Books Publishing Group; On sale: October 14, 2025), the sharp and resourceful judge Avery Lassiter is intent on getting to the bottom of a murder case at the Mystic Spires Hotel that has remained unsolved for eight years. When Lassiter hosts a Gigi Mesero-themed murder mystery dinner, each of her law clerks play the role of a murder suspect introducing evidence on themselves. Unable to come to a unanimous decision on the murderer, one of the clerks suggests asking a generative AI platform who it thinks murdered Gigi. This new lead inspires further research, reaching out to a few blogs and podcasts that previously covered the case.

Overnight, a wave of media frenzy ensues. From social media attacks, to leaked confidential information, to a famed podcaster hunting down the new suspect for a livestreamed unsolicited interview—resulting in two more deaths—the case quickly spirals out of control. As the case comes to a head, readers, alongside Lassiter, must ask themselves in what ways AI and social media are helping versus potentially harming the procedure of crime investigation.



Brown Books Publishing Group
Media contacts can be reached at 972-381-0009
Amy Goppert | Amy.Goppert@theagencyatbb.com
Krysta Herrera | Krysta.Herrera@brownbooks.com



Mystic Spires Post-Mortem | \$16.99
FICTION / Mystery & Detective
ISBN: 978-1-61254-725-1 | Stacey Jernigan
www.SJnovels.com

MYSTIC SPIRES POST-MORTEM

ADVANCE PRAISE FOR *MYSTIC SPIRES POST-MORTEM*

“*Mystic Spires Post-Mortem* is a twisty, time-hopping legal thriller that reads like a prestige mini-series—smart, moody, and addictive. When a hotel heiress is found murdered, the investigation unspools across decades, slowly revealing a web of secrets, ambition, and betrayal. Chief Judge Stacey Jernigan crafts a sharp, propulsive story with vivid Dallas flavor, compelling legal drama, and characters who stay with you long after the last page.”

—**AMY PEASE**, BESTSELLING AUTHOR OF *NORTHWOODS*

“Part murder mystery, part legal thriller, and part social commentary, Jernigan’s *Mystic Spires Post-Mortem* is a truly unique take on the genre. It was fascinating to see how the author pieced together the story—and to watch it unfold through the eyes of all the players, both good and bad. I’ll be looking for more of her work in the future!”

—**TAMARA BERRY**, EDGAR-AWARD-WINNING AUTHOR OF *BURIED IN A GOOD BOOK*

“*Mystic Spires* deliciously blends timeless murder-mystery motifs and hyper-modern perspectives on crime-solving—and all in the Great State of Texas!”

—**KIM SANDERS**, FORMER HOMICIDE DETECTIVE FOR THE DALLAS POLICE DEPARTMENT,
AWARD-WINNING AUTHOR OF *HERMIT OF PARADISE: A NOVEL*

Brown Books Publishing Group
Media contacts can be reached at 972-381-0009
Amy Goppert | Amy.Goppert@theagencyatbb.com
Krysta Herrera | Krysta.Herrera@brownbooks.com



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MYSTIC SPIRES POST-MORTEM

ABOUT THE AUTHOR



Stacey Jernigan, a native Texan, has been a judge in Dallas, Texas since 2006. Before that, she was a lawyer and partner at a large international law firm specializing in corporate restructuring matters. She is also an occasional adjunct professor at the SMU Dedman School of Law. Stacey is married to a retired law enforcement officer (Dallas Police Department), with whom she has an adult son and daughter, as well as two Cavalier King Charles Spaniels. She is a frequent speaker at legal conferences around the country and is an avid writer and international traveler. *Mystic Spires Post-Mortem* is her third novel.

“But with technology—with all of these AI tools—are we prone to trust it more than humans in crime-solving and a court of law? Maybe more than we should? And are we at risk of delegating our own thinking—our own reasoning process? Are we going to just, more and more, defer to the machines to sort through a set of facts or legal issues to tell us what to think? That scares me to death. What about cogito ergo sum? ‘I think, therefore I am’? We are facing an existential threat here, maybe. If we begin delegating our thinking, we are done.”

—FROM *MYSTIC SPIRES POST-MORTEM*

Brown Books Publishing Group
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Krysta Herrera | Krysta.Herrera@brownbooks.com



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MYSTIC SPIRES POST-MORTEM

THE WALL STREET JOURNAL.

JUDGE'S FICTIONAL THRILLER SPARKS REAL-LIFE COURTROOM DRAMA

Plot featuring crooked hedge-funder inspires
actual financier to try to get jurist booted off case

By *Erin Mulvaney*
July 29, 2023 9:12 pm ET

When she isn't handling cases as a U.S. bankruptcy judge, Stacey Jernigan writes legal thrillers, most recently "Hedging Death," whose sweeping plot features a troubled biotech company, a crooked financier and Mexican criminal cartels.

In true write-what-you know fashion, her fictional heroine, Avery Lassiter, bears a striking similarity to the author herself. They are both judges in Texas, former corporate lawyers and dog lovers married to police officers.

James Dondero, former chief executive of hedge-fund company Highland Capital Management, sees another similarity in the novel—between one of the villains and himself.

Dondero says he is the inspiration for Cade Graham, a Dallas hedge-fund playboy suspected of insurance fraud and faking his own death in a fiery car crash. And in a plot twist not yanked from the novel, he is pushing for the judge-cum-writer to step aside from a case she is handling that involves none other than the real-life hedge-funder—Dondero.

Like many fictional works, Jernigan's book includes a disclaimer that its characters "are absolutely fictional." Nevertheless, citing "unquestionable parallels" between his life and Graham's, Dondero is arguing that the fictional depiction exposes Jernigan's real-life bias against him in the long-running legal case.

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MYSTIC SPIRES POST-MORTEM

James Dondero cites ‘unquestionable parallels’ between his life and that of a villain in the novel.

Jernigan has rebuffed his efforts so far, at one point quoting Oscar Wilde: “Life imitates art far more than art imitates life.”

Highland Capital, once a pioneer in trading speculative corporate loans, filed for bankruptcy in 2019 after it became embroiled in a series of legal disputes. The case landed in Jernigan’s court. Dondero, who was subsequently ousted from Highland, has been fighting with the bankrupt firm and its creditors over its winddown.

Dondero claims Jernigan, who has held him in civil contempt twice, hasn’t been fair to him during the bankruptcy proceedings. He has sought her recusal several times—to no avail. Dondero has asked a federal district court to reconsider.

His latest attempt to boot Jernigan cited her fiction writing as evidence of her negative views of the hedge-fund industry. Her first novel, “He Watches All My Paths,” revolves around death threats to the fictional Judge Lassiter. Her second follows the manhunt for the criminal. Both are self-published.

Dondero sees parallels between himself and Graham, one of the villains in the second novel. The novel describes Graham as a “well-known wealthy playboy and high-flying Dallas hedge fund manager,” and as “a real piece of work...a ton of people hate him, don’t trust him, and can’t figure out how on earth he manages to make so much money in both good times and bad times.” The novel involves Graham in a plot to murder American retirees in Mexico for insurance money.



JORDAN FRAKER

According to Dondero, the fictional hedge fund, called Ranger, handles assets similar to those of his former firm, which he said in a court filing was once called Ranger Asset Management. Jernigan’s novels show disdain for hedge-fund managers, he says, citing passages that describe the industry as having “outrageous amounts of hubris” and a “bro culture.”

In a written statement to *The Wall Street Journal*, Dondero said: “The impartiality of judges—and the appearance of impartiality—is a critical component of the federal judiciary. We are well past the point that a reasonable person would see bias.”

MYSTIC SPIRES POST-MORTEM

Jernigan, who has been a judge since 2006, has said he has inundated the court with thousands of pages of material related to recusal requests that were untimely and without merit. The judge, who didn't respond to requests for comment, addressed her fiction briefly in one March opinion, saying that even though some of her work is loosely based on real life, no characters were inspired by Dondero. Jernigan's opinion said she had "never once heard" that Ranger was Highland's original name.

In the ruling, Jernigan said she "regrets this sideshow," but added that many sitting judges write books, though usually nonfiction rather than fiction.

In 2013 Senior U.S. District Judge Michael Ponsor published "The Hanging Judge," a novel about a death-penalty trial. The book came about a dozen years after he presided over the first death-penalty trial in Massachusetts in 50 years, though the facts of the case were far different.

Federal Judge Frederic Block wrote a legal thriller called 'Race to Judgment.'

Frederic Block, a senior U.S. district judge in New York, wrote a legal thriller "Race to Judgment," described on Amazon.com as a "reality-fiction" novel, which is loosely based on a number of high-profile cases he handled. Of course judges should be careful about what they write, he says, but they have important stories to share.

In her order declining to step aside, Jernigan said there were countless examples of authors, from Agatha Christie to Ernest Hemingway, who weave fictional plots that are loosely based on real-life events. "The Presiding Judge is somewhat embarrassed to discuss these literary greats in the same paragraph in which she is mentioning her own fiction works—it is merely to make a point," she said in the ruling.

Dondero's legal team hired law professor Steve Leben of the University of Missouri-Kansas City School of Law to take a look.

"To be sure, the two judges aren't identical, and the book doesn't come across as nonfiction," Leben wrote to the court this month. "But while it's common for fiction authors to draw on their own lives, experiences, and viewpoints to varying degrees, Jernigan has made the similarities numerous and obvious." He concluded the judge ought to recuse herself.



AGATON STROM FOR THE WALL STREET JOURNAL

MYSTIC SPIRES POST-MORTEM

Dondero's former hedge fund Highland, for its part, has opposed his recusal attempts and called him a "vexatious litigant," petitioning this month to limit his legal maneuvering.

Legal ethics experts said what matters is whether Jernigan's impartiality might be reasonably questioned.

"It is a pretty novel situation—pun vaguely intended," said Indiana University law professor Charles Geyh. While many judges write outside of court, he said, "this is complicated as a work of fiction, and the way we evaluate it is tricky."

At least some readers of "Hedging Death" are fans. It scored 4.9 of five stars on Amazon.com, based on eight reviews.

One of her judicial colleagues lauded it in the American Bankruptcy Institute Journal, calling it a courtroom drama with a "Texas flavor" and a surprise ending. "The book," Judge Harlin Hale wrote, "truly has something for every insolvency professional!"

For the full article, click here:

<https://www.wsj.com/arts-culture/books/texas-bankruptcy-judge-stacey-jernigan-novel-hedge-fund-dondero-a5e84c50>

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MYSTIC SPIRES POST-MORTEM

METADATA

Title.....	Mystic Spires Post-Mortem
Subtitle	A Cold-Case Legal Thriller
Author	Stacey Jernigan
ISBN	9781612547251
Format	Trade Paperback
Retail price	\$17.99
Size	6 x 9
Pages	224
BISAC 1.....	Fiction / Mystery & Detective
BISAC 2	Fiction / Crime
BISAC 3	Fiction / Legal
Publication Date	October 14, 2025
Distribution	Ingram, Baker, & Taylor
Publisher.....	Brown Books
Publisher Website	www.BrownBooks.com
Author Website	www.SJnovels.com

SYNOPSIS

Judge Avery Lassiter is determined to find the truth—with unintended consequences.

Gigi Mesero was more than a wealthy heiress and entrepreneur. She was also the victim of a strange murder at the Mystic Spires Hotel in Dallas, Texas, a case that has remained unsolved for eight years. The mysterious circumstances of the crime, however, haven't allowed it to be forgotten. Some believe it was Gigi's own sister, a popular social media influencer. Some believe it was one of her numerous seedy lovers looking to steal her fortune. Others believe it wasn't murder at all. With a whole slew of theories, detectives and online sleuths have exhausted all avenues. However, when Judge Avery Lassiter becomes obsessed with personally investigating the murder, she and her friends and family will stir up new clues, controversies, and cover-ups.

A tale about lies, technology, and the shifting world of criminal investigation, *Mystic Spires Post-Mortem* invites readers to follow a dangerous trail of death and corruption alongside a cast of determined investigators.

Brown Books Publishing Group
Media contacts can be reached at 972-381-0009
Amy Goppert | Amy.Goppert@theagencyatbb.com
Krysta Herrera | Krysta.Herrera@brownbooks.com



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CERTIFICATE OF SERVICE

SUPREME COURT OF THE UNITED STATES

No. 25-355

----- X

JAMES DONDERO; HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.; THE DUGABOY INVESTMENT TRUST; NEXPOINT REAL ESTATE PARTNERS, LLC; AND GET GOOD TRUST,

Petitioners,

v.

STACEY G. JERNIGAN; HIGHLAND CAPITAL MANAGEMENT, L.P.,

Respondents,

----- X

WASHINGTON, DISTRICT OF COLUMBIA

I, Michael J. Edney, am over the age of 18 years old, competent to testify in a court of law, and competent to testify of my own personal knowledge.

Copies of the within Letter will be sent contemporaneously by FedEx and email on January 8, 2026 to each of the following individuals:

Roy T. Englert, Jr.
Herbert Smith Freehills Kramer
(US) LLP
2000 K Street NW, 4th Fl.
Washington, DC 20006
(202) 775-4500
roy.englert@hsfkramer.com

John A. Morris
Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Blvd.
13th Fl.
Los Angeles, CA 90067
(310) 277-6910
jmorris@pszjlaw.com

A copy will be sent contemporaneously by FedEx on January 8, 2026, to:

Chief Judge Stacey G. C. Jernigan
1100 Commerce Street, Room 1254
Dallas, TX, 75242-1496
(214) 753-2054

All parties required to be served will be served.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 8th day of January, 2026.



Michael J. Edney
Counsel for Petitioners