

**LOUISIANA ATTORNEY DISCIPLINARY BOARD**

**IN RE: EDWARD MOSES, JR.**

**DOCKET NO. 25-DB-016**

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**REPORT OF HEARING COMMITTEE # 26**

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**INTRODUCTION**

This attorney disciplinary matter arises out of formal charges filed by the Office of Disciplinary Counsel (“ODC”) against Edward Moses, Jr. (“Respondent”), Louisiana Bar Roll Number 30646.<sup>1</sup> ODC alleges that Respondent violated the following Rules of Professional Conduct: 3.1 and 8.4(d).<sup>2</sup>

**BACKGROUND AND PROCEDURAL HISTORY**

On September 13, 2023, Respondent was suspended for one year by the United States District Court for the Middle District of Louisiana (“the Middle District”) for repeatedly filing frivolous pleadings. *See* ODC Exhibit 10. On May 29, 2024, the Louisiana Supreme Court (“the Court”) reciprocally suspended Respondent for one year based on the Middle District’s order.<sup>3</sup> *In re Moses*, 2024-0295 (5/29/2024), 385 So.3d 693 (“*Moses I*”). The Court further ordered “that respondent shall not be eligible to apply for reinstatement to the practice of law in Louisiana pursuant to Supreme Court Rule XIX, § 24(K) unless and until he submits to a comprehensive mental health evaluation through the Judges and Lawyers Assistance Program and files a copy of

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<sup>1</sup> Respondent was admitted to the practice of law in Louisiana on October 13, 2006. Respondent is currently suspended.

<sup>2</sup> See the attached Appendix for the text of these Rules.

<sup>3</sup> The United States District Court for the Eastern District of Louisiana (“the Eastern District”) also issued a reciprocal discipline order on February 21, 2024. However, because of a procedural deficiency, the order was stricken and the reciprocal discipline matter in the Eastern District was reopened. It is currently pending. *See* ODC Exhibit 2 of ODC’s Objection to Respondent’s Application for Stay and Motion for Continuance (filed 7/21/2025).

the evaluation report in this court and with the ODC.” The alleged frivolous pleadings that are the subject of the formal charges in this matter were not the subject of the Middle District order or the Court’s reciprocal discipline order.<sup>4</sup>

The formal charges in this matter were filed on March 26, 2025. Respondent filed an answer to the charges on April 21, 2025. The hearing of this matter was held on July 29, 2025. Deputy Disciplinary Counsel Gregory L. Tweed appeared on behalf of ODC. Respondent appeared *pro se*.

For the following reasons, the Committee finds that Respondent violated the Rules as charged and recommends that he be suspended from the practice of law for eighteen (18) months, retroactive to the effective date of his reciprocal discipline in *Moses I*.

## FORMAL CHARGES

The formal charges read, in pertinent part:

2.

You were suspended for one year by the Louisiana Supreme Court, effective June 12, 2024, based on reciprocal discipline imposed in the United States District Court for the Middle District of Louisiana for engaging in misconduct similar to that which will be outlined below in the federal court system. As part of its order imposing reciprocal discipline, the Court specifically stated that the “respondent shall not be eligible to apply for reinstatement to the practice of law in Louisiana pursuant to Supreme Court Rule XIX, § 24(K) unless and until he submits to a comprehensive mental health evaluation through the Judges and Lawyers Assistance Program and files a copy of the evaluation report in this Court and with the ODC.”

3.

ODC received a copy of a writ application filed with the Third Circuit Court of Appeal on July 1, 2021, in the matter of State v. Tyquan Marshall, 21-413. In the pleading, you stated that you represented the pre-trial interest of Mr. Marshall, who is charged with second-degree murder.

4.

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<sup>4</sup> Because of the nature of reciprocal discipline proceedings, ODC was not able to allege misconduct that was beyond the scope of what was addressed by the Middle District. *See* Louisiana Supreme Court Rule XIX, §21.

The writ application sought a review of the District Court's denial of the defendant's Petition for Habeas Corpus.

5.

The application to the Third Circuit implies that the offense occurred on the ancestral lands of the native American Atakapa tribe, which the State of Louisiana doesn't have any jurisdiction over.

6.

The Third Circuit denied your writ on July 15, 2021.

7.

You then filed a writ with the Louisiana Supreme Court, which was denied on December 7, 2021.

8.

Your filing of the Petition for Habeas Corpus and your subsequent writ applications were frivolous and prejudicial to the administration of justice.

9.

There is clear and convincing evidence that EDWARD MOSES, JR. knowingly and intentionally violated Rules 3.1 and 8.4(d) of the Rules of Professional Conduct.

### **EVIDENCE**

The Committee received into evidence ODC Exhibits 1-14 and Respondent Exhibits 1-6. The only testimony offered by either side was that of the Respondent.

### **FINDINGS OF FACT**

Respondent was admitted to the practice of law in 2006 and described his practice as a "general" practice which included criminal defense work. Prior to being admitted to practice law, Mr. Moses served honorably in the U.S. Army as a Reservist.

Mr. Moses was retained via a "flat fee" by Tyquan Marshall for representation in felony criminal matters, which included a second-degree murder charge, that occurred on the campus of University of Louisiana Lafayette ("ULL"). On May 4, 2021 the Respondent filed a "Petition for Writ of Habeas Corpus" (See ODC Ex. 1) in which he alleges Defendant Marshall, like himself, is a member of the Atakapa Indian tribe and State Court does not have jurisdiction over Defendant Marshall. The Respondent also alleged the campus of ULL is owned by the Atakapa Tribe. In his testimony, the Respondent acknowledged the Atakapa Tribe, of which he is the self-appointed

"Emperor," "Judge," and "King," is not federally recognized. In his Petition, the Respondent asks the 15<sup>th</sup> Judicial Court to release Defendant Marshall to the Atakapa Nation. In his testimony, the Respondent clarified he was requesting for Defendant Marshall to be released to his custody for prosecution by himself as Judge of the Atakapa Tribe.

The Petition for Habeas Corpus was denied by the District Court and the Respondent, on behalf of Defendant Marshall, filed a Writ Application to the Third Circuit Court of Appeals and then to the Louisiana Supreme Court - both of which were denied. A complaint from Attorney Jeff Slade, who appears to be employed by the Third Circuit Court of Appeals was filed with ODC on August 19, 2021, outlining what he believed to be unethical conduct by the Respondent. ODC filed formally charges on March 26, 2025. The Respondent participated in the investigation and pre-trial matters.

#### **RULES VIOLATED**

The query posed to this Committee is did the Respondent violate Rules of Professional Conduct 3.1 and 8.4(d) by clear and convincing evidence. The Committee finds ODC met its burden and the Respondent did in fact violate Rules 3.1 (filing frivolous pleadings) and 8.4(d) (engaging in conduct prejudicial to the administration of justice).

The Respondent's pleadings with the 15<sup>th</sup> JDC, the 3<sup>rd</sup> Circuit Court of Appeals, and the Louisiana Supreme Court are frivolous and prejudicial to the administration of justice. The pleadings filed appear to be another means for the Respondent to advocate a personal agenda of attempting to have his role in the Atakapa tribe, along with the tribe itself, formally recognized and not in furtherance of his client's objectives. It is baffling to the Committee under what remotely plausible legal theory the Respondent (Defense Counsel) would be allowed take custody of a Defendant charged with murder (Defendant Marshall) pending a trial over which Respondent,

as Defense Counsel, would also will serve as Judge.<sup>5</sup> The Committee finds the pleadings advancing these arguments to be frivolous and prejudicial to the administration of justice as it burdened the legal system and potentially compromised the defense of Defendant Marshall.

### SANCTION

Louisiana Supreme Court Rule XIX, §10(C), states that when imposing a sanction after a finding of lawyer misconduct, a committee shall consider the following factors:

- (1) Whether the lawyer has violated a duty owed to a client, to the public, to the legal system, or to the profession;
- (2) Whether the lawyer acted intentionally, knowingly, or negligently;
- (3) The amount of the actual or potential injury caused by the lawyer's misconduct; and
- (4) The existence of any aggravating or mitigating factors.

Here, Respondent violated duties owed to his client, the legal system, and the profession. He acted intentionally. The record is unclear as to whether Defendant Marshall was actually harmed by the Respondent's actions. It was suggested Defendant Marshall's trial was delayed; however, he remained out of prison at the time of the hearing. Further, ODC did not appear to attempt to subpoena Defendant Marshall to testify which suggests he have not been helpful to their presentation. There is no direct link of actual harm or prejudice by Respondent's actions to Defendant Marshall. However, the *potential* for harm to Defendant Marshall was high. There is evidence the Respondent failed to properly withdraw as counsel of record for Defendant Marshall after being suspended. This resulted in a notice for a hearing being sent to the Respondent rather than Defendant Marshall. See ODC Exhibits 8 & 9. At the time of the hearing in this matter, Defendant Marshall had a bench warrant outstanding for a failure to appear at a hearing. It was not clear whether the failure to receive the notice that was sent to the Respondent was linked to

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<sup>5</sup> Such circumstances would also constitute a clear conflict of interest. However, ODC did not charge Respondent with violating the Rules regarding conflicts of interest. Accordingly, the Committee declines to make such a finding here.

Defendant Marshall's failure to appear. Furthermore, there is a harm to the public and the effective administration of justice by the frivolous filings and arguments of the Respondent. This conduct is part of an on-going pattern of repeated frivolous filings that were the subject of his federal and reciprocal discipline proceedings in *Moses I, supra*. In fact, the Committee must consider those prior proceedings when assessing the sanction in the matter pursuant to *La. State Bar Ass'n v. Chatelain*, 89-0703 (La. 1/22/1991), 573 So.2d 470. In *Chatelain*, the Court held:

Since the attorney-respondent cannot control the timing of the institution of disciplinary proceedings, it is generally inappropriate to disbar a previously disbarred attorney an additional time when the violations at issue occurred before or concurrently with the violations which resulted in the initial disbarment. When a second disciplinary proceeding against an attorney involves misconduct which occurred during the same time period as the first proceeding, the overall discipline to be imposed should be determined as if both proceedings were before the court simultaneously. [Citation omitted.]

573 So.2d 470, 471 n.2 (La. 1/22/91). In *Moses I*, Respondent was suspended for misconduct that occurred between 2018 and 2023. The misconduct in the present matter occurred in 2021. Thus, the misconduct in this matter occurred during the same time period as the misconduct in *Moses I*. Accordingly, the misconduct in *Moses I* must be considered here for the purpose of determining the appropriate sanction.

The *ABA Standards for Imposing Lawyer Sanctions* suggest that suspension is the baseline sanction for Respondent's misconduct. Standard 6.22 states "Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding." Standard 7.2 states "Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system." Here, Respondent has engaged in an on-going pattern of filing frivolous pleadings that advance the same argument despite its repeated rejection

by numerous courts. ODC Exhibit 10 is the thirty-nine (39) page Sanctions order issued by the Middle District, which was the basis of the reciprocal discipline order issued by the Louisiana Supreme Court in *Moses I*. This order details the on-going and egregious nature of the Respondent's frivolous filings. His conduct in this matter is yet another instance such misconduct. The Respondent's conduct was intentional and harmed the legal system and potentially harmed his clients. Accordingly, suspension is the baseline sanction.

There are several aggravating circumstances present in this matter. At the hearing, the Respondent did not acknowledge any wrongdoing, did not show remorse, and gave no indication he would cease filing frivolous pleadings.<sup>6</sup>

In its reciprocal discipline order, the Louisiana Supreme Court ordered Respondent to have a mental health evaluation through the Judges and Lawyers Assistance Program ("JLAP") as a condition for his reinstatement to the practice of law. See ODC Exhibit 11. To date, the Respondent has not done so. In his testimony, the Respondent indicated he did not need an evaluation but acknowledged he may have to get one to be considered for reinstatement. The Committee believes Respondent genuinely believes his assertions to the various Courts, that he is the leader of the Atakapa Tribe. While at times during the hearing the Respondent was articulate and focused, at other times his mental state appeared questionable. It is concerning to the Committee the Respondent has not yet obtained a mental health and/or JLAP evaluation.

The Respondent has been an attorney for 19 years, which would negate any suggestions he is new to the practice of law or his lack of experience mitigated his conduct. Therefore, the Respondent's considerable amount of time practicing law is an additional aggravating factor.

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<sup>6</sup> In fact, counsel for ODC requested the Committee recommend that Respondent be prohibited from filing frivolous pleadings *Pro Se*. While the point is a valid one made by ODC, the Committee feels it is beyond the scope of this matter and the Committee's province to issue an order prohibiting the *Pro Se* filings, so therefore, the Committee declines to do so.

In mitigation, the Committee considered the following. First, the Respondent honorably served in the U.S. Army. Second, the Respondent cooperated with ODC's investigation and pre-trial hearings. The Respondent was prepared and courteous throughout the process and hearings.

As noted by the Court in the reciprocal discipline proceeding, the Committee considers the Respondent's actions may be a result of a mental health issue. If the evaluation had been done, this could have been a mitigating factor to consider, but since there was no testimony regarding the Respondent's mental health this will not be considered as a mitigating factor.

When a lawyer has filed repeated frivolous pleadings in the past, sanctions have ranged from short to lengthy suspensions. In *In re Parker*, the Court suspended Ms. Parker for six months, with all but thirty days deferred, for filing multiple frivolous and dilatory motions to recuse two judges and misused the legal process in order to delay a community property partition proceeding. 2019-1007 (La. 10/15/2019), 280 So.3d 569. The Court found that Ms. Parker acted knowingly and intentionally, causing actual harm to the legal system, the opposing party, and her client. Aggravating factors included refusal to acknowledge the wrongful nature of the conduct and substantial experience in the practice of law. Mitigating factors included the absence of a prior disciplinary record, a cooperative attitude toward the proceedings, and delay in the disciplinary proceedings.

In *In re Nelson*, the Court suspended Mr. Nelson for one year and one day for filing repeated motions to recused state district and appellate court judges in a community property partition matter. 2020-0140 (La. 5/1/2020), 295 So.3d 922. In unrelated matter, Mr. Nelson neglected his client's matter and failed to communicate with the client. The Court found that Mr. Nelson acted knowingly and caused actual and potential harm to the legal system and the opposing party. Aggravating factors included substantial experience in the practice of law and a prior



disciplinary record. Mitigating factors included cooperative attitude toward the proceedings and personal/emotional problems.

In *In re Klein*, the Court suspended Mr. Klein for one year and one day for, in the course of representing a client in pending litigation: 1) making unsubstantiated, disparaging remarks about the trial judge and opposing counsel, 2) engaging in *ex parte* communications with the trial court's law clerk, 3) continuing to file duplicative pleadings into the record although ordered by the trial court to refrain from doing so without leave of court, and 4) removing the case to federal court solely for the purpose of delay. 2023-0066 (La. 5/18/2023), 362 So. 3d 392. The Court found that Mr. Klein's actions were knowing and intentional and caused actual harm to the administration of justice. Aggravating factors included a prior disciplinary record, refusal to acknowledge the wrongful nature of the conduct, and substantial experience in the practice of law. The sole mitigating factor was his full and free disclosure to the disciplinary board.

In *In re Cook*, the Court suspended Mr. Cook for three years, with eighteen months deferred, for filing repetitive and unwarranted pleadings in ongoing litigation and making frivolous and harassing claims for discovery against third persons not involved in the litigation. 2006-0426 (La. 06/16/06), 932 So. 2d 669. The frivolous pleadings included two motions to recuse and two complaints against the presiding judge. The motions were denied. Mr. Cook continued to reiterate the allegations in the motions to recuse and the complaints throughout the course of the litigation. He was sanctioned multiple times for his conduct in the litigation. The Court found that Mr. Cook acted knowingly and caused significant harm to the courts, the defendants, and third-parties. Aggravating factors included a pattern of misconduct and refusal to acknowledge the wrongful nature of the conduct. Mitigating factors included absence of a prior disciplinary record, personal or emotional problems, full and free disclosure to the disciplinary board and a cooperative attitude

toward the proceedings, inexperience in the practice of law, imposition of other penalties or sanctions, and delay in the disciplinary proceeding.

Here, when considering the misconduct in this matter with the misconduct in *Moses I*, it becomes clear that the Respondent's misconduct falls on the upper end of the range of sanctions discussed above. Like the cases above, the Respondent's misconduct was repeated. Unlike the cases above, the Respondent's misconduct has spanned multiple matters. In fact, the Respondent has hijacked the cases of multiple clients to advance his arguments regarding the Atakapa tribe. Thus, the Committee finds that the Court would have imposed a harsher sanction in *Moses I* had it been aware of the misconduct with regard to Defendant Marshall. The Committee feels an eighteen-month suspension is appropriate.

#### CONCLUSION

The Committee finds the Respondent violated the Rules as charged and recommends an eighteen (18) month suspension from the practice of law, which should be applied retroactively to the effective date of the discipline imposed in *Moses I*, which is May 29, 2024. The Committee also recommends that the Respondent be ordered to comply with the conditions set forth by the Court in *Moses I* and be assessed with the costs and expenses of this proceeding pursuant to Rule XIX, §10.1.

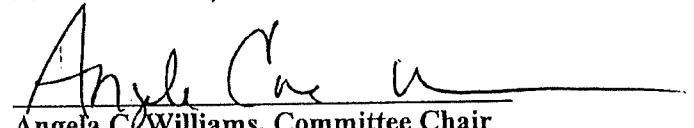
This opinion is unanimous and has been reviewed by each committee member, who fully concur and who have authorized the Chair to sign on their behalf.

Slidell, Louisiana, this 21<sup>st</sup> day of August, 2025.

**Louisiana Attorney Disciplinary Board  
Hearing Committee # 26**

**Angela C. Williams, Committee Chair  
Kenneth P. Mathews, Lawyer Member  
Ron D. Thomas, Public Member**

BY:

A handwritten signature in black ink, appearing to read "Angela C. Williams", is written over a horizontal line.

**Angela C. Williams, Committee Chair  
For the Committee**

## **APPENDIX**

### **Rule 3.1. Meritorious Claims and Contentions**

A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may nevertheless so defend the proceeding as to require that every element of the case be established.

### **Rule 8.4. Misconduct**

It is professional misconduct for a lawyer to:

...

(d) Engage in conduct that is prejudicial to the administration of justice;

...

## **CERTIFICATE OF MAILING**

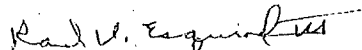
**In re: Edward Moses Jr  
Docket No. 25-DB-016**

I, Raul V. Esquivel, the undersigned Board Administrator for the Louisiana Attorney Disciplinary Board, certify that a copy of the foregoing Hearing Committee Report and Initial Cost Statement has been mailed to the Respondent or his/her Attorney of Record, by E-mail and/or United States Mail and E-Filed to the Office of Disciplinary Counsel, on August 22, 2025 at the following address:

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*Raul V. Esquivel III*  
*Board Administrator*