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ATTORNEYS AT LAW

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JACK B. ZIMMERMANN

BOARD CERTIFIED – CRIMINAL LAW
NATIONAL BOARD OF TRIAL ADVOCACY &
TEXAS BOARD OF LEGAL SPECIALIZATION

PERSONAL

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

LEGAL BACKGROUND

- ▶ Partner, Zimmermann, Lavine, Zimmermann, & Sampson, P.C.
- ▶ Board Certified in Criminal Law by National Board of Trial Advocacy and Texas Board of Legal Specialization
- ▶ Formerly, on active duty in the United States Marine Corps, served in three assignments: Chief Defense Counsel, then Chief Prosecutor, then Trial Judge
- ▶ Former Partner, Haynes & Fullenweider, P.L.C.
- ▶ Named a “Super Lawyer” by Texas Monthly Magazine (top 5% in State), 2003, 2004, 2005, 2006, and 2007
- ▶ Named Lawyer of the Year by the Harris County Criminal Lawyers Association and Texas Criminal Defense Lawyers Association, 2006
- ▶ Received Warhorse Award for Lifetime Achievement by the Southern Trial Lawyers Association, 2007

BAR AND CIVIC ACTIVITIES

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

NOTEWORTHY CASES

- ▶ 1981 - State v. Vickie Daniel (acquitted of murder of her husband former Speaker of the Texas House of Representatives - Liberty, Texas)
- ▶ 1984 - State v. Patricia Latourette (acquitted by instructed verdict of murder of her husband, radiologist and former NFL star - Houston, Texas)

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

GUEST ON

Larry King Live (CNN), Nightline, Rivera Live, Good Morning America, Today Show, CBS Morning News, Dateline, On Both Sides (CNN), American Justice (A & E Cable), Court TV, and numerous local television and radio shows from Honolulu to New York to London

PUBLICATIONS

“Civilian v. Military Justice,” Trial Magazine, October 1981
 “The Trials of Vickie Daniel,” Litigation Journal, Fall 1982
 “Resisting the Crown: Analyzing the Role of the Criminal Defense Lawyer,” Trial Magazine, October 1983
 “Defending the White Collar Case,” American Journal of Trial Advocacy, Spring 1984
 “Hypnotically Enhanced Testimony In The Criminal Trial,” Trial Diplomacy Journal, Summer 1984
 “Attorney Conflict of Interest,” Voice for the Defense, March and April 1987
 “Attorney Subpoenas Imperil Choice of Counsel,” Trial Magazine, April 1990
 “Protecting the Innocent: Seeking Disclosure of Exculpatory Evidence,” Trial Magazine, April 1992
 “Subpoenaing Counsel: What’s the Big Deal?” Texas Bar Journal, March 1993
 “Criminal Justice System on Trial,” Trial Magazine, March 1996
 “Trial Techniques Column,” The Trial Lawyer, July/August, September/October, November/December 1998
 “Liberty at Risk, Part 5: Handling Legal Aspects of Captured al Qaeda Detainees,” The Champion, July 2002.
 “Representing High Profile Clients the Ethical Way,” Texas Bar Journal, October, 2004
 Book: Co-Author, Criminal Procedure in Practice (NITA – 2001)

WEBSITE

www.TexasDefenseLawyers.com

JACK B. ZIMMERMANN
COLONEL
UNITED STATES MARINE CORPS RESERVE (RETIRED)

Colonel Zimmermann, a native of San Antonio, Texas received his commission as a Second Lieutenant upon graduation from the United States Naval Academy in June 1964.

After completion of the Basic School and the Artillery Officers Orientation Course, Second Lieutenant Zimmermann served as a forward observer with Battery "G," 3rd Battalion, 12th Marines, attached to Company "C," 1st Battalion, 4th Marines, in combat in the Republic of Vietnam in 1965. In 1966, he served as Fire Direction Officer of Battery "W," 3rd Battalion, 12th Marines in the Republic of Vietnam.

In July 1966, 1st Lieutenant Zimmermann was assigned to the joint service Defense Atomic Support Agency at Sandia Base, Albuquerque, New Mexico. He served as a course supervisor and platform instructor in several courses dealing with nuclear physics and nuclear weapons emergency team operations.

In July 1968, Captain Zimmermann assumed command of Headquarters Battery, 1st Battalion, 13th Marines in Vietnam. He next commanded Battery K, 4th Battalion, 12th Marines along the Demilitarized Zone. During this tour, Captain Zimmermann was awarded two Bronze Star Medals for heroism, and the Purple Heart Medal. His staff tour was as a member of the USMC Wound Data and Munitions Effectiveness Team, studying combat casualties and equipment.

From August 1969 to August 1970, Captain Zimmermann attended the Krannert Graduate School of Management at Purdue University. He was awarded his Master of Science degree, and reported to Headquarters Marine Corps, where he served in the G-1 section, with responsibility for enlisted recruiting standards and the All-Volunteer Force. From 1972-1975, Major Zimmermann attended the School of Law at the University of Texas at Austin, under the Excess Leave Program, obtaining a Doctor of Jurisprudence degree. During this tour, Major Zimmermann served as the Assistant Inspector-Instructor, Company B, 1st Battalion, 23rd Marines.

In October 1975, after graduation from the Naval Justice School at Newport, Rhode Island, Major Zimmermann was assigned as Chief Defense Counsel, Force Troops, Atlantic at Camp Lejeune, North Carolina. In June 1976, Major Zimmermann was transferred to the 2nd Marine Division, where he served as the Chief Prosecutor and Military Justice Officer. After serving as a trial judge at Camp Lejeune, North Carolina, Major Zimmermann resigned his regular commission on 1 July 1978, to enter the private practice of trial law in Houston, Texas.

The same day, Major Zimmermann accepted his commission in the United States Marine Corps Reserve. He served from September 1978 to February 1981 as Executive Officer, 1st Battalion, 23rd Marines, including duty in Norway on Operation Teamwork - 80. From March 1981 to February 1982, Lieutenant Colonel Zimmermann served as the operations officer of MTU TX-5 in Houston, Texas. From March 1982 to November 1983, Lieutenant Colonel Zimmermann served as Executive Officer of Headquarters Detachment 6, 4th Marine Division.

On 1 December 1983, Lieutenant Colonel Zimmermann assumed command of the 1st Battalion, 23rd Marines, and served in that capacity during Annual Training Duty at Pohakuloa, Hawaii in 1984, and at Camp Ripley, Minnesota in 1985. In 1985, his infantry battalion underwent formal evaluation under simulated combat conditions, and the entire unit was rated "Combat Ready."

On 22 September 1985, his tour as battalion commander was completed, and on 1 October 1985, he was promoted to the rank of Colonel. Colonel Zimmermann served with MTU TX-5 in Houston, Texas until October 1986.

From 1 November 1986 to 30 November 1988, Colonel Zimmermann served as the Staff Judge Advocate of the 4th Marine Aircraft Wing in New Orleans, Louisiana. From 1 December 1988 to 7 July 1989 he served as Deputy Chief Defense Counsel of the Marine Corps in Washington, D.C.

From 8 July 1989 to 10 August 1991, Colonel Zimmermann commanded Headquarters Detachment 6, 4th Marine Division in Houston, Texas, with responsibility for inspecting the mobilization readiness of Marine Reserve ground units throughout the country, many of which were activated for Operation Desert Storm in the Persian Gulf.

From 1 October 1991 to 29 March 1993, he performed duties as the Group Inspector for the 4th Force Service Support Group in Atlanta, Georgia.

From 30 March 1993 until his retirement on 1 July 1994, Colonel Zimmermann served as a Reserve General Court-Martial Trial Judge in the Navy-Marine Corps Trial Judiciary, presiding at trials in Marine Corps and Navy cases when assigned to active duty at Camp Lejeune, North Carolina and the Naval Air Station, Pensacola, Florida.

Colonel Zimmermann's personal decorations and awards include two Bronze Star Medals with combat "V", Purple Heart Medal, Meritorious Service Medal, Joint Service Commendation Medal, Navy Commendation Medal with combat "V", Combat Action Ribbon, Presidential Unit Citation, two Meritorious Unit Commendations, and many service awards.

Colonel Zimmermann has been married to the former Ilene Weinberger of San Antonio, Texas for over forty-three years. The Zimmermanns have two children: one is a Lieutenant Colonel of Marines who is currently assigned to a Reserve billet as a judge advocate in Kansas City, Missouri, and is practicing law in Houston, Texas; and the other is a former Captain of Marines who was designated as a Naval Flight Officer in the F/A-18, and is now a Special Agent with the Federal Bureau of Investigation in Charlotte, North Carolina.

Colonel Zimmermann is a board certified specialist in criminal law, and has been involved in many highly publicized cases in his career. These include the cases of Corporal Clemente Bañuelos, cleared of the homicide of a goatherder along the United States-Mexico border, and Lance Corporal Christian Hernandez, cleared of the homicide of an associate of Saddam Hussein in Iraq.