

# STONE HILTON

June 25, 2026

Bridgette Smith-Lawson  
Fort Bend County Attorney  
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*via email and for immediate public release*

**Re: County Judge Daniel Wong**

Ms. Smith-Lawson:

On behalf of County Judge Daniel Wong, I write in response to your meritless and legally unsupported public and private statements regarding Judge Wong's status as the chief executive of Fort Bend County. You have contended that Judge Wong is no longer an officer of the county because of a private plaintiff's unilateral decision to nonsuit her case in *Roberts v. George*, No. 25-DCV-335003 (400th Dist. Ct., Fort Bend County, Texas). Simply put, you are wrong.

The district judge's appointment order in that case, the Local Government Code, and the Texas Constitution all point to one conclusion: Daniel Wong is the County Judge of Fort Bend County. We demand that you immediately withdraw and correct your statements to the contrary and that you undo any actions that you have taken pursuant to your mistaken legal analysis.

**1. The order appointing Judge Wong remains in effect by its own terms.**

You have incorrectly concluded that the order appointing Judge Wong terminated as a result of the unilateral decision by the plaintiff—a Democrat partisan—to nonsuit her civil case against KP George following his criminal conviction. But neither the order appointing Judge Wong nor the disposition of the civil case provide for this outcome. The appointment order itself is open ended and is not limited by time or made contingent on the happening of any event. It simply provides that the court “hereby appoints Daniel Wong as County Judge to perform the duties of the office.” The civil case was immediately terminated upon the filing of the notice of nonsuit by the plaintiff. *See* Tex. R. Civ. P. 162. And the Court's subsequent order regarding the nonsuit does not undo Judge Wong's appointment. Accordingly, your conclusion that Judge Wong's status was altered as a result of the conclusion of that case is wrong.



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**2. The plain text of Texas Local Government Code § 87.017 does not provide for the termination of the order appointing Judge Wong.**

The plain text of Texas Local Government Code § 87.017 does not contemplate the dismissal of the underlying suit in which suspension and appointment of a replacement is ordered. It merely states that the district judge may temporarily suspend the officer and appoint another person to perform the duties of the office, and nobody—not even you—has challenged the validity of that appointment.

This statute gives the district judge two extraordinary powers: the ability to temporarily suspend a sitting officer, and the ability to “appoint another person to perform the duties of the office.” *Id.* § 87.017(a). The statute does not give the district judge the ability to limit or condition that appointment in any way. Moreover, George has been fully removed from office as a result of his criminal conviction. You do not contend that George could or should be restored to office, whether as a result of a trial in *Roberts v. George* or otherwise. Accordingly, the Local Government Code provides for no mechanism to limit or terminate Judge Wong’s appointment as County Judge because of the unique circumstances of the situation.

**3. The holdover provision of the Texas Constitution requires Judge Wong to continue to perform the duties of his office.**

The Texas Constitution requires Judge Wong to continue as Fort Bend County Judge until his successor takes office. The text of the section reads that “all officers of this State shall continue to perform the duties of their offices until their successors shall be duly qualified.” Tex. Const. art. XVI, § 17. As explained in the 2018 editor’s notes of the provision, this is “to prevent public convenience from suffering because of a vacancy in office, and to insure against vacancies in office.” Tex. Const. art. XVI, § 17 interp. commentary (West 2018).

This is exactly the situation faced here. George cannot resume the office of county judge. Even if Judge Wong’s appointment was extinguished by the dismissal of the underlying case—as explained above, it was not—George’s inability to resume office means that Judge Wong may not stop performing the duties of the office under the holdover provision until a successor is duly qualified. Indeed, this is not optional for Judge Wong: the Texas Constitution *requires* him to continue to serve the people of Fort Bend County.

Courts across Texas have applied section 17 as such. *See, e.g., In re Reed*, No. 02-22-00113-CV, 2022 WL 1405520, at \*8 (Tex. App.—Fort Worth May 4, 2022, no pet.) (invoking article XVI, section 17 to keep an incumbent in office as a holdover pending a special election to fill the resulting vacancy); *Bianchi v. State*, 444 S.W.3d 231, 248–49 (Tex. App.—Corpus Christi–Edinburg 2014, no pet.) (applying article XVI, section 17 to keep a constructively resigned officer in office as a lawful holdover until his successor qualifies); *Crawford v. State*, 153 S.W.3d 497, 504–05 (Tex. App.—Amarillo 2004, no pet.) (applying article XVI, section 17 to hold a resignation ineffective to vacate office absent a qualified successor); *Pyote Indep. Sch. Dist. v. Estes*, 390 S.W.2d 3, 7 (Tex. App.—El Paso 1965, writ ref’d n.r.e.) (recognizing under article XVI, section 17 that unelected school trustees continue to hold office until their successors qualify,

keeping the board functional). Moreover, courts have recognized that the holdover provision applies to county judges for well over 100 years. *See, e.g., State v. Jordan*, 28 S.W.2d 921 (Tex. App.—Amarillo 1930, writ dismissed w.o.j.); *McGhee v. Dickey*, 4 Tex. Civ. App. 104, 23 S.W. 404 (1893, no writ).

Your failure to address or acknowledge this key constitutional provision and the century of precedent speaks volumes about both your motivations and the quality of your legal analysis.

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On behalf of Judge Wong, and for the foregoing reasons, we reiterate our demand that you withdraw and correct your statements to the contrary and that you undo any actions that you have taken pursuant to your mistaken legal analysis. By charging ahead with your woefully inadequate legal opinion, you have sown partisan chaos and disrupted the operation of the Fort Bend County government. For the good of the people of Fort Bend County, we urge you to correct your position immediately.

Sincerely,



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CC: Commissioner Vincent Morales, Jr.  
Commissioner Grady Prestage  
Commissioner Andy Meyers  
Commissioner Dexter L. McCoy