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In The Matter of Andrew U.D. Straw

Appellate Court: Supreme Court

Case Number: 98S00-1601-DI-00012

Case Type: Attorney Discipline

Related Case(s): Other - 98S00-1601-DI

Documents & Media

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Parties to the Case

Disciplinary Commission; - *Petitioner*[Show Party Details](#)Straw, Andrew U.D.; - *Respondent*

Chronological Case Summary

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Date	Event Details
1/4/2017	Document Filed Motion for Correction Attorney: Straw, Andrew Party: Straw, Andrew Motion for Correction Certificate of Service- Electronically Served 01/07/2017
12/28/2016	Note Received on 12/22/2016: 1 Binder of Exhibits
12/27/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Notice of Federal Lawsuit Certificate of Service- Electronically Served 12/27/2016
12/23/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Motion Disqualification Certificate of Service- Electronically Served 12/23/2016
12/21/2016	Transmitted to Supreme Court

12/20/2016	Received Document Receive Date: 12/22/2016 Duplicate Copy of Hearing Officer's Finding of Fact
12/19/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Response to Disciplinary Action Certificate of Service- Electronically Served 12/19/2016
12/16/2016	Hearing Officer's Findings
11/23/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Motion for the Indiana Supreme Court to Clear my Name Certificate of Service- Electronically Served 11/23/2016
10/9/2016	Received Document Receive Date: 10/09/2016 Proposed Order to Establish Disability Rights Fairness Commission
9/17/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Motion for the Supreme Court to Stop Interfering in Lower Courts and any other Courts, State or Federal, to open the Courts to me per the Indiana Bill of Rights Certificate of Service- Electronically Served 09/17/2016
9/17/2016	Received Document Receive Date: 09/17/2016 Proposed Order to Provide Substantive Justice to Respondent for 15 Years of Disability Discrimination and Constitutional Violations Under the Indiana Bill of Rights, Section 12
8/15/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Affidavit Regarding Other "Bipolar" Attorney Discipline Cases Decided by this Court Since 1990, When the ADA was Passed with attachment Certificate of Service- Electronically Served 08/15/2016
7/30/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Affidavit Re: IADC Officer Convicted of Speeding in a School Zone Certificate of Service- Electronically Served 07/30/2016
7/30/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Affidavit Re: IADC Hearing Officer Convicted of Speeding 6 Months before Accident; Chief Justice Convicted of Front Seat Passenger Seatbelt Violation Certificate of Service- Electronically Served 07/30/2016
7/29/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Anti-Corruption Affidavit Certificate of Service- Electronically Served 07/29/2016
7/28/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Affidavit of USAF Captain Jason Lee Straw (Ret.) Certificate of Service- Electronically Served 07/28/2016
7/20/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Notice of Virginia Law License in Active In Good Standing Status Certificate of Service- Electronically Served 07/20/2016

7/19/2016	<p>Document Filed</p> <p> Motion Requesting Apology, Compensation, and Permanent Injunction Directed to All Indiana Courts</p> <p>Attorney: Straw, Andrew Party: Straw, Andrew Motion Requesting Apology, Compensation, and Permanent Injunction Directed to All Indiana Courts Certificate of Service- Electronically Served 07/19/2016</p>
6/22/2016	<p>Note</p> <p>Documents received on 06/21/2016 should read attachments included.</p>
6/21/2016	<p>Received Document</p> <p>Receive Date: 06/21/2016 Motion for Disability Rights & Programs & Relief</p>
6/14/2016	<p>Document Filed</p> <p>Attorney: Straw, Andrew Party: Straw, Andrew Certificate of Service with Attachments Certificate of Service- Electronically Served 04/14/2016</p>
6/13/2016	<p>Document Filed</p> <p>Attorney: Ordway, Angie Party: Disciplinary Commission Commission's Tender of Proposed Findings of Fact, Conclusions of Law and Recommendation Certificate of Service-Mailed 06/13/2016</p>
6/13/2016	<p>Document Filed</p> <p>Attorney: Straw, Andrew Party: Straw, Andrew Proposed Findings of Fact and Order Certificate of Service- Electronically Served 06/13/2016</p>
5/23/2016	<p>Document Filed</p> <p>Attorney: Straw, Andrew Party: Straw, Andrew Affidavit Re: Education Certificate of Service- Electronically Served 05/23/2016</p>
5/22/2016	<p>Document Filed</p> <p>Attorney: Straw, Andrew Party: Straw, Andrew Affidavit RE: Ethical Rules and Disability Rights Cases Certificate of Service- Electronically Served 05/22/2016</p>
5/17/2016	<p>Document Transmitted</p>
5/17/2016	<p>Document Transmitted</p>
5/12/2016	<p>Hearing Officer Order Issued</p> <p> Hearing Officer Order Issued</p> <p>Serve: Ordway, Angie Serve: Straw, Andrew Serve: Witte, Gordon</p> <p>A. Procedural Background 1. On January 11, 2016, the Commission filed a Verified Complaint for Disciplinary Action against Respondent. 2. On February 5, 2016, the Respondent filed his Response with Answers under Protest. 3. On February 17, 2016, the Respondent filed a Motion to Dismiss and accompanying Affidavit Regarding History of Discrimination. 4. On March 12, 2016, the Respondent filed a Petition for an Order for Protection (filed by a person seeking protection). This protection order is premised upon stalking, and is filed within the immediate administrative matter. It is does not appear to be pending or adjudicated before any Indiana state trial court of record. 5. On April 1, 2016, the Respondent filed a Motion for Sanctions against Indiana Attorney Disciplinary Commission Attorney Angie Ordway and for Other Relief. 6. On April 20, 2016, the Respondent filed a Motion to Suspend Proceeding and a Motion to Compel. 7. On April 21, 2016, the parties appeared before the Hearing Officer to conduct a Pre-Hearing. At the Pre-Hearing, discovery and all Pre-Hearing Motions filed to date were discussed. Following this discussion, the Respondent moved to withdraw the Motion to Compel filed on April 20, 2016. The Hearing Officer granted the Respondent's request to withdraw the Motion to Compel. Finally, the parties advised that they were prepared to proceed with the Disciplinary Hearing scheduled for May 12, 2016 at 9:00A.M. (Central). B. Analysis 1. Motions to</p>

dismiss are not appropriate in a disciplinary proceeding. Admission and Discipline Rule 23, Section 14(a) provides, in pertinent part, as follows: The rules of pleading and practice in civil cases shall not apply. No motion to dismiss or dilatory motions shall be entertained. Admis. Disc. R. 23(14)(a). 2. A motion to dismiss filed within a disciplinary proceeding is dismissed as procedurally invalid. See Matter of Ogden, 10 N.E. 3d 499, 500 (Ind. 2014); Admis. Disc. R. 23(14)(a). Constitutional challenges to the rule proscribing dilatory motions and motions to dismiss have been found to be without merit. Matter of Briggs, 502 N.E. 2d 879, 888 (Ind. 1987). 3. Other than his Motion to Compel, which he withdrew at the Pre- Hearing, the Respondent's remaining pre-hearing motions (set forth above in Section A) share a common thread in that they are requests to delay or dismiss the Disciplinary Hearing scheduled for May 12, 2016 at 9:00 A.M. (Central). These pre-hearing motions are in contravention to Admission and Discipline Rule 23 and other legal precedent. 4. Respondent's Motion to Dismiss and Other Relief filed February 17, 2016, is denied. 5. Respondent's Petition for an Order for Protection filed March 12, 2016, is denied. 6. Respondent's Motion for Sanctions against Indiana Disciplinary Commission Attorney Angie Ordway and for Other Relief filed April 1, 2016, is denied. 7. Respondent's Motion to Suspend Proceedings filed April 20, 2016, is denied. C. Conclusion 1. For all of the foregoing reasons, the Respondent's pre-hearing motions are denied. The Hearing Officer now reaffirms the Disciplinary Hearing now scheduled (by agreement of the parties) for May 12, 2016 at 9:00 A.M. (Central). The parties are directed to appear for the Disciplinary Hearing. Hon. James R. Ahler, Hearing Officer

5/12/2016

Hearing Officer Order Issued

 [Hearing Officer Order Issued](#)

Serve: Ordway, Angie

Serve: Straw, Andrew

Serve: Witte, Gordon

The Indiana Supreme Court Disciplinary Commission appears by counsel, Angie Ordway, for purpose of the Hearing. Respondent Andrew U. D. Straw fails to appear for the Hearing. The Hearing Officer finds that Respondent had notice of the Hearing but has not appeared. The Hearing Officer then took a recess from the Hearing and directed Court personnel to contact Respondent Andrew U. D. Straw at the telephone number he had provided at the Pre-Hearing. Court personnel left a message on Respondent's cellular telephone to determine his location and intent to participate in the Hearing. Following recess, the Hearing Officer resumed the Hearing and evidence and argument were presented. Proposed Findings of Fact and Conclusions of Law, if any, shall be filed within thirty (30) days from the date of this Order, or on or before June 13, 2016. The Hearing Officer now takes the issues under advisement. Hon. James R. Ahler, Hearing Officer

5/6/2016

Document Filed

Attorney: Straw, Andrew

Party: Straw, Andrew

Notice: I refuse to Participate Certificate of Service-Mailed 05/06/2016

4/27/2016

Document Transmitted

4/22/2016

Affidavit

Party: Straw, Andrew

Certificate of Service- Electronically Served 04/22/2016

4/21/2016

Hearing Officer Order Issued

 [Hearing Officer Order Issued](#)

Serve: Ordway, Angie

Serve: Straw, Andrew

Serve: Witte, Gordon

Indiana Supreme Court Disciplinary Commission appears by counsel, Angie Ordway; Respondent appears in person, pro se, all for the purpose of Pre-Hearing. Pre-hearing issues discussed. Respondent orally moves to withdraw Motion to Compel filed April 20, 2016. Motion to withdraw granted. Respondent's Motion to Dismiss and Other Relief, Petition for an Order for Protection, Motion for Sanctions, and Motion to Suspend Proceedings discussed. Disciplinary Hearing is reaffirmed for May 12, 2016, at 9:00 a.m. All parties are directed to appear on said date. Hon. James R. Ahler, Hearing Officer

4/20/2016

Received Document

Receive Date: 04/20/2016 Proposed Order

4/20/2016

Document Transmitted

4/20/2016

Document Filed

Attorney: Straw, Andrew

Party: Straw, Andrew

Notice: List of Evidence to be Used Certificate of Service- Electronically Served 04/20/2016

4/20/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Motion to Compel Certificate of Service- Electronically Served 04/20/2016
4/20/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Motion to Suspend Proceeding Certificate of Service- Electronically Served 04/20/2016
4/20/2016	Received Document Receive Date: 04/20/2015 Exhibit A, Amended to April 19, 2016 Version pf EEOC Complaint Form 5, as Actually Filed
4/18/2016	Hearing Officer Order Issued  Hearing Officer Order Issued Serve: Ordway, Angie Serve: Straw, Andrew Serve: Witte, Gordon Indiana Disciplinary Commission appears telephonically by Attorney Angie Ordway; Respondent, Andrew U. D. Straw appears in person, pro se, all for the purpose of hearing. The Court notes that the Final Pre-Trial Conference is set for April 21, 2016, at 2:00p.m., and that the Respondent has appeared early. Conference held and concluded. By agreement of the parties, the date of Final Pre-Trial Conference is reaffirmed for April 21, 2016, with a time change to 9:00 a.m. Central Time. All parties are directed to appear for said hearing. Hon. James R. Ahler, Hearing Officer
4/18/2016	Document Filed Attorney: Ordway, Angie Party: Disciplinary Commission Disciplinary Commission's Witness and Exhibit List Certificate of Service-Mailed 04/18/2016
4/12/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Notice: No More Discovery or Witnesses Requested Certificate of Service- Electronically Served 04/12/2016
4/4/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Interrogatories Certificate of Service- Electronically Served 04/04/2016
4/1/2016	Document Filed Attorney: Straw, Andrew Party: Straw, Andrew Motion for Sanctions Against Indiana Attorney Disciplinary Commission Attorney Angie Ordway and for Other Relief Certificate of Service- Electronically Served 04/01/2016
3/19/2016	Document Filed Party: Straw, Andrew Reply In Re: Respondent's Motion to Dismiss Certificate of Service- Electronically Served 03/19/2016
3/18/2016	Document Transmitted
3/12/2016	Document Filed Party: Straw, Andrew Petition for an Order for Protection and Request for a Hearing Certificate of Service-Mailed 03/12/2016
3/11/2016	Document Filed Party: Straw, Andrew Request for Admissions Certificate of Service- Electronically Served 3/11/2016
3/10/2016	Hearing Officer Order Issued

 [Hearing Officer Order Issued](#)

Serve: Ordway, Angie

Serve: Straw, Andrew

Serve: Witte, Gordon

Comes now the Indiana Disciplinary Commission (hereinafter "Commission") by counsel, Angie Ordway, telephonically, and Respondent, Andrew U. D. Straw (hereinafter "Straw"), telephonically, for the purpose of prehearing conference. Conference held. Pre-hearing discovery and procedures discussed. Discussion held as to legal counsel to represent Respondent Straw. Respondent Straw advises that he is currently self-represented and will consider retention of legal counsel for Final Hearing. The parties agree to commence discovery. Respondent Straw advises he will issue written discovery to the Commission. The Court directs the parties to issue subpoenas for the purpose of securing witness attendance at Final Hearing. By agreement, witness and exhibit lists shall be filed on or before April 18, 2016, by 4:00 p.m. (Central). By agreement, Final pre-hearing conference is set for April 21, 2016, at 2:00 p.m. (Central) at the Jasper Superior Court/115 W. Washington Street/Rensselaer, Indiana 47978. All parties must appear in person for the Final Pre-Hearing Conference. All Pre-Hearing Motions, if any, shall be heard and resolved on this date. By agreement, Final Hearing is set for May 12, 2016, at 9:00a.m. (Central) (1 day setting) at the Jasper Superior Court/115 W. Washington Street/Rensselaer, Indiana 47978. All parties must appear in person for the Final Hearing. Hon. James R. Ahler, Hearing Officer

3/9/2016

Document Filed

Party: Ordway, Angie

Commission's Response in Opposition To Respondent's Motion To Dismiss Certificate of Service-Hand Delivered 03/09/2016

3/6/2016

Document Filed

Party: Straw, Andrew

Additional Materials: Americans with Disabilities Act of 1990, Americans with Disabilities Act Amendments Act of 2008, Rehabilitation Act of 1973, 504, and Indiana Civil Rights Law Certificate of Service- Electronically Served 03/06/2016

3/2/2016

Document Transmitted

3/1/2016

Hearing Officer Order Issued

 [Hearing Officer Order Issued](#)

Serve: Ordway, Angie

Serve: Straw, Andrew

Serve: Witte, Gordon

Due to inclement weather, the pre-hearing conference previously scheduled for February 25, 2016, at 10:00 a.m. was not conducted. Pre-hearing conference is rescheduled for March 10, 2016, at 3:00 p.m. central time. Both parties may appear telephonically. If either party chooses to appear telephonically, that party is responsible for telephoning the Jasper Superior Court [219-866-4971] at the appropriate date and time. If either party elects to appear, said hearing shall be held at Jasper Superior Court/115 W. Washington Street/Rensselaer, Indiana 47978. The evidentiary hearing and hearing on Andrew U. D. Straw's Motion to Dismiss shall be set at the pre-hearing conference. Hon. James R. Ahler, Hearing Officer

2/17/2016

Document Filed

Party: Straw, Andrew

Motion to Dismiss and for Other Relief with Affidavit Certificate of Service- Electronically Served 02/17/2016 Certificate of Service-Mailed 02/17/2016

2/5/2016

Document Filed

Party: Straw, Andrew

Response and Answer Under Protest. Certificate of Service-Mailed 02/05/2016

1/26/2016

Document Transmitted

1/22/2016

Oath of Hearing Officer

1/22/2016

Hearing Officer Order Issued

 [Hearing Officer Order Issued](#)

Serve: Ordway, Angie

Serve: Straw, Andrew

Serve: Witte, Gordon

Pre-hearing conference in this cause is set for February 25, 2016, at 10:00 a.m. central time. Said pre-hearing conference shall be held in the Jasper Superior Court/115 W. Washington Street/Rensselaer, Indiana 47978. The evidentiary hearing will be set at the pre-hearing conference. Hon. James R. Ahler, Hearing Officer

1/21/2016 **Document Transmitted**

1/20/2016 Order Appointing Hearing Officer

 [Order on Appointment](#)

Judicial Officer: Rush, Loretta H.

Serve: Ordway, Angie

Serve: Witte, Gordon

IT IS THEREFORE ORDERED that the Honorable James R. Ahler is appointed to hear this matter pursuant to Admission and Discipline Rule 23 and is directed to qualify and assume jurisdiction.

1/11/2016 **Disciplinary Commission Summons**

1/11/2016 **Disciplinary Complaint**

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