

Reporter - Telegian  
Midland, Texas  
SEP 13 1988

## Fezell says he's resigning as DA

WACO (AP) — The would-be successors to Vic Fezell are queuing up even before his resignation as McLennan County district attorney is official.

Fezell, acquitted last year in a federal racketeering trial, announced Monday he will soon quit the county job and join a manufacturing corporation as a general counsel.

"My resignation will be effective at 9:23 a.m. this coming Saturday. That is a significant date because that is two years to the minute from the time I was arrested and led from the office in front of my staff in handcuffs," Fezell told the Waco Tribune-Herald.

Fezell stood trial last year on allegations that he accepted bribes from certain attorneys in exchange for dismissing or reducing charges against their clients.

Waco attorneys Paul Gartner and Brad Cates said Monday they are interested in the job and will send resumes to the governor's office.

Gartner, 36, is a Republican who was defeated by Fezell in the past two general elections. Cates, 33, was an assistant under Fezell and former District Attorney Felipe Reyna.

James Huffines, Clements' appointment secretary, said that until his office receives Fezell's resignation, which Fezell said he mailed Monday, "quite frankly we are not going to focus any attention on it."

"Mr. Fezell has a reputation for changing his mind and we are not putting any stock in these rumors until we receive a resignation. We are not going to get excited about it until then," he said.

Fezell, 36, will join ASK Corp., formerly American Solar King Corp., which manufactures natural gas through cogeneration processes.

He said his new job will enable him to practice law with his attorney, Gary Richardson of Tulsa, Okla.; devote more time to his pending \$44 million libel suit against WFAA-TV, Channel 8 reporter Charles Duncan and Waco Police Chief Larry Scott; and help with the production of a movie about his life.

The timing of Fezell's resignation means that Republican Gov. Bill Clements will appoint a successor to serve the remaining 27 months of Fezell's term.

If Fezell had resigned 10 days earlier — or 65 days before the Nov. 8 general election — county Democratic and Republican party officials could have named two candidates to compete in a contested race on the general election ballot.

County Democratic Party Chairman Gene Evans told the Tribune-Herald that he and Fezell discussed the deadline several weeks ago, and also that he would have liked to have been able to let the voters choose a replacement in November instead of turning the office over to a Republican.

Huffines said his office will interview applicants for the job and will have a replacement named within two weeks to a month.

ASK sought reorganization under Chapter 11 of federal bankruptcy laws in August 1986.

### Fezell's controversial career outlined

Here is a chronology of the controversial career of District Attorney Vic Fezell of Waco, who announced Monday that he is resigning:

- May 1, 1982: Fezell defeats incumbent District Attorney Felipe Reyna in Democratic primary.
- Nov. 7, 1982: Fezell defeats Republican candidate Paul Gartner in general election.
- Sept. 16, 1986: A 12-count federal indictment charging Fezell with bribery, racketeering and mail fraud is returned by an Austin grand jury.
- Sept. 17, 1986: Fezell is arrested and handcuffed by FBI and DPS agents outside his office.
- Nov. 5, 1986: Despite indictment, Fezell again defeats Gartner in general election.
- May 26, 1987: Fezell's trial begins in Austin.
- June 15, 1987: Waco attorney Don Hall, Fezell's former law associate, testifies he paid Fezell money to drop cases against his clients.
- June 25, 1987: Testimony ends. U.S. District Judge James Nowlin dismisses mail fraud charges against Fezell after Supreme Court ruling in another case.
- June 29, 1987: Fezell acquitted of bribery and racketeering.
- Jan. 6, 1988: Fezell agrees to a two-year probational suspension of his law license for "alleged acts of professional misconduct."
- Sept. 12, 1988: Fezell resigns, effective Sept. 17, 1988 — the anniversary of his 1986 arrest — to accept a job as a general counsel for ASK Corp. of Waco.