

STATE OF NORTH CAROLINA
COUNTY OF WAKE

NORTH CAROLINA GENERAL ASSEMBLY
HOUSE SELECT COMMITTEE

FILE NO. _____
HOUSE PRINCIPAL CLERK
NC GENERAL ASSEMBLY
STATE LEGISLATIVE BUILDING
RALEIGH, NC 27601-1096

NORTH CAROLINA GENERAL ASSEMBLY)
)
 V.)
)
 REPRESENTATIVE THOMAS WRIGHT,)
 Respondent.)

RESPONDENT'S RESPONSE
TO NOTICE OF WITNESSES'
REQUIREMENT

Based upon a time-line which has been established by the House Select Committee regarding the hearing of this matter, Respondent is required to provide the names of witnesses and summaries of their expected testimonies by February 22, 2008. Respondent acknowledges receipt of the Notice of Witness List which was filed and provided by its Special Counsel on February 12, 2008. (These summaries were provided without the accompanying written statements which the identified witnesses made and the House Select Committee purportedly reviewed when it determined that probable cause existed to pursue claims against Respondent.) Respondent also notes the widespread news media attention which surrounded the filing of this Committee's witness list and summaries along with the several news articles and television accounts which chose and provided selected portions of the submitted summaries for public consumption. In particular, those news accounts which purported to convey hearsay statements which were attributed to Respondent have had the effect of poisoning public opinion and negatively impacting the jury panel which may be summoned in the next week or so to participate in the criminal trial which this respondent faces in the Wake County Superior Court.

In addition to the hearing which the House Select Committee is aggressively pursuing, this Respondent also faces criminal charges in the Wake County Superior Court. For the most part, the criminal charges are carbon copies of the charges which the House Select Committee is prosecuting. In the criminal cases, Respondent enjoys constitutional protections which are guaranteed by the Fifth Amendment to the United States Constitution and Art. I, Sections 19 and 22 of the North Carolina Constitution. As such, the State of North Carolina and none of its agents or agencies are allowed to force Respondent to become a witness against himself or to prematurely provide the specifics of the defense and/or evidence which he may introduce during these criminal proceedings.

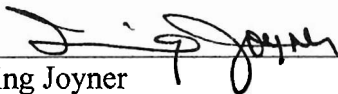
The House Select Committee Rules and time-lines seek to require respondent to provide, in this proceeding, the identities of possible witnesses which may be called in his defense and summaries of their expected testimonies. To compel the disclosure of the identities of witnesses and their expected testimonies, which this House Select Committee Rules require, has the effect, if not the intent, of abrogating Respondent's federal and state constitutional protections. The revelation of this information, at this time, provides the State of North Carolina and the Wake

County District Attorney with discovery of Respondent's criminal case to which it is not entitled to receive. In addition, providing that information, at this time, to be filed with the Principle Clerk of the North Carolina General Assembly converts that, otherwise, privileged and confidential information into a public document which is immediately available to the news media for dissemination to the public-at-large. This media dissemination will further taint any jury pool which may be summoned to adjudicate the criminal charges which are pending against this Respondent in the Wake County Superior Court.

Respondent, an elected member of the North Carolina General Assembly, is the legislative representative from the House District from which he was elected. As such, the people in that House District have a constitutional right to his services as their representative. In addition, this Respondent has a legally protected property interest in that legislative position and can not be deprived of that property interest and position without Due Process of Law. As long as criminal charges are pending, this respondent also enjoy federal and state constitutional protections which can not be sacrificed or violated in the interest of satisfying the unreasonable determination and demands of the House Select Committee to proceed with its charges before the criminal charges have been resolved. The Hobson choice which this respondent now faces is created by the insistence of the House Select Committee in going forward with it prosecution and totally ignoring this Respondent's legal rights by forcing him to relinquish constitutional rights which the State of North Carolina is bound to protect.

As long as criminal charges are pending against Respondent, he is not in a position to provide free and unwarranted discovery directly to the Wake County District Attorney or indirectly through the House Select Committee.

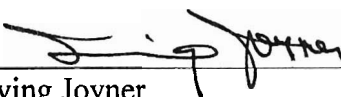
This the 22nd day of February, 2008.


Irving Joyner
Attorney for Representative Thomas Wright
P.O. Box 374
Cary, North Carolina 27512
Telephone:(919)319-8353

CERTIFICATE OF SERVICE

The Attorney whose signature appears below certifies that a copy of the attached Respondent's Response To Notice Of Witnesses Requirement was duly served upon the Clerk of the North Carolina General Assembly by hand-delivering copies of same to the North Carolina Legislature and to Representative Rick Glazier at 300 North Salisbury Street, Suite 200, Raleigh, North Carolina 27603 addressed separately to Attorney O. Walker Reagan and by depositing a copy of same in the United States mail, first class postage prepaid and addressed to Attorney William Hart, North Carolina Department of Justice, P.O. Box 629, Raleigh, North Carolina 27602.

This the 22nd day of February, 2008



Irving Joyner