

Winston Convinces Fifth Circuit to Vacate Bribery and Conspiracy Convictions of Ruel Hamilton on Appeal

AUGUST 23, 2022

We defended Dallas property developer **Ruel Malcolm Hamilton** in a widely reported criminal case, in which he was charged with two counts of federal programs bribery under 18 U.S.C. § 666, one count of conspiracy under 18 U.S.C. § 371, and one count of violation of the Travel Act under 18 U.S.C. § 1952. He was alleged to have bribed two former Dallas City Council members to help him with a Dallas development.

When the two-week-long June 2021 trial concluded, the jury returned a split verdict, with Mr. Hamilton acquitted of the Travel Act count and convicted of the bribery and conspiracy counts. Mr. Hamilton was sentenced to eight years in federal prison and a US\$150K fine.

On February 11, 2022, we and co-counsel, Paul Clement, appealed Mr. Hamilton's convictions for conspiracy and bribery on his behalf to the Fifth Circuit. On August 23, 2022, the Fifth Circuit vacated Mr. Hamilton's convictions, finding that the district court improperly instructed the jurors that section 666 included gratuities in addition to bribes and had other errors. We also successfully opposed the government's petition for rehearing, which was declined by the full court in February 2023.

IMPACT

Our Fifth Circuit win, which enabled our client to be free of criminal convictions as well as a substantial jail sentence and fine, also has given him the opportunity to restore his reputation and business. It also substantially limits the prosecutors' theories in any re-trial.

(U.S.A. v. Ruel Malcolm Hamilton (Case No. 3:19-CR-0083-M, U.S. District Court for the N.D. Tex.; and **Ruel Malcolm Hamilton v. U.S.A.**, Case No. 21-11157, U.S. Court of Appeals for the Fifth Circuit))

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