Supreme Court of Louisiana

FOR IMMEDIATE NEWS RELEASE NEWS RELEASE #051

FROM: CLERK OF SUPREME COURT OF LOUISIANA

The Opinions handed down on the **30th day of October, 2026** are as follows:

PER CURIAM:

2026-B-00501 IN RE: EDWARD MOSES, JR.

SUSPENSION IMPOSED. SEE PER CURIAM.

Hughes, J., concurs in part and dissents in part and assigns reasons.

SUPREME COURT OF LOUISIANA

NO. 2026-B-0501

IN RE: EDWARD MOSES, JR.

ATTORNEY DISCIPLINARY PROCEEDING

PER CURIAM

This disciplinary matter arises from formal charges filed by the Office of Disciplinary Counsel ("ODC") against respondent, Edward Moses, Jr., an attorney licensed to practice law in Louisiana, but currently suspended from practice.

PRIOR DISCIPLINARY HISTORY

Before we address the current charges, we find it helpful to review respondent's prior disciplinary history. Respondent was admitted to the practice of law in Louisiana in 2006.

On September 13, 2023, respondent was suspended from practice before the United States District Court for the Middle District of Louisiana for a period of one year based on his "unrelenting pursuit of legal claims deemed 'frivolous' and 'wholly without merit'…" Essentially, between 2018 and 2023, respondent filed numerous pleadings in federal court in which he asserted that he is a monarch and a deity and the head of state of the Atakapa Indian Nation, a group that lacks federal recognition. Respondent further contended that the 1803 Louisiana Purchase Treaty was not properly ratified, and therefore the Atakapa Nation is entitled to a new sovereignty under his exclusive imperial rule. Respondent was repeatedly warned that his claims were frivolous, and when he continued to pursue them, sanctions were imposed against him. Respondent then began to inject these claims into his clients' cases. Finding that respondent, at every turn, "ignored and violated his professional

and ethical obligations, …" the federal court suspended him for one year and fined him $15,000.

After receiving notice of the federal court order of discipline, the ODC filed a motion to initiate reciprocal discipline proceedings in Louisiana. Respondent filed a response arguing that reciprocal discipline was unwarranted. He asserted that although he is an attorney, he did not appear in the proceedings in his individual capacity, but rather solely in the capacity of "the Christian Emperor d'Orleans Trust protector of the Atakapa Indian 'Tribe of [symbols] Moses' (Foreign) Express Spendthrift Trust."

On May 29, 2024, this court imposed reciprocal discipline of a one-year suspension. *In re: Moses*, 24-0295 (La. 5/29/24), 385 So. 3d 693, *cert. denied sub nom. Moses v. Louisiana Office of Disciplinary Counsel*, 145 S. Ct. 451 (Nov. 4, 2024) ("*Moses I*"). We further stated:

> … [W]e would be remiss if we did not comment on the nature of respondent's filings both in federal court and this court, which may be charitably characterized as bizarre. These filings and respondent's actions in federal court raise serious questions as to whether respondent is competent to practice law without endangering his clients or the public.
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> In light of these concerns, we will mandate that after serving his one-year suspension, **respondent shall not be eligible to seek reinstatement to the practice of law in Louisiana pursuant to Supreme Court Rule XIX, § 24(K), unless and until he submits to a comprehensive mental health evaluation through the Judges and Lawyers Assistance Program** and files a copy of the evaluation report in this court and with the ODC. We will further reserve the right of the ODC to object to respondent's reinstatement under Supreme Court Rule XIX, § 24(K) or seek any other relief. [Emphasis added.]

Respondent remains suspended from the practice of law in Louisiana at this time.

Against this backdrop, we now turn to a consideration of the misconduct at issue in the instant proceeding.

UNDERLYING FACTS

Tyquan Marshall was arrested in connection with a shooting incident that occurred at a park on the campus of the University of Louisiana at Lafayette. Mr. Marshall was subsequently charged with one count of second degree murder, three counts of attempted first degree murder, and one count of carrying a firearm on school property. Respondent represented Mr. Marshall in his criminal case.

On May 4, 2021, respondent filed a petition for writ of habeas corpus, asserting that Lafayette is the ancestral territory of the Atakapa Indians and therefore that the State of Louisiana was without jurisdiction to try Mr. Marshall on the criminal charges against him. Respondent sought Mr. Marshall's release from jail to the custody of "His Majesty" (i.e., respondent). Following a hearing, the trial court denied the petition for writ of habeas corpus.

On July 1, 2021, respondent filed a writ application seeking review of the trial court's judgment. *State v. Marshall*, No. KW 21-413 on the docket of the Third Circuit Court of Appeal. In the writ application, respondent repeated the argument that the State of Louisiana does not have jurisdiction over Mr. Marshall's criminal case because the crime occurred in Atakapa Indian territory. On July 15, 2021, the court of appeal denied writs, finding the application was not timely filed. Respondent did not seek review in this court of the court of appeal's ruling.[1]

DISCIPLINARY PROCEEDINGS

In March 2025, the ODC filed formal charges against respondent, alleging that his conduct as set forth above violated Rules 3.1 (meritorious claims and contentions) and 8.4(d) (engaging in conduct prejudicial to the administration of justice) of the Rules of Professional Conduct.

[1] Although the ODC alleges in the formal charges that respondent also filed a writ application in this court, that application followed a separate ruling of the trial court finding probable cause on respondent's motion for preliminary examination. The court of appeal denied respondent's writ application on the showing made, and this court denied writs. *State v. Marshall*, 21-546 (La. App. 3 Cir. 9/17/21), ___ So. 3d ___, *writ denied*, 21-1491 (La. 12/7/21), 328 So. 3d 432.

Respondent filed an answer to the charges. Respondent admitted the allegations of Paragraph 1 of the formal charges pertaining to his age, date of admission to the practice of law in Louisiana, and legal education. He then further responded to the allegations of Paragraph 1 as follows:

> However, EDWARD MOSES JR not in his individual capacity but solely in his official capacity as Emperor of the American Empire majestically referred to as the Christian Emperor D'Orleans, "Emperor Moses" *U.S. Bank v. Moses*, 2023 CA 1292, 2023 CW 0661 (La. App. 1st Cir., Aug 20, 2024), writ denied 2024-01204 (La. 12/11/24), 396 So.3d 964.

Respondent denied the remaining allegations of the formal charges, primarily for lack of "information sufficient to justify a belief as to the truth" of the allegations.

After filing his answer, respondent filed an exception of lack of subject matter jurisdiction, asserting that he is not subject to the jurisdiction of the lawyer disciplinary agency because he is "a full-time judge, a minister of justice" in his capacity as the head of the Atakapa Indian Tribe. Respondent contended this matter should be transferred to the Judiciary Commission of Louisiana. The ODC opposed the exception, and the hearing committee denied it.[2] The matter then proceeded to a formal hearing on the merits.

Hearing Committee Report

After considering the evidence and testimony presented at the hearing, the hearing committee found the pleadings respondent filed on behalf of Mr. Marshall were frivolous and burdened the legal system. The committee also found respondent was advocating a personal agenda relating to the Atakapa Tribe and that he

[2] Respondent re-urged his exception of lack of subject matter jurisdiction before the disciplinary board, which likewise denied it. He continues to raise the argument in his brief filed in this court.

We need not decide the validity of respondent's assertion that he is a judge in his capacity as the head of the Atakapa Indian Tribe. The Judiciary Commission has no jurisdiction over respondent because he is not a "judge of *a court of this state*" [emphasis added], nor is he "a commissioner, a magistrate, a justice of the peace, [a] judicially appointed hearing officer[], [or] a mayor who performs judicial functions." Supreme Court Rule XXIII, § 2(f). Respondent is, however, a "lawyer admitted to practice law in this state," and therefore he is "subject to the disciplinary jurisdiction of this court and the board." Supreme Court Rule XIX, § 6(A). For this reason, respondent's exception of lack of subject matter jurisdiction is denied.

potentially compromised the defense of Mr. Marshall. Based on these findings, the committee determined that respondent violated the Rules of Professional Conduct as charged.

The committee determined that respondent intentionally violated duties owed to his client, the legal system, and the legal profession. The committee found the record is unclear whether Mr. Marshall suffered actual harm because of respondent's actions, but nonetheless, the potential for harm to Mr. Marshall was significant. Furthermore, the committee found that respondent's frivolous filings caused harm to the public and to the effective administration of justice. Relying on the ABA's *Standards for Imposing Lawyer Sanctions*, the committee determined the applicable baseline sanction is suspension.

As an aggravating factor, the committee noted respondent's substantial experience in the practice of law. The committee also found respondent refused to acknowledge the wrongful nature of his conduct and "gave no indication he would cease filing frivolous pleadings." The committee considered respondent's honorable military service and his cooperation with the ODC to be mitigating factors.[3]

Turning to the issue of an appropriate sanction, the committee noted that the misconduct here occurred within the same time frame as the misconduct at issue in *Moses I*, and therefore, the discipline to be imposed should be determined as if both cases had been charged together.[4] After reviewing the prior jurisprudence of this

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[3] The committee also considered that respondent's "actions may be a result of a mental health issue," but because there was no testimony or evidence presented at the hearing concerning his mental health, "this will not be considered as a mitigating factor." In a similar vein, the committee observed:

> The Committee believes Respondent genuinely believes his assertions to the various Courts, that he is the leader of the Atakapa Tribe. While at times during the hearing the Respondent was articulate and focused, at other times his mental state appeared questionable. It is concerning to the Committee the Respondent has not yet obtained a mental health and/or JLAP evaluation.

[4] In *Louisiana State Bar Ass'n v. Chatelain*, 573 So. 2d 470 (La. 1991), this court held that when a second disciplinary proceeding against an attorney involves misconduct which occurred during

court, the committee determined that had the misconduct in *Moses I* been considered along with the instant misconduct, the appropriate discipline would have been an eighteen-month suspension.

Based on this reasoning, the committee recommended respondent be suspended from the practice of law for eighteen months, to run retroactively to the effective date of the suspension imposed in *Moses I*. The committee also recommended that respondent be ordered to comply with the conditions set forth in *Moses I* and that he be assessed with the costs and expenses of this proceeding.

Respondent filed an objection to the hearing committee's report.

Disciplinary Board Recommendation

After review, the board determined the hearing committee's factual findings are not manifestly erroneous and adopted same. The board also agreed that respondent violated the Rules of Professional Conduct as charged.

The board determined respondent violated duties owed to his client, the legal system, and the legal profession. He acted intentionally. Respondent's conduct caused at least the potential for significant harm to Mr. Marshall, wasted the time and resources of the courts and the lawyers involved in the criminal case, and cast a negative light on the legal profession. The board agreed with the committee that the baseline sanction is suspension.

The board found the following aggravating factors are present: a dishonest or selfish motive, a pattern of misconduct, multiple offenses, refusal to acknowledge the wrongful nature of the conduct, and substantial experience in the practice of law. In mitigation, the board found that respondent was cooperative during the ODC's investigation.

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the same time period as the first proceeding, "the overall discipline to be imposed should be determined as if both proceedings were before the court simultaneously."

Turning to the issue of an appropriate sanction, the board acknowledged the overlap of the misconduct in *Moses I* with the misconduct here. The board determined that if the court had considered the instant misconduct together with the misconduct in *Moses I*, a more severe sanction likely would have been imposed. Considering the court's prior jurisprudence for similar misconduct, the board concluded that a one year and one day suspension for the combined misconduct is appropriate.

Accordingly, the board recommended that respondent be suspended for one year and one day, retroactive to June 12, 2024, the effective date of the suspension imposed in *Moses I*. The board also recommended that the court reaffirm its prior order that respondent shall not be eligible to apply for reinstatement until he submits to a comprehensive mental health examination through the Judges and Lawyers Assistance Program. Finally, the board recommended that respondent be assessed with the costs and expenses of this proceeding.

Respondent filed an objection to the board's recommendation. Accordingly, the case was docketed for oral argument pursuant to Supreme Court Rule XIX, § 11(G)(1)(b).

DISCUSSION

Bar disciplinary matters fall within the original jurisdiction of this court. La. Const. art. V, § 5(B). Consequently, we act as triers of fact and conduct an independent review of the record to determine whether the alleged misconduct has been proven by clear and convincing evidence. *In re: Banks*, 09-1212 (La. 10/2/09), 18 So. 3d 57. While we are not bound in any way by the findings and recommendations of the hearing committee and disciplinary board, we have held the manifest error standard is applicable to the committee's factual findings. *See In re: Caulfield*, 96-1401 (La. 11/25/96), 683 So. 2d 714; *In re: Pardue*, 93-2865 (La. 3/11/94), 633 So. 2d 150.

Respondent filed a petition for writ of habeas corpus and a writ application on behalf of his client in a criminal case. In these pleadings, respondent burdened the courts with the same arguments that have previously been rejected as bizarre, meritless, and frivolous. *See, e.g., Atakapa Indian de Creole Nation v. Louisiana*, 943 F.3d 1004, 1007 (5th Cir. 2019) ("the plaintiff's claims are wholly without merit"), and *Atakapa Indian de Creole Nation v. Edwards*, 838 F. Appx. 124 (5th Cir. 2021) (holding that the district court properly dismissed the suit for lack of jurisdiction "because the claims were frivolous"). Respondent is aware that his claims have been determined to be frivolous yet he continues to needlessly waste judicial resources by re-urging them. This conduct amounts to a violation of the Rules of Professional Conduct as found by the hearing committee and the disciplinary board.

Disciplinary proceedings are designed to maintain high standards of conduct, protect the public, preserve the integrity of the profession, and deter future misconduct. *In re: Hingel*, 20-0992 (La. 11/10/20), 303 So. 3d 1029. The discipline to be imposed depends upon the facts of each case and the seriousness of the offenses involved considered in light of any aggravating and mitigating circumstances. *In re: Smothers*, 20-0244 (La. 6/22/20), 297 So. 3d 743. The purpose of lawyer disciplinary proceedings is not so much to punish the attorney as it is to maintain appropriate standards of professional conduct in order to protect the public and the administration of justice. *Louisiana State Bar Ass'n v. Powell*, 439 So. 2d 415 (La. 1983).

Respondent violated duties owed to his client, the legal system, and the legal profession. He acted intentionally, and his conduct caused both actual harm and the potential for harm. The applicable baseline sanction is suspension. The aggravating and mitigating factors found by the board are supported by the record.

We have held that when a second attorney disciplinary proceeding involves conduct that occurred during the same time period as the first proceeding, the overall discipline to be imposed should be determined as if both proceedings were before the court simultaneously. *Louisiana State Bar Ass'n v. Chatelain*, 573 So. 2d 470 (La. 1991). We agree with the committee and the board that, based upon *Chatelain*, the misconduct in the instant matter should be considered together with the misconduct in *Moses I*.

As previously discussed, *Moses I* is a reciprocal discipline proceeding based upon discipline imposed by the United States District Court for the Middle District of Louisiana. The federal court suspended respondent from practice for one year for filing frivolous pleadings, and in turn, this court imposed reciprocal discipline of a one-year suspension.

In the instant matter, respondent filed pleadings raising the same types of frivolous claims seen in *Moses I*. Like the committee and the board, we agree that if the misconduct in *Moses I* and the instant matter had been considered together, we would have imposed a more severe sanction than that imposed in *Moses I*. Considering our prior jurisprudence, we further agree that a one year and one day suspension from the practice of law would be an appropriate sanction for the combined misconduct.

Accordingly, we will adopt the board's recommendation and suspend respondent for one year and one day, retroactive to June 12, 2024, the effective date of the suspension in *Moses I*. Before respondent may seek reinstatement, he must submit to a comprehensive mental health examination facilitated by the Judges and Lawyers Assistance Program. Finally, so long as respondent remains suspended, he shall not directly or indirectly represent, appear for, advocate for, file pleadings on behalf of, provide legal advice or services to, or otherwise act as a legal

representative or engage in the practice of law for or on behalf of any other natural or juridical person, including but not limited to the Atakapa Indian Tribe.

DECREE

Upon review of the findings and recommendations of the hearing committee and disciplinary board, and considering the record, briefs, and oral argument, it is ordered that Edward Moses, Jr., Louisiana Bar Roll number 30646, be and he hereby is suspended from the practice of law for a period of one year and one day, retroactive to June 12, 2024, the effective date of the suspension imposed in *In re: Moses*, 24-0295 (La. 5/29/24), 385 So. 3d 693. It is further ordered that before respondent may seek reinstatement, he shall submit to a comprehensive mental health examination facilitated by the Judges and Lawyers Assistance Program. So long as respondent remains suspended, he shall not directly or indirectly represent, appear for, advocate for, file pleadings on behalf of, provide legal advice or services to, or otherwise act as a legal representative or engage in the practice of law for or on behalf of any other natural or juridical person, including but not limited to the Atakapa Indian Tribe. All costs and expenses in the matter are assessed against respondent in accordance with Supreme Court Rule XIX, § 10.1, with legal interest to commence thirty days from the date of finality of this court's judgment until paid.

SUPREME COURT OF LOUISIANA

No. 2026-B-00501

IN RE: EDWARD MOSES, JR.

Attorney Disciplinary Proceeding

Hughes, J., concurs in part and dissents in part.

I respectfully dissent from the provision that respondent be required to obtain an examination facilitated by JLAP. Mr. Moses presented to this court as professional, articulate, and competent. His beliefs are his own.