

Edward S. Smith

Austin, TX | 415.694.0222 | edwardstuartsmith@gmail.com

State Bar of Texas #24037790 | State Bar of California #242297

Professional Experience

Justice, Texas Third Court of Appeals

Austin, Texas | elected 2019 - December 2024

- Adjudicated appeals from trial courts across 24 counties in central Texas
- Authored over 550 judicial opinions on complex legal issues across all areas of law
- Worked with fellow justices to ensure fair and consistent application of the law
- Conducted oral arguments
- Contributed to the development of Texas jurisprudence through thoughtful and well-reasoned decisions

Example cases that I authored

- *Sansom v. Texas R.R. Comm'n*, No. 03-19-00469-CV, 2021 WL 2006312 (Tex. App.—Austin, no pet.)
 - This case highlights the complexities of balancing private property rights, public infrastructure needs, and the constitutional limits on delegating governmental powers to private entities in the context of natural gas pipeline construction.
- *Harris Cnty. Hosp. Dist. v. Public Util. Comm'n*, 577 S.W.3d 370 (Tex. App.—Austin 2019, pet. denied)
 - This case dealt with fees paid to telephone companies and a 20 year old class action settlement. This complex case required an analysis of class action law and statutory construction.
- *Cielo Prop. Grp. v. Mulcahy*, No. 03-18-00587-CV, 2019 WL 3023312 (Tex. App.—Austin, pet. denied)
 - This was an interlocutory appeal where Cielo Property Group and its principals successfully challenged a district court's denial of their motion to compel arbitration in a dispute with former employee Branigan Mulcahy. The appeals court ruled that all of Mulcahy's claims, including those against individual principals, fall under the arbitration clause in his employment agreement with G&A Partners, despite Cielo not being a direct signatory.

Attorney, Hissey Kientz LLP

Austin, Texas | July 2008 - 2019

- Managed asbestos docket and served as managing attorney for probate docket
- Collaborated with clients and attorneys to resolve issues in asbestos litigation and probate

Attorney, Brayton Purcell LLP

Novato, California | September 2006 - January 2008

- Managed day-to-day case issues, propounded/responded to discovery requests defended plaintiff depositions and took expert and witness depositions

Education

Texas Wesleyan School of Law | Fort Worth, Texas Juris Doctorate, May 2005

- Texas Wesleyan Law Review - Executive Editor

Texas A&M University | College Station, Texas B.S. Political Science, Minor in Business, December 2001

Speaking Engagements

- Presenter, "Case Law Update," Advanced Administrative Law Conference (7/13/23–7/14/23)
- Presenter, "Remote Proceedings: What COVID Taught Us," Austin Bench Bar (5/5/23)
- Presenter, "Appeals: Panel of Third Court of Appeals Judges - Trends in Admin Law and Do's and Don'ts," Administrative Law Section of the Austin Bar Association (4/7/23)
- Presenter, "Case Law Update," Advanced Administrative Law Conference (6/16/22–6/17/22)
- Presenter, "Trends in Administrative Law Appeals: Dos and Don'ts from the Justices," Administrative Law Section of the Austin Bar Association (3/5/21)

Community Involvement

- Barbara Jordan Inn of Court - Master (2020-Present)
- Rio Texas Conference Board of Trustees, United Methodist Church (2024–Present)