

Sondra Wilson

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### **Backstory:**

I was unjustly arrested in Ames, Iowa twice in 2006 in relation to me being transgender:

- **5-22-2006: case# SMSM062317** – I was arrested because my Iowa records, which read “Alexander, Male”, did not match up with my California records, which read “Alexandra, Female”. Although Officer [REDACTED] arrested me for “Trespassing” and “Interfering with official acts”, stating I was non-compliant when asked to leave the Kum & Go gas station, his partner, Officer [REDACTED] told me (while driving me to jail) that the only reason his partner decided to arrest me was because my records didn't match up. “We were just going to ask you to leave,” he said. “We never arrest people for playing guitar.” I do not know why Officer [REDACTED] wrote that I refused to leave. I recall cooperating and giving them my ID, Officer [REDACTED] interrogating me as to why my records didn't match up, me explaining I was transgender, and then being arrested and taken to jail. I only learned that Officer [REDACTED] wrote that I was “asked to leave and refused” in November 2022, after ordering a copy of the docket. I plead *not guilty* to this incident, and intended to explain the situation to the judge. – **Exhibit A evidence of NOT GUILTY pleas.**
- **7-21-2006: case# SMSM062530** – Inside the District Courthouse, just before facing trial for the previous incident, Officer [REDACTED] arrested me again – *this time* for “trespassing” into the women's restroom. Again, I entered a *not guilty* plea. I was very frustrated and scared because I felt like Officer [REDACTED] was harassing me. – **Exhibit B evidence of NOT GUILTY plea.**

From jail, I called my father. He called Attorney [REDACTED] to request help. Mr. [REDACTED] came and met me in jail.

### **Mr. [REDACTED] s wrongdoing:**

Mr. [REDACTED] told me that he had represented other transgender women – mostly inmates. In other words – he was experienced in this area of law. He told me that I could not sue the City of Ames because this situation was unprecedented. He told me that the City of Ames was willing to give me a letter of apology and \$1500, however, and that this letter *would* set a precedent so that “the next person would be able to sue”. Trusting Mr. [REDACTED] I accepted the offer – **Exhibit C apology letter from City of Ames and \$1500 check.**

It was not until November 2022, however, that I would discover the following activities Mr. [REDACTED] performed which I did not – and would *not* have – authorized:

- entered into a plea agreement which I was never told about;
- changed both of my “not guilty” pleas from case # SMSM062317 to “guilty” without my knowledge or consent.
- repeatedly misgendered me in his filings.

Additionally, neither Story County nor Mr. [REDACTED] entered any records into the docket notating that the City of Ames was at fault for my arrest. I ought to have been found “not guilty”, but instead Mr. [REDACTED] cut a deal with the County behind my back which gave the State what it wanted (criminal charges on my record, no admission of wrongdoing on their part) in a manner which harms me (criminal record which harms my reputation). Mr. [REDACTED] told me that my case would “set a precedent”, but in reality I got an apology letter that is not found in my docket or anywhere in the state record. It was essentially a sheet of paper that made me *feel* like I “won”, but in reality was used to shirk liability on behalf of the state and get me to go away. My lack of knowledge on how the legal system worked appears to have been exploited by Mr. [REDACTED] and the County. I did not know the apology letter and check were being issued to me as part of a plea agreement! The letter did not “set a precedent” as Mr. [REDACTED] promised. – **Exhibit D Mr. [REDACTED] enters plea agreement, changes my pleas.**

The State ought to have honored my California records instead of doubling down on old, outdated records (I was in state visiting my family). Officials should have used common sense and actually listened when I told them I was transgender, and showed them evidence (e.g prescription meds). This was during a time period where I was homeless, and there were no legal aid organizations in place like there are today which would have helped me get my name and gender changed within Iowa's records. I literally **did not** know how to, nor did I have the funds or legal assistance to do so – *or* even know that I needed to. Mr. [REDACTED] ought to have advocated for me as a transgender woman instead of calling me a “man” in his filings. I would not have approved his paperwork had he shown me what he was filing. He never showed me or talked to me about any of the paperwork he filed.

In light of the fact that Mr. [REDACTED] told me that he has represented other transgender women, I am concerned he may have misrepresented other transgender women in a similar manner – *told them* one thing, but *filed* another – and how that might affect the State of Iowa's records with regard to their cases, and their reputations today. I suspect he has misgendered other transgender clients, perhaps without their knowledge or consent, as he did in my case.

### **The State of Iowa has no record of the apology letter:**

Sixteen years have passed since I was arrested for the license discrepancy and for “trespassing” into the restroom. Since that time, I have always thought of my experience as a “win” until recently. I was made to believe it was a win by Mr. [REDACTED]. However, after discovering how the case was mishandled, I performed a records request with the City of Ames and Story County, requesting a copy of the “plea agreement” (and any related records) that was referenced in **Exhibit D**. Neither the City of Ames nor the County has any related records on file with regard to this case:

- **Exhibit E – records request from City of Ames;**
- **Exhibit F – records request from Story County.**

I was under the impression that the City of Ames issued the apology letter and check to me because they realized I was treated unfairly. Now – more than a decade later – I have learned that the State of Iowa has absolutely no record that I was wronged.

I asked Mr. [REDACTED] for a copy of any documentation I may have signed wherein I consented to changing my pleas, however in a private email thread he said there are none. Although he told me that I verbally consented, I absolutely would not have. **Mr. [REDACTED] and I never discussed changing my pleas for case # SMSM062317 (or any case).** I would have rather he ordered a copy of the officers' dash cams and proved my case. Again, we never discussed it.

While I appreciate Mr. [REDACTED] helping to arrange the apology letter and preventing me from spending additional time in jail for crimes I was falsely accused of, acknowledgment that the State was at fault should have been entered into the State's record, and central to Mr. [REDACTED]'s representation of me.

### Limitations Period - still a valid case:

The **discovery rule** and **doctrine of equitable tolling** extend limitations periods in cases wherein the fraud was not detected until after the plaintiff discovered the evidence.

I discovered the evidence in November 2022 after I ordered copies of the dockets for each of the cases. Back in 2006 I did not know what a docket was: again, I believe Mr. [REDACTED] and Story County took advantage of my lack of knowledge of the legal system in a manner which benefited them and harmed me, while concealing their actions from me.

I have included definitions for the discovery rule and doctrine of equitable tolling:

- **discovery rule** – *Civil procedure*. The rule that a limitations period does not begin to run until the plaintiff discovers (or reasonably should have discovered) the injury giving rise to the claim. \* The discovery rule usually applies to injuries that are inherently difficult to detect, such as those resulting from medical malpractice.
- **equitable tolling** – 1. The doctrine that the statute of limitations will not bar a claim if the plaintiff, despite diligent efforts, did not discover the injury until after the limitations period had expired, in which case the statute is upended or tolled until the plaintiff discovers the injury. Equitable tolling does not require misconduct such as concealment by the defendant.<sup>1</sup>

It has been held that equitable tolling applies principally if the plaintiff is actively misled by the defendant about the cause of action or is prevented in some extraordinary way from asserting his or her rights. However, it has also been held that the equitable tolling doctrine does not require wrongful conduct on the part of the defendant, such as fraud or misrepresentation.<sup>2</sup>

Additionally, Iowa Code establishes an a period of one year for “within one year after discovery of the offense by an aggrieved party”. Again, I discovered Mr. [REDACTED]’s breach (and fraudulent misrepresentation) November 2022.

### §802.5 Extension for fraud, fiduciary breach.

If the periods prescribed in sections 802.3 and 802.4 have expired, prosecution may nevertheless be commenced for any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has legal duty to represent an aggrieved party and who is not a party to the offense, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years.

Thank you for investigating this matter.

Sincerely,  
Alexandra “Sondra” Wilson

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1 Black's Law Dictionary *Deluxe Tenth Edition* by Henry Campbell Black & Editor in Chief Bryan A. Garner. ISBN: 978-0-314-62130-6

2 51 American Jurisprudence 2d Limitation of Actions § 174 (2007)