

Texas Courts Finally Dismiss Case Against Perry

The Texas Court of Criminal Appeals on Wednesday dismissed an abuse of power indictment against Rick Perry, ending a case that dragged on the former Texas governor's unsuccessful bid for the 2016 Republican presidential nomination.

Perry, who campaigned for the nomination in 2012 and 2016, faced a first-degree felony charge in state courts that could have brought up to 99 years in prison because of a funding veto he made in 2013 seen as being intended to force a Texas county district attorney to resign.

"When the only act that is being prosecuted is a veto, then the prosecution itself violates separation of powers," the court said.

The longest serving governor in Texas history, Perry, 65, was indicted on the two charges in August 2014 by a grand jury in Travis County, a Democratic stronghold in the heavily Republican state.

"The court's decision today proves that this indictment was nothing less than a baseless political attack," Perry told a news conference. "I have always known that the actions that I took were not only lawful and legal—they were right."

He first threatened and then vetoed \$7.5 million for an integrity unit in the Travis County District Attorney's office. Many said Perry played hardball politics to force out county District Attorney Rosemary Lehmberg, a Democrat, after she pleaded guilty to drunken driving.

In July 2015, a Texas state appeals court threw out a lesser charge against Perry for coercion of a public official, leaving only the abuse-of-power charge.

Lawyers for Perry, whose term ended at the start of 2015, have argued the governor was acting within his powers when he made the funding cut.

A prosecutor in the case said that Perry acted unlawfully to pressure Lehmborg by threatening the funding cut. Lehmborg remained in office.

In September 2015, Perry, struggling to raise money and languishing near the bottom in presidential opinion polls, became the first member of the crowded Republican field to drop out of the 2016 White House race.

On the campaign trail, Perry tried to rally support among Republican voters by saying the indictment was the result of a partisan attack by Democrats. Analysts noted, however, the threat of a trial during his campaign likely scared away major donors, dooming a campaign seen as a long-shot.

Perry dropped out of a gaffe-filled campaign for the 2012 Republican presidential nomination. {eoa}

© 2016 Thomson Reuters. All rights reserved.