



John D. Husted

Partner

jhusted@thompsoncoe.com

214-880-2803

John Husted focuses his civil litigation practice on representing counties, cities, school districts, and other public and private sector entities and their officials in all levels of federal and state court, as well as in administrative proceedings. He has experience defending clients in the areas of civil rights, constitutional law, employment law, contract dispute, takings and land use, and school law.

John is a dedicated civil litigator, whose practice is comprehensive, handling all aspects of litigation, from initial investigations, assessments, and early dispute resolution, through dispositive motions, trial, and appeals.

Representative Experience

Obtained a significant victory in the Fifth Circuit Court of Appeals on behalf of a Texas county, wherein the Fifth Circuit reversed the district court's order compelling the county to arbitration and instructed the district court to resolve the issue of governmental immunity raised by the county's motion to dismiss before ruling on a motion to compel arbitration.

Ashley v. Clay County, 125 F.4th 654 (5th Cir. 2025).

Obtained summary judgment for a west Texas county, its sheriff, and multiple sheriff's deputies that were sued for allegedly using excessive deadly force during an arrest that culminated in a shootout.

Obtained dismissal of a federal lawsuit against a metroplex city sued by a citizen alleging multiple claims under 42 U.S.C. §1983, including unconstitutional harassment and wrongful search and seizure in violation of the Fourth Amendment, as applied to local governments through the Fourteenth Amendment.

Mason v. City of Mansfield, 2023 WL 3807034 (N.D. Tex. June 2, 2023)

Obtained final judgment for a Texas city in federal district court in a case arising from a deadly shooting involving a former city police officer.

Obtained a significant district court victory on behalf of an east Texas county and four of its jailers against federal claims of deliberate indifference brought by a pretrial detainee who suffered catastrophic injuries after he attempted suicide by hanging while in custody.

Obtained dismissal in federal court on behalf of a west Texas county, its Sheriff, and one of its officers against constitutional claims brought by an inmate alleging violations of his rights of religious freedom, freedom of expression, and due process.

Obtained summary judgment in federal district court on behalf of two north Texas police officers in a lawsuit brought by an individual asserting federal claims of unlawful arrest, malicious prosecution, and failure to intervene after the officers arrested the individual for a DWI.

Prevailed on summary judgment on behalf of school district in Equal Pay Act Claim brought by former school district official.

Morgan v. Braswell, 2013 U.S. Dist. Lexis 115121 (E.D. Tex. August 15, 2013)

Obtained dismissal of school counselor's appeal of the lower court's dismissal of her race discrimination and retaliation claims against the school district.

Emanuel v. Bastrop Independent School District, 591 Fed. Appx. 302 (5th Cir. 2015)

Fifth Circuit Court of Appeals affirmed district court's granting of summary judgment on behalf of school district, dismissing claims of liability for student-on-student harassment in violation of Title IX.

K. S. v. Nw. Indep. Sch. Dist., 689 Fed. Appx. 780 (5th Cir. 2017)

Obtained a significant victory in the Fifth Circuit Court of Appeals in a case addressing discovery and qualified immunity, holding that, when defendants assert qualified immunity in a motion to dismiss, district courts may neither defer ruling on that defense nor permit any discovery against immunity-asserting defendants before the court determines whether the plaintiffs have pled facts sufficient to overcome the assertion of qualified immunity.

Carswell v. Camp, 54 F.4th 307 (5th Cir. 2022)

Fifth Circuit Court of Appeals affirmed dismissal of multiple constitutional claims asserted against an east Texas county, its sheriff, and detective by a company operating a business suspected of engaging in illegal gambling operations.

Lucky Tunes #3, L.L.C. v. Smith, 812 Fed. Appx. 176 (5th Cir. 2020)

Obtained dismissal in federal district court for school district in lawsuit involving a claim of First Amendment retaliation.

Maxwell v. Mesquite Indep. Sch. Dist., 2022 WL 2392410 (N.D. Tex. July 1, 2022)

Obtained summary judgment on behalf of a Texas county and one of its detectives in federal district court against claims that they violated an inmate's civil rights.

Obtained appellate court victory on behalf of a west Texas county and its sheriff's office against claims brought by detainee for injuries he sustained from passing out, falling, and hitting his head while detained in the county jail.

Obtained summary judgment on behalf of an east Texas county, its Sheriff, and four officers in a federal lawsuit brought by an arrestee asserting federal claims of unlawful detention and excessive force, and state law claims of assault and battery, arising from the officers' use of force, including tasing, while taking the arrestee into custody at the conclusion of a multi-unit car chase that eventually ended in the arrestee ramming his vehicle into multiple law enforcement vehicles.

Prevailed on an opposed transfer of False Claims Act lawsuit from a Texas federal district court to federal district court in Utah.

Obtained dismissal for City for lack of jurisdiction because contract for provision of city utilities did not fall within the limited waiver of governmental immunity for contracts.

Berkman v. City of Keene, 311 S.W.3d 523 (Tex. App. – Waco 2009, pet. denied)

Obtained appellate victory on behalf of municipal retirement fund, wherein the court of appeals upheld district court's granting of the fund's plea to the jurisdiction dismissing plaintiff's constitutional claims arising out of the termination of disability benefits.

Layton v. City of Fort Worth, 2014 WL 6997350 (Tex. App.—Fort Worth Dec. 11, 2014, pet. denied)

Awards & Recognition

SUPER LAWYERS

Texas Rising Stars

2010, 2017-2020

Related Services

Appellate Litigation

Governmental Entities and Civil Rights Defense

Labor & Employment

Publications & Speaking Engagements

Ethical Considerations for School Lawyers Handling High Profile Cases

UT School Law Conference

February 2025

ADA: A Guide to Reasonable Accommodations and the Interactive Process

AASPA Administrator Boot Camp

August 2024

Practicing Law Remotely

UT School Law Conference

February 2022

Defending Our Defenders' Defense: A Defense of Qualified Immunity

Defense Counsel Symposium of the Texas Association of Counties

October 2020

Attacking, Defending, and Asserting Qualified Immunity

Defense Counsel Symposium of the Texas Association of Counties

October 2019

Individual Immunities

State Bar of Texas Advanced Government Law Conference

July 2019

Texas Whistleblower Act Update

State Bar of Texas Advanced Government Law Conference

July 2018

Education, Admissions & Activities

EDUCATION

Ave Maria School of Law

J.D., 2007

University of Dallas

B.A., 2003

BAR ADMISSIONS

Texas

COURT ADMISSIONS

Supreme Court of the United States

United States Court of Appeals

Fifth Circuit

United States District Court of Texas

Northern, Eastern, and Western Districts

PROFESSIONAL AND COMMUNITY ACTIVITIES

St. Thomas More Society