## COMMISSION FOR LAWYER DISCIPLINE

## **REPORT**

# TO THE BOARD OF DIRECTORS ON ATTORNEY DISCIPLINE

JANUARY 2013

#### Disciplinary Sanctions September 1, 2012 through November 30, 2012

DISBARMENTS	·	DISTRICT	Number of Complaints Resolve		Resolved
Bass, Daniel A.		10		1	
Bomba, Charles Russell		10		2	
Clay, Yolanda D.		4		1	
Lynch, H. Keith		4		1	
Miranda, Jesus A.		6		1	
Sadler, James Francis		1		1	
Board of Disciplinary Appeals	Actions:				
Gifford, Eric Paul		BODA		1	
Kleinkauf, William J.		BODA		1	
Uyamadu, Emeka M.		BODA		1	
	Total	9		10	
SUSPENSIONS		DISTRICT	Number o	f Complaints	Resolved
Aaron, Angela Denise		4		2	
Bertin, Darren Christopher		3		1	
Chukwurah, Cyril O.		4		1	
Clouser, Jennifer Lynne		4		1	
Engle, Glen Allen		3		1	
Eustachon, Benjamin Nguyen		5 · 5 · 5 · 5 · 5		1	
Kennedy, David Alan		1		1	
Ketner, John T.		17		1	
Lafuente, Steven Ryan		6		1	
Lafuente, Steven Ryan		6		1	
Leeds, Stuart L.		17		1	
Loyd, Annette R.		7		1	
McClain, Everett J.		4		1	
Miranda, Jesus A.		6		1	
Miranda, Jesus A.		6		1	
Mock, Steven P.		4		1	
Nellis, William Gary		1		1	
Oko, Chukwu Uwakwe		4		1	
Ramos, Jr., J. Esequiel		11		1	
Rojas, Hugo		9		1	
Salazar, Mary R.		10		1	
Vega, Juan A.		10		3	
Watson, Eraka		9		1	
Board of Disciplinary Appeals	Actions:				
Lessen, Gary L.		BODA		1	
Parker, Jr., Hal		BODA		1	
Patterson, Gina Dawn		BODA		1	

Williams, Eric Lyle		BODA	1
Wooten, Suzanne H.		BODA	1
	Total	28	31

PUBLIC REPRIMANDS		DISTRICT	Number of Complaints Resolved
Garza, Joseph G.		11	<b>1</b>
Gopin, Michael J.		17	1
Griffin, Anthony P.		5	<b>1</b>
Griffin, Anthony P.		5	<b>1</b>
Hooton, Thomas Lane		6	1
Magary, Douglas K.		6	1
Mills, Rhonda M.		<b>10</b>	1
Racer, Mark W.		5	2
Thompson, John Rex		2	<b>1</b>
Vega, Jose W.		4	1
Villalon, Reginaldo P.		4	1
Board of Disciplinary App	eais Actions:	DODA	
Kleinsmith, Philip M.		BODA	1
	Total	12	13
PRIVATE REPRIM GRIEVANCE CO	IANDS	12	
GRIEVANCE CO	IANDS		Number of Complaints Resolved
GRIEVANCE CC	IANDS	1	Number of Complaints Resolved
GRIEVANCE CC 2 4	IANDS	1 7	Number of Complaints Resolved 1 7
GRIEVANCE CC	IANDS	1	Number of Complaints Resolved 1 7 3
GRIEVANCE CO 2 4 5	IANDS	1 7 3	Number of Complaints Resolved  1  7  3  1
GRIEVANCE CC 2 4 5 6 9	IANDS	1 7 3 1	Number of Complaints Resolved  1  7  3  1  2
GRIEVANCE CC 2 4 5 6	IANDS	1 7 3 1	Number of Complaints Resolved  1 7 3 1 2 8
GRIEVANCE CC 2 4 5 6 9 10	IANDS	1 7 3 1 1 8	Number of Complaints Resolved  1  7  3  1  2
GRIEVANCE CC 2 4 5 6 9 10 11 14	IANDS	1 7 3 1 1 8 2	Number of Complaints Resolved  1 7 3 1 2 8 2 1
GRIEVANCE CC 2 4 5 6 9 10 11	IANDS	1 7 3 1 1 8 2	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2
GRIEVANCE CO 2 4 5 6 9 10 11 14 15	IANDS	1 7 3 1 1 8 2 1	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2 1
GRIEVANCE CC 2 4 5 6 9 10 11 14	IANDS	1 7 3 1 1 8 2 1 2	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2
GRIEVANCE CO 2 4 5 6 9 10 11 14 15	IANDS	1 7 3 1 1 8 2 1 2 1 1	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2 1 1 2
GRIEVANCE CO 2 4 5 6 9 10 11 14 15 16	MANDS DMM.	1 7 3 1 1 8 2 1 2 1 1	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2 1 2 1 2 9 97
GRIEVANCE CO 2 4 5 6 9 10 11 14 15 16	MANDS DMM.	1 7 3 1 1 8 2 1 2 1 1	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2 1 1 2
GRIEVANCE CC  2  4  5  6  9  10  11  14  15  16  17	MANDS DMM.	1 7 3 1 1 8 2 1 2 1 1	Number of Complaints Resolved  1 7 3 1 2 8 2 1 2 1 2 1 2 9 97

#### **DISCIPLINARY ACTIONS - CURRENT BAR YEAR**

BAR YEARS		Total Sanctions	Total Complaints Resolved	
2012-2013*	DISBARMENTS	21	25	
	RESIGNATIONS	3	9	
	SUSPENSIONS	64	73	
	PUBLIC REPRIMANDS	22	23	
	PRIVATE REPRIMANDS	49	50	
	GRIEVANCE REFERRAL PROGRAM	25	184 25	205

<sup>\*</sup>does not reflect year-end figures

#### **DISCIPLINARY ACTIONS - PREVIOUS BAR YEARS**

BAR YEARS		Total Sanctions	Total Complaints Resolved	
2011-2012	DISBARMENTS	38	45	
2011-2012	RESIGNATIONS	27	87	
	SUSPENSIONS	137	174	
	PUBLIC REPRIMANDS	40		
			41	
	PRIVATE REPRIMANDS	106	115	
	GRIEVANCE REFERRAL PROGRAM	55 4	103 55	517
2010-2011	DISBARMENTS	28	52	
	RESIGNATIONS	23	101	
	SUSPENSIONS	157	254	
	PUBLIC REPRIMANDS	40	50	
	PRIVATE REPRIMANDS	77	82	
	GRIEVANCE REFERRAL PROGRAM	46 3	371 46	585
2009-2010	DISBARMENTS	25	33	
	RESIGNATIONS	22	40	
	SUSPENSIONS	111	169	
	PUBLIC REPRIMANDS	37	47	
	PRIVATE REPRIMANDS	81	89	
	GRIEVANCE REFERRAL PROGRAM	39 3	315 39	417

2008-2009	DISBARMENTS	32		43	
	RESIGNATIONS	26		104	
	SUSPENSIONS	127		189	
	PUBLIC REPRIMANDS	46		54	
	PRIVATE REPRIMANDS	68		73	
	GRIEVANCE REFERRAL PROGRAM	36	335	36	499
2007-2008	DISBARMENTS	24		63	
	RESIGNATIONS	24		90	
	SUSPENSIONS	121		224	
	PUBLIC REPRIMANDS	28		35	
	PRIVATE REPRIMANDS	69		73	
	GRIEVANCE REFERRAL PROGRAM	33	299	33	518
2006-2007	DISBARMENTS	30			
	RESIGNATIONS	31			
	SUSPENSIONS	110			
	PUBLIC REPRIMANDS	62			
	PRIVATE REPRIMANDS	87	320		
2005-2006	DISBARMENTS	38			
	RESIGNATIONS	17			
	SUSPENSIONS	119			
	PUBLIC REPRIMANDS	62			
	PRIVATE REPRIMANDS	108	344		
	ORDER FOR REHABILITATION				
2004-2005	DISBARMENTS	34			
	RESIGNATIONS	10			
	SUSPENSIONS	130			
	PUBLIC REPRIMANDS	52			
	PRIVATE REPRIMANDS	170			
	ORDER FOR REHABILITATION	18	414		

2003-2004	DISBARMENTS	30	
	RESIGNATIONS	14	
	SUSPENSIONS	113	
	PUBLIC REPRIMANDS	60	
	PRIVATE REPRIMANDS	188	
	ORDER FOR REHABILITATION	54	459
2002-2003	DISBARMENTS	34	
	RESIGNATIONS	11	
	SUSPENSIONS	126	
	PUBLIC REPRIMANDS	68	
	PRIVATE REPRIMANDS	145	
	ORDER FOR REHABILITATION	53	437

#### COMMISSION FOR LAWYER DISCIPLINE REPORT TO THE BOARD OF DIRECTORS JANUARY 2013

#### DISTRICT 01:

KENNEDY, DAVID ALAN: #00787819 09/04/2012-PARTIALLY PROBATED SUSPENSION 10/01/2012-03/31/2013: SUSPENSION 04/01/2013-09/30/2013: PROBATION

On September 4, 2012, **David Alan Kennedy** [#00787819], 54, of Athens, received a one-year, partially probated suspension, effective October 1, 2012, with the first six months actively served and the remainder probated.

The District 1 Panel of the Grievance Committee found that Kennedy failed to keep Complainant reasonably informed about the status of his divorce matter. Kennedy also failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure.

Kennedy violated Rules 1.03(a), and 8.04(a)(8). He was ordered to pay \$2,877.36 in attorneys' fees and costs and \$500.00 in restitution.

NELLIS, WILLIAM GARY: #90001643 10/03/2012-ACTIVE SUSPENSION 10/01/2012-03/31/2016

On October 3, 2012, William Gary Nellis [#90001643], 43, of Frisco, received a 42-month, active suspension, effective October 1, 2012.

The District 1 Grievance Committee found that in representing Complainant, Nellis neglected the legal matter entrusted to him. Nellis failed to keep Complainant reasonably informed about the status of his matter and failed to promptly comply with reasonable requests for information from Complainant. Nellis also entered into an arrangement for, charged, or collected an unconscionable fee from Complainant. Upon termination of representation in Complainant's matter, Nellis failed to refund advance payments of fee that had not been earned.

Nellis was ordered to pay attorneys' fees and costs in the sum of \$1,800.00 and restitution in the sum of \$50,000.00. Nellis violated Rules 1.01(b)(1), 1.03(a), 1.04(a), and 1.15(d).

## SADLER, JAMES FRANCIS: #00784893 08/23/2012-DISBARMENT

On August 23, 2012, James Francis Sadler [#00784893], 55, of Plano, was disbarred.

An Evidentiary Panel of the District 1 Grievance Committee found that Sadler failed to hold funds belonging to Complainant that were in Sadler's possession in connection with the representation separate from Sadler's own property until there was an accounting and severance of their interest. Sadler failed to promptly deliver to Complainant and the medical providers funds that Complainant and the medical providers were entitled to receive. Upon request by Complainant, Sadler failed to promptly render a full accounting regarding such settlement funds.

Sadler violated Rules 1.14(a), 1.14(b), and 1.14(c). He was ordered to pay \$5,833.09 in attorneys' fees and costs and \$11,182.32 in restitution.

#### **DISTRICT 02:**

#### DALLAS ATTORNEY 09/28/2012-PRIVATE REPRIMAND

RULE 1.15(a)(2)

for failing to decline or withdraw from representation of a client if the lawyer's physical, mental or psychological condition materially impairs the lawyer's fitness to represent the client

## THOMPSON, JOHN REX: #19956150 11/21/2012-PUBLIC REPRIMAND

On November 21, 2012, **John Rex Thompson** [#19956150], 47, of Tyler, received an agreed judgment of public reprimand.

An Evidentiary Panel of the District 2 Grievance Committee found that in representing Complainant, Thompson neglected the legal matter entrusted to him. Thompson failed to keep complainant reasonably informed about the status of the matter. In addition, Thompson failed to refund advanced payments of unearned fees.

Thompson violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He agreed to pay \$992.65 in attorneys' fees and costs and \$1,500.00 in restitution.

#### **DISTRICT 03:**

## BERTIN, DARREN CHRISTOPHER: #24009897 10/24/2012-FULLY PROBATED SUSPENSION 10/15/2012-04/14/2013

On October 24, 2012, **Darren Christopher Bertin** [#24009897], 45, of Port Neches, accepted a six-month, fully probated suspension, effective October 15, 2012. Bertin was appointed to represent his client in the appeal of her capital murder conviction. Bertin filed an appeal and the conviction was later affirmed; however, Bertin failed to inform his client of the affirmation or that she had the right to file a petition for discretionary review. Bertin also failed to respond to his client's requests for information on her case. Furthermore, Bertin failed to file a response to the grievance.

Bertin violated Rules 1.03(a) and 8.04(a)(8). Bertin was ordered to pay \$500.00 in attorneys' fees.

ENGLE, GLEN ALLEN: #00789280 08/30/2012-IMMEDIATE INTERIM SUSPENSION 08/30/2012-UNTIL FURTHER ORDER

On August 30, 2012, Glen Allen Engle [#00789280], 56, of Beaumont, received an interim suspension, effective August 30, 2012.

The 60<sup>th</sup> District Court of Jefferson County ordered the suspension pending the final disposition of underlying disciplinary cases. Engle may not accept any new client matters, hold himself out as an attorney at law, perform any legal service for others, or appear as counsel in a proceeding in any Texas court or before any Texas administrative body.

#### DISTRICT 04:

AARON, ANGELA DENISE: #00796093 10/18/2012-PARTIALLY PROBATED SUSPENSION 12/01/2012-02/28/2013: SUSPENSION 03/01/2013-11/30/2014: PROBATION

On October 18, 2012, **Angela Denise Aaron** [#00796093], 45, of Houston, received a two-year, partially probated suspension, effective December 1, 2012, with the first three months actively served and the remainder probated.

The 125th District Court of Harris County found that Aaron neglected legal matters entrusted to her, failed to keep her clients informed about the status of their legal matters, failed to promptly comply with reasonable requests for information, and, upon termination of representation, failed to refund advance payment of fees that had not been earned. Aaron also made false statements to a client regarding the status of her case.

Aaron violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(3). She was ordered to pay \$5,500.00 in restitution, \$1,175.00 in attorneys' fees, and \$300.00 in costs.

#### HOUSTON ATTORNEY 10/04/2012-PRIVATE REPRIMAND

RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### CHUKWURAH, CYRIL O.: #24048394 06/25/2012-ACTIVE SUSPENSION 06/21/2012-06/21/2016

On June 25, 2012, Cyril O. Chukwurah [#24048394], 56, of Houston, received a four-year, active suspension, effective June 21, 2012.

An Evidentiary Panel of the District 4 Grievance Committee found that upon Chukwurah's receipt of client settlement funds, he failed to hold those funds separate from his own property and Chukwurah failed to promptly disburse any settlement funds to the client and/or interested third parties.

Chukwurah violated Rules 1.14(a) and 1.14 (b). He was ordered to pay attorneys' fees and costs in the amount of \$1,783.40. Chukwurah has appealed the Judgment of Active Suspension.

## CLAY, YOLANDA D.: #00795567 09/24/2012-DISBARMENT

On September 24, 2012, **Yolanda D. Clay** [#00795567], 43, of Houston, was disbarred. Clay violated one or more terms of a Disciplinary Judgment previously rendered against her. During the investigation of the grievance filed against her, Clay failed to furnish to the Chief Disciplinary Counsel's office a response to the grievance.

Clay violated Rules 8.04(a)(7) and 8.04(a)(8). She was ordered to pay attorneys' fees and costs in the amount of \$793.05.

CLOUSER, JENNIFER LYNNE: #24069522 09/26/2012-PARTIALLY PROBATED SUSPENSION 10/22/2012-01/21/2013: SUSPENSION 01/22/2013-10/21/2015: PROBATION

On September 26, 2012, **Jennifer Lynne Clouser** [#24069522], 30, of Houston, received a three-year, partially probated suspension, effective October 22, 2012, with the first three months actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that in representing a client, Clouser neglected the legal matter entrusted to her, failed to promptly comply with reasonable requests for information from the client, and failed to refund to the client's fees that had not been earned by her. Clouser also failed to respond to the grievance filed against her.

Clouser violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She was ordered to pay \$615.00 in attorneys' fees and costs and \$250.00 in restitution.

#### HOUSTON ATTORNEY 10/19/2012-PRIVATE REPRIMAND

RULE 8.04(a)(11)

for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

## LYNCH, H. KEITH: #12726000 09/06/2012-DISBARMENT

On September 6, 2012, H. Keith Lynch [#12726000], 66, of Houston was disbarred.

An Evidentiary Panel of the District 4 Grievance Committee found that in representing a client, Lynch neglected the legal matter entrusted to him, failed to promptly deliver to a third party funds that they were entitled to receive, failed to keep funds in which Lynch and the third party had interests separate until there was an accounting and severance of their interests, engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation, and he failed to respond to the grievance.

Lynch violated Rules 1.01(b)(1), 1.14(b), 1.14(c), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$1,280.00 in attorneys' fees and costs.

#### MCCLAIN, EVERETT J.: #00786850 11/01/2012-FULLY PROBATED SUSPENSION 11/01/2012-10/31/2014

On November 1, 2012, **Everett J. McClain** [#00786850], 56, of Houston, accepted a two-year, fully probated suspension, effective November 1, 2012.

Upon termination of representation, McClain failed to surrender papers and property to which his client was entitled, failed to refund advance payments of fee that had not been earned, and failed to respond to the grievance.

McClain violated Rules 1.15(d) and 8.04(a)(8). He agreed to pay \$950.00 in restitution and \$400.00 in attorneys' fees.

#### HOUSTON ATTORNEY 11/07/2012-PRIVATE REPRIMAND

RULE 5.03(a)

for failing to make reasonable efforts to ensure that the nonlawyer's conduct is compatible with the professional obligations of the lawyer

MOCK, STEVEN P.: #14243000 09/06/2012-FULLY PROBATED SUSPENSION 06/28/2012-06/27/2014

On September 6, 2012, **Steven P. Mock** [#14243000], 69, of Houston, accepted a 24-month, fully probated suspension, effective June 28, 2012.

An Evidentiary Panel of the District 4 Grievance Committee found that upon Mock's receipt of settlement funds on behalf of his client, Mock failed to promptly notify the client of his receipt of the settlement funds, and failed to deliver any proceeds to the client, failed to keep funds or other property in which both he and his client claimed interests separate until there was an accounting and severance of their interests. Upon termination of the representation, Mock also failed to surrender papers and property to which the client was entitled.

Mock violated Rules 1.14(b), 1.14(c), and 1.15(d). He agreed to pay \$4,973.00 in restitution, and \$726.74 in attorneys' fees and costs.

OKO, CHUKWU UWAKWE: #24007771 09/19/2012-PARTIALLY PROBATED SUSPENSION 10/19/2012-10/18/2014: SUSPENSION 10/19/2014-10/18/2016: PROBATION

On September 19, 2012, **Chukwu Uwakwe Oko** [#24007771], 49, of Houston, received a four-year, partially probated suspension, effective October 19, 2012, with the first two years actively served and the remainder probated.

The 129<sup>th</sup> District Court of Harris County found that Oko violated Rules 1.03(a) by failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information, 1.03(b) by failing to explain a matter to the extent reasonably necessary to permit a client to make informed decisions regarding the representation, 1.14(a) by holding funds or other property belonging in whole or in part the client separate from his own property, 1.14(b) by failing to notify the client upon receipt of funds or other property in which the client has an interest; and 1.14(c) by failing to disburse the settlement funds only to persons entitled to receive them by virtue of the representation or by law.

Oko was ordered to pay \$2,000.00 in restitution and \$7,955.20 in attorneys' fees and costs. Oko filed a Notice of Appeal on November 14, 2012.

#### HOUSTON ATTORNEY 10/16/2012-PRIVATE REPRIMAND

#### RULE 1.01(a)

for accepting or continuing employment in a legal matter which the lawyer knew or should have known was beyond lawyer's competence

#### RULE 1.03(b)

for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation

## HOUSTON ATTORNEY 08/31/2012-PRIVATE REPRIMAND

RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### HOUSTON ATTORNEY 11/03/2012-PRIVATE REPRIMAND

RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

RULE 1.15(d)

for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

#### VEGA, JOSE W.: #24034826 10/31/2012-PUBLIC REPRIMAND

On October 31, 2012, **Jose W. Vega** [#24034826], 47, of Houston, accepted a public reprimand. During the representation of a client, Vega failed to keep the client reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information from the client.

Vega violated Rule 1.03(a). He agreed to pay restitution in the amount of \$2,500.00 and attorneys' fees and costs in the amount of \$500.34.

## VILLALON, REGINALDO P.: #24033417 10/12/2012-PUBLIC REPRIMAND

On October 12, 2012, **Reginaldo P. Villalon** [#24033417], 46, of Houston, agreed to a public reprimand. Villalon engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Villalon violated Rule 8.04(a)(11). He agreed to pay attorneys' fees and costs in the amount of \$400.65.

#### HOUSTON ATTORNEY 09/15/2012-PRIVATE REPRIMAND

**RULE 1.04(f)** 

A division or agreement for division of a fee between lawyers who are not in the same firm shall not be made unless: (1) the division is: (iii) made, by written agreement with the client, with a lawyer who assumes joint responsibility for the representation

#### DISTRICT 05:

#### HOUSTON ATTORNEY 10/15/2012-PRIVATE REPRIMAND

RULE 1.01(b)(1)

for neglecting a legal matter entrusted to the lawyer

RULE 1.15(d)

for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

#### HOUSTON ATTORNEY 09/27/2012-PRIVATE REPRIMAND

RULE 8.04(a)(7)

for violating any disciplinary or disability order or judgment

EUSTACHON, BENJAMIN NGUYEN: #06702350 09/04/2012-PARTIALLY PROBATED SUSPENSION 11/15/2012-05/14/2013: SUSPENSION 05/15/2013-11/14/2017: PROBATION

On September 4, 2012, **Benjamin Nguyen Eustachon** [#06702350], 52, of Houston, accepted a five-year, partially probated suspension, effective November 15, 2012, with the first six months actively served and the remainder probated.

An Evidentiary Panel of the District 5 Grievance Committee found that in representing a client, Eustachon failed to promptly deliver to the client funds that she was entitled to receive, failed to hold funds belonging to the client in trust, and disbursed client's funds in his attorney's trust account to persons who were not entitled to receive them by virtue of a representation or by law. Eustachon also failed to file a response with the Office of the Chief Disciplinary Counsel.

Eustachon violated Rules 1.14(a), 1.14(b), 1.14(c), and 8.04(a)(8). He agreed to pay \$1,000.00 in attorneys' fees and \$9,217.11 in restitution.

## GRIFFIN, ANTHONY P.: #08455300 09/17/2012-PUBLIC REPRIMAND

On September 17, 2012, Anthony P. Griffin [#08455300], 58, of Galveston, received a public reprimand.

An Evidentiary Panel of the District 5 Grievance Committee found that Griffin was hired for representation involving breach of contract or civil rights violations. The client later terminated the representation and requested a refund of the advance fee payment; however, Griffin failed to return any unearned fees.

Griffin violated Rule 1.15(d). He was ordered to pay \$5,000.00 in restitution and \$825.00 in attorneys' fees and costs.

### GRIFFIN, ANTHONY P.: #08455300 08/20/2012-PUBLIC REPRIMAND

On August 20, 2012, Anthony P. Griffin [#08455300], 57, of Galveston, received a public reprimand.

An Evidentiary Panel of the District 5 Grievance Committee found that Griffin was hired for representation in a discrimination claim. During the course of the representation, the client made numerous attempts to contact Griffin to ascertain the status of the case, but Griffin failed to communicate with his client. Griffin failed to take any action to pursue the case, other than to make an open records request. The client terminated the representation and requested a refund of his fees; however, Griffin failed to return any unearned fees.

Griffin violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$9,000.00 in restitution and \$3,979.48 in attorneys' fees and costs.

#### HOUSTON ATTORNEY 09/11/2012-PRIVATE REPRIMAND

RULE 3.04(d)

for knowingly disobeying an obligation under the standing rules or of a ruling by a tribunal

## RACER, MARK W.: #16448450 10/18/2012-PUBLIC REPRIMAND

On October 18, 2012, Mark W. Racer [#16448450], 52, of Wharton, accepted a public reprimand.

An Evidentiary Panel of the District 5 Grievance Committee found that Racer failed to keep two appellate clients reasonably informed about the status of their legal matters.

Racer violated Rule 1.03(a). He agreed to pay \$750.00 in attorneys' fees and expenses.

#### DISTRICT 06:

## HOOTON, THOMAS LANE: #09965500 10/15/2012-PUBLIC REPRIMAND

On October 15, 2012, Thomas Lane Hooton [#09965500], 69, of Dallas, received a public reprimand.

The District 6 Panel of the Grievance Committee found that Hooton neglected the appeal of the criminal matter entrusted to him by the Complainant. Upon termination of representation, Hooton failed to refund advance payments of fee that had not been earned.

Hooton violated Rules 1.01(b)(1) and 1.15(d).

LAFUENTE, STEVEN RYAN: #24032522

10/24/2012-PARTIALLY PROBATED SUSPENSION

12/01/2012-11/30/2014: SUSPENSION 12/01/2014-11/30/2016: PROBATION

On October 24, 2012, **Steven Ryan Lafuente** [#24032522], 43, of Dallas, agreed to a four-year, partially probated suspension, effective December 1, 2012, with the first two years actively served and the remainder probated.

The District 6 Grievance Committee found that Lafuente failed to refund to his client advance payments of fees that had not been earned. Further, Lafuente violated a disciplinary judgment by practicing law while on an active suspension; and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation

Lafuente violated Rules 1.15(d), 8.04(a)(3) and 8.04(a)(7). He was ordered to pay \$1,109.00 in attorneys' fees and costs and \$4,300.00 in restitution.

LAFUENTE, STEVEN RYAN: #24032522 11/05/2012-PARTIALLY PROBATED SUSPENSION 12/01/2012-11/30/2013: SUSPENSION 12/01/2013-11/30/2014: PROBATION

On November 5, 2012, **Steven Ryan LaFuente** [#24032522], 43, of Dallas, received a two-year, partially probated suspension, effective December 1, 2012.

An Evidentiary Panel of the District 6 Grievance Committee found that Lafuente neglected three legal matters entrusted to him by a client, and failed to keep the client reasonably informed about the status of the matters. Upon termination of the representations Respondent failed to refund the advance payment of fees that had not been earned.

Lafuente violated Rules 1.01(b)(1), 1.03(a) and 1.15(d). He was ordered to pay \$1,850.00 in restitution and \$1,130.00 in attorneys' fees and costs.

#### MAGARY, DOUGLAS K.: #12810500 10/05/2012-PUBLIC REPRIMAND

On October 5, 2012, Douglas K. Magary [#12810500], 67, of Dallas, received a public reprimand.

The District 6 Panel of the Grievance Committee found that Magary failed to keep Complainant reasonably informed about the status of the case and failed to promptly comply with reasonable requests for information from Complainant. Magary failed to explain Complainant's case to the extent reasonable necessary to permit Complainant to make informed decisions regarding the representation. Magary failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure and did not in good faith timely assert a privilege or other legal ground for failure to do so.

Magary violated Rules 1.03(a), 1.03(b) and 8.04(a)(8). He agreed to pay \$1,449.24 in attorneys' fees and costs.

MIRANDA, JESUS A.: #14199599 07/23/2012-ACTIVE SUSPENSION 07/12/2012-07/11/2014

On July 23, 2012, Jesus A. Miranda [#14199599], 50, of Dallas, received a two-year, active suspension, effective July 12, 2012.

The District 6 Grievance Committee found that Miranda failed to keep Complainant reasonably informed about the status of his criminal matter. Miranda failed to promptly comply with reasonable requests for information from Complainant about his criminal matter and failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure, or assert a privilege or other legal ground for failure to do so.

Miranda violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$2,673.75 in attorneys' fees and \$145.10 in costs. Miranda filed an appeal on November 5, 2012.

D0031142697

MIRANDA, JESUS A.: #14199599 07/23/2012-ACTIVE SUSPENSION 07/12/2012-07/11/2014

On July 23, 2012, Jesus A. Miranda [#14199599], 50, of Dallas, received a two-year, active suspension, effective July 12, 2012.

The District 6 Grievance Committee found that in representing Complainant in a misdemeanor case, Miranda neglected the legal matter entrusted to him. Miranda failed to keep Complainant reasonably informed about the status of his misdemeanor matter, and failed to promptly comply with reasonable requests for information from Complainant about the matter. Upon termination of representation, Miranda failed to refund advance payments of fee that had not been earned. Miranda failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure, and did not in good faith timely assert a privilege or other legal ground for failure to do so.

Miranda violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$3,453.00 in attorneys fees, \$151.77 in costs, and \$750.00 in restitution. Miranda filed an appeal on November 5, 2012.

D0081143639

## MIRANDA, JESUS A.: #14199599 07/24/2012-DISBARMENT

On July 24, 2012, **Jesus A. Miranda** [#14199599], 50, of Dallas was disbarred.

An Evidentiary Panel of the District 6 Grievance Committee found that upon termination of representation, Miranda failed to refund Complainant advance payments of fee that had not been earned during his representation of Edgar Becerra in connection with a criminal matter and the posting of an immigration bond.

Miranda failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure, and did not in good faith timely assert a privilege or other legal ground for failure to do so.

Miranda violated Rules 1.15(d) and 8.04(a)(8). He was ordered to pay \$2,981.25 in attorneys' fees, \$307.56 in costs, and \$1,500.00 in restitution. Miranda filed an appeal on November 5, 2012.

D0091041199

#### DALLAS ATTORNEY 10/15/2012-PRIVATE REPRIMAND

RULE 1.15(d)

for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

#### **DISTRICT 07:**

LOYD, ANNETTE R.: #16731100 09/13/2012-ACTIVE SUSPENSION 10/01/2012-09/30/2013

On September 13, 2012, **Annette R. Loyd** [#16731100], 49, of Fort Worth, accepted a one-year, active suspension, effective October 1, 2012.

An Evidentiary Panel of the District 7 Grievance Committee found that Loyd engaged in the practice of law when her right to practice had been suspended due to a disciplinary judgment, and that Loyd violated a disciplinary judgment by practicing while actively suspended. Loyd also failed to file a response with the Office of the Chief Disciplinary Counsel.

Loyd violated Rules 8.04(a)(1), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11). She was ordered to pay \$895.00 in attorneys' fees and costs.

#### **DISTRICT 09:**

ROJAS, HUGO: #00791564 10/18/2012-ACTIVE SUSPENSION 01/01/2013-06/30/2013

On October 18, 2012, Hugo Rojas [#00791564], 48, of Inglewood, California, accepted a six-month, active suspension.

The District 9 Evidentiary Panel found that Rojas was hired to represent a client in an immigration matter but failed to take any meaningful action on the client's case. Rojas further failed to keep the client informed about the status of the case and failed to refund unearned fees.

Rojas violated Rules 1.01(b)(1), 1.03(a), 1.15(d) and 8.04(a)(1). Rojas paid \$963.50 in attorney's fees and costs.

#### AUSTIN ATTORNEY 09/04/2012-PRIVATE REPRIMAND

RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 1.08(a)

a lawyer shall not enter into a business transaction with a client:

1. The transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed in a manner which can be reasonably understood by the client

WATSON, ERAKA: #24001879 10/09/2012-FULLY PROBATED SUSPENSION 11/01/2012-10/31/2014

On October 9, 2012, **Eraka Watson** [#24001879], 40, of Pearland, agreed to a two-year, fully probated suspension, effective November 1, 2012.

The 23<sup>rd</sup> Judicial District Court of Brazoria County found that in connection with a business venture unrelated to the practice of law, Watson engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Watson violated Rule 8.04(a)(3). She was ordered to pay \$820.00 in attorneys' fees and costs.

#### DISTRICT 10:

## BASS, DANIEL A.: #1875695 08/03/2012-DISBARMENT

On August 3, 2012, Daniel A. Bass [#1875695], 55, of San Antonio, was disbarred.

The 285<sup>th</sup> District Court of Bexar County found that Bass engaged in professional misconduct and ordered Bass to pay \$9,262.49 in attorneys' fees and costs.

Bass violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.14(a), 1.15(a)(1), 1.15(d), 8.04(a)(8), and 8.04(a)(10). Bass has appealed this judgment.

## BOMBA, CHARLES RUSSELL: #02580499 09/15/2012-DISBARMENT

On September 15, 2012, Charles Russell Bomba [#02580499], 62, of San Antonio, was disbarred.

The District 10 Grievance Committee found that Bomba neglected legal matters of two clients, failed to keep clients informed, failed to return a client's file, failed to return unearned fees, failed to hold client funds in a trust account, and failed to file a response to the grievance.

Bomba violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.14(a), 1.15(d), and 8.04(a)(8), and was ordered to pay \$3,474.00 in restitution and \$2,585.00 in attorneys' fees.

#### SAN ANTONIO ATTORNEY 10/22/2012-PRIVATE REPRIMAND

#### **RULE 1.14(b)**

for failing, upon receiving funds or other property in which a client or third person has an interest, to promptly notify the client or third person and render a full accounting upon request

#### **RULE 1.15(d)**

for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

#### SAN ANONTIO ATTORNEY 10/04/2012-PRIVATE REPRIMAND

#### RULE 7.07(b)

Except as provided in paragraph (d) of this Rule, a lawyer shall file with the Lawyer Advertisement and Solicitation Review Committee of the State Bar of Texas, either before or concurrently with the dissemination of an advertisement in the public media, a copy of each of the lawyer's advertisements in the public media

#### SAN ANTONIO ATTORNEY 10/15/2012-PRIVATE REPRIMAND

#### RULE 1.02(a)(1)

for failing to abide by a client's decisions concerning the objectives and general methods of representation

#### RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 1.03(b)

for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation

#### SAN ANTONIO ATTORNEY 11/08/2012-PRIVATE REPRIMAND

#### RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 1.04(c)

for failing to communicate to the client the basis or rate of the fee before or within a reasonable time after commencing the representation

#### SAN ANTONIO ATTORNEY 09/18/2012-PRIVATE REPRIMAND

#### RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 1.03(b)

for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation

## SAN ANTONIO ATTORNEY 09/12/2012-PRIVATE REPRIMAND

#### RULE 7.02(a)

for making a false or misleading communication about the qualifications of the services of any lawyer or firm. A communication is false or misleading if it:

- 1. Contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;
- 2. Contains any reference in a public media advertisement to past successes or results obtained unless
  - The communicating lawyer or member of the law firm served as lead counsel in the matter giving rise to the recovery, or was primarily responsible for the settlement or verdict.
  - ii. The amount involved was actually received by the client,
  - iii. The reference is accompanied by adequate information regarding he nature of the case or matter and the damages or injuries sustained by the client, and
  - iv. If the gross amount received is stated, the attorney's fees and litigation expenses withheld from the amount are stated as well:
- 3. Is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate these rules or other laws;
- 4. Compares the lawyer's services with other lawyer's services with other lawyers' services, unless the comparison can be substantiated by reference to verifiable, objective data.

#### RULE 7.07(c)

Except as provided in paragraph (e) of this Rule, a lawyer shall file with the Advertising Review Committee of the State Bar of Texas no later than its first posting on the internet or other comparable network of computers information concerning the lawyer's or lawyer's firm's website. As used in this Rule, a "website" means a single or multiple page file, posted on a computer server, which describes a lawyer or law firm's practice or qualifications, to which public access is provided through publication of a uniform resource locator (URL).

## SAN ANTONIO ATTORNEY 09/17/2012-PRIVATE REPRIMAND

#### RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 1.03(b)

for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation

## MILLS, RHONDA M.: #00791543 09/11/2012-PUBLIC REPRIMAND

On September 11, 2012, Rhonda M. Mills [#00791543], 45, of San Antonio, accepted a public reprimand.

The District 10 Panel of the Grievance Committee found that Mills failed to carry out completely the obligations owed to a client, failed to keep the client reasonably informed about the status of the case. Mills also failed to promptly render a full accounting upon request by the client.

Mills violated Rules 1.01(b)(2), 1.03(a), and 1.14(b). She was ordered to pay \$850.00 in attorneys' fees and costs.

#### SAN ANTONIO ATTORNEY 10/04/2012-PRIVATE REPRIMAND

#### RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 8.04(a)(8)

for failing to timely furnish a district grievance committee a response or other information as required unless he/she timely asserts a privilege or other legal ground for failure to do so

#### SALAZAR, MARY R.: #24060546 09/20/2012-FULLY PROBATED SUSPENSION 09/01/2012-08/31/2013

On September 20, 2012, Mary R. Salazar [#24060546], 47, of San Antonio, accepted a one-year, fully probated suspension, effective September 1, 2012.

The District 10 Grievance Committee found Salazar neglected a legal matter, failed to keep a client informed, and failed to file a response to the grievance.

Salazar violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$1,000.00 in attorneys' fees and expenses.

VEGA, JUAN A.: #00795697

09/12/2012-PARTIALLY PROBATED SUSPENSION

11/12/2012-02/11/2013: SUSPENSION 02/11/2013-11/11/2015: PROBATION

On September 12, 2012, **Juan Vega** [#00795697], 43, of San Antonio, accepted a three-year, partially probated suspension, effective November 12, 2012, with the first three months actively served and remainder probated.

The District 10 Grievance found that Mr. Vega neglected his client's case, failed to communicate with his client, failed to return the unearned portion of the fee and failed to respond to the grievance.

Vega violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,200.00 in restitution and \$800.00 attorneys' fees and direct expenses.

#### DISTRICT 11:

#### GARZA, JOSEPH G.: #07734500 08/21/2012-PUBLIC REPRIMAND

On August 21, 2012, Joseph G. Garza [#07734500], 68, of Victoria, accepted public reprimand.

The District 11 Grievance Committee found that Garza threatened a person with criminal charges solely to gain an advantage in a civil matter.

Garza violated Rules 4.04(b)(1). He was ordered to pay \$700.00 attorneys' fees and direct expenses.

#### SAN ANTONIO ATTORNEY 10/2/2012-PRIVATE REPRIMAND

#### RULE 1.15(d)

for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

## SAN ANTONIO ATTORNEY 08/30/2012-PRIVATE REPRIMAND

#### RULE 1.01(b)(2)

for failing to carry out completely the obligations owed to a client

#### RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### RULE 1.03(b)

for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation

**RAMOS, JR., J. ESEQUIEL: #16508030** 

06/28/2012-MODIFIED PARTIALLY PROBATED SUSPENSION

07/01/2012-12/31/2012: SUSPENSION 01/01/2013-06/30/2015: PROBATION

On June 28, 2012, **J. Esequiel Ramos**, **Jr.** [#16508030], 52, of Corpus Christi, received a 36-month, partially probated suspension, effective July 1, 2012, with the first six months actively served and the remainder probated.

The District 11 Panel of the Grievance Committee found that Ramos neglected a client's matter. Ramos also failed to return unearned fees.

Ramos violated Rules 1.01(b)(1), and 1.15(d). He was ordered to pay \$1,000.00 in attorneys' fees and costs.

#### DISTRICT 14:

#### DALLAS ATTORNEY 11/01/2012-PRIVATE REPRIMAND

RULE 8.04(a)(7)

for violating any disciplinary or disability order or judgment

RULE 8.04(a)(8)

for failing to timely furnish a district grievance committee a response or other information as required unless he/she timely asserts a privilege or other legal ground for failure to do so

#### **DISTRICT 15:**

#### SAN ANTONIO ATTORNEY 10/29/2012-PRIVATE REPRIMAND

RULE 1.02(a)(1)

for failing to abide by a client's decisions concerning the objectives and general methods of representation

## SAN ANTONIO ATTORNEY 08/31/2012-PRIVATE REPRIMAND

RULE 1.15(d)

for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client

#### **DISTRICT 16:**

#### SAN ANTONIO ATTORNEY 11/13/2012-PRIVATE REPRIMAND

RULE 1.03(a)

for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information

#### **DISTRICT 17:**

#### SAN ANTONIO ATTORNEY 09/17/2012-PRIVATE REPRIMAND

#### RULE 5.03(a)

for failing to make reasonable efforts to ensure that the nonlawyer's conduct is compatible with the professional obligations of the lawyer;

#### RULE 5.03(b)(1)

a lawyer shall be in violation if the lawyer orders, encourages, or permits the conduct involved of a non-lawyer to be in violation of the rules of the Texas Disciplinary rules of Professional Conduct

#### GOPIN, MICHAEL J.: #08192900 10/15/2012-PUBLIC REPRIMAND

On October 15, 2012, Michael J. Gopin [#08192900], 50, of El Paso, accepted a public reprimand.

The District 17 Grievance Committee found that Gopin, with his law firm's internet advertisement, failed to comply with the requisite filing requirements of the Advertising Review Committee.

Gopin violated Rules 7.07(c). He agreed to pay \$850.00 in attorneys' fees and expenses

#### KETNER, JOHN T.: #24029662 09/05/2012-ACTIVE SUSPENSION 09/05/2012-11/05/2012

On September 5, 2012, **John T. Ketner** [#24029662], 37, of El Paso, received a suspension, effective September 5, 2012, and ending November 5, 2012.

The 327<sup>th</sup> District Court of El Paso County found that Ketner violated Rules 4.02(a) and 8.04(a)(2) of the Texas Disciplinary Rules of Professional Conduct.

Ketner violated Rules 4.02(a) and 8.04(a)(2). He and was ordered to pay \$3,690.00 in attorneys' fees and direct expenses.

#### LEEDS, STUART L.: #12151500 11/06/2012-FULLY PROBATED SUSPENSION 11/15/2012-05/14/2013

On November 6, 2012, **Stuart L. Leeds** [#12151500], 58, of El Paso, agreed to a six-month, fully probated suspension, effective November 15, 2012.

The Court found that Leeds engaged in professional misconduct in violation of Texas Disciplinary Rules of Professional Conduct 3.04(d) and ordered Leeds to pay \$1,000.00 in attorneys' fees and costs.

#### **BOARD OF DISCIPLINARY APPEALS ACTIONS:**

#### GIFFORD, ERIC PAUL: #00796628 10/24/2012-DISBARMENT

On October 24, 2012, the Board of Disciplinary Appeals signed a judgment of disbarment against Anna, Texas, attorney, Eric Paul Gifford, 46, State Bar of Texas Card No. 00796628.

Mr. Gifford appeared pro se at the hearing before BODA. On February 20, 2012 the Supreme Court of Florida issued an order in a matter styled: *The Florida Bar, Complainant v. Eric P. Gifford, Respondent, Case No. SC11-1182*, disbarring Gifford because he admitted that he committed an unlawful act, failed to comply with Florida's trust account rules and committed a criminal act in violation of the Florida Rules of Professional Conduct. In accordance with Part IX of the TEXAS RULES OF DISCIPLINARY PROCEDURE, Gifford is disbarred.

## KLEINKAUF, WILLIAM J.: #11566500 10/24/2012-DISBARMENT

On October 24, 2012, the Board of Disciplinary Appeals signed a default judgment of disbarment against Flower Mound attorney William J. Kleinkauf, 66, State Bar of Texas Card No. 11566500.

Mr. Kleinkauf did not answer or appear. On July 30, 2012, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Mr. Kleinkauf suspending him from the practice of law pending his appeal of his conviction. On or about September 2, 2011, Kleinkauf pled guilty to one count of Possession of Child Pornography in violation of 18 U.S.C. §§2252A(a)(5)(B) an Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, in case number 4:10CR00013-001 styled, *The United States of America v. William J. Kleinkauf*, in the United States District Court for the Eastern District of Texas, Sherman Division. Kleinkauf was sentenced to 36 months in the custody of the United States Bureau of Prisons. Upon his release, Kleinkauf shall be supervised for five years. He was also ordered to pay an assessment of \$100.00. Kleinkauf appealed his criminal conviction. On July 25, 2012, the Court of Appeals for the Fifth Circuit of the United States of America affirmed his criminal conviction and issued its mandate.

## KLEINSMITH, PHILIP M.: #11567650 10/16/2012-PUBLIC REPRIMAND

On October 16, 2012, the Board of Disciplinary Appeals signed an agreed judgment of suspension of Colorado Springs attorney, **Philip M. Kleinsmith**, 73, State Bar of Texas Card No. 11567650.

On March 20, 2012, the Presiding Disciplinary Judge of the Supreme Court of Arizona entered a Judgment and Order against Kleinsmith in a matter styled *In the Matter of an Active Member of the State Bar of Arizona, Philip M. Kleinsmith, Bar No. 012775, Respondent*, reprimanding Kleinsmith and placing him on probation for one year subject to early termination upon completion of Ethics School. He completed Ethics School and his probation was terminated on June 18, 2012. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Kleinsmith is publicly reprimanded and suspended from the practice of law for three months, with the imposition of the suspension fully probated.

LESSEN, GARY L.: #11969500 10/18/2012-ACTIVE SUSPENSION 10/23/2012-11/22/2012

On October 23, 2012, the Board of Disciplinary Appeals signed an agreed judgment of suspension of Tempe, Arizona attorney, **Gary L Lassen**, 64, State Bar of Texas Card No. 11969500.

On March 20, 2012, the Presiding Disciplinary Judge of the Supreme Court of Arizona entered a Judgment and Order against Lassen in a matter styled *In the Matter of an Active Member of the State Bar of Arizona, Gary L. Lassen, Bar No. 005259, Respondent*, PDJ-2011-9079, State Bar No. 10-1508, suspending Lassen from the practice of law for 30 days. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Lassen is suspended from the practice of law in Texas for 30 days beginning October 23, 2012 and ending on November 22, 2012.

PARKER, JR., HAL: #15484020 11/14/2012-FULLY PROBATED SUSPENSION 11/14/2012-11/14/2014

On November 14, 2012, the Board of Disciplinary Appeals signed an agreed fully probated suspension of Fort Collins, Colorado attorney, Hal Parker Jr., 56, State Bar of Texas Card No. 15484020.

On January 23, 2012, the Presiding Disciplinary Judge of the Supreme Court of Arizona entered a Judgment and Order against Parker in a matter styled, *Complainant: The People of the State of Colorado, Respondent: George H. Parker Jr.*, suspending Parker from the practice of law for one year and one day, stayed for a two-year period of probation. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Parker is suspended from the practice of law in Texas for one year and one day with the imposition of the suspension stayed during a period of probation beginning November 14, 2012 and ending November 14, 2014.

PATTERSON, GINA DAWN: #24013301 08/28/2012-INDEFINITE DISABILITY SUSPENSION 08/28/2012-UNTIL FURTHER ORDER

On August 28, 2012, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against Houston attorney **Gina Dawn Patterson**, 47, State Bar of Texas Card No. 24013301, in accordance with Part XII of the TEXAS RULES OF DISCIPLINARY PROCEDURE and Section 8 of the Internal Procedural Rules of the Board of Disciplinary Appeals.

#### UYAMADU, EMEKA M.: #00788571 01/24/2012-DISBARMENT

On October 24, 2012, the Board of Disciplinary Appeals signed a default judgment of disbarment against Houston attorney **Emeka M. Uyamadu**, 50, State Bar of Texas Card No. 00788571 from the practice of law. Uyamadu did not answer or appear.

On July 26, 2010 the Board of Disciplinary Appeals signed an interlocutory order suspending Mr. Uyamadu from the practice of law pending the appeal of his conviction. On or about April 23, 2010, Uyamadu was found guilty of theft over \$20,000 and under \$100,000, a third degree felony, an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in case number 1138060, styled, *The State of Texas v. Uyamadu, Emeka Michael*, in the 176<sup>th</sup> Judicial District Court of Harris County, Texas. Uyamadu was sentenced to 10 years in the custody of the Texas Department of Criminal Justice. The sentence was suspended and Uyamadu was placed on community supervision for 10 years and ordered to pay a \$5,000 fine and to serve 60 days in the Harris County Jail. On or about April 23, 2010, Uyamadu was found guilty of tampering with a witness, a state jail felony, an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in case number 1176507, styled, *The State of Texas v. Uyamadu, Emeka Michael*, in the 176<sup>th</sup> Judicial District Court of Harris County, Texas. Uyamadu was sentenced to two years in the custody of the State Jail Division of the Texas Department of Criminal Justice and ordered to pay a \$3,000 fine. Uyamadu appealed the criminal conviction and the Fourteenth Court of Appeals for the State of Texas affirmed the conviction and issued its mandates on June 22, 2012.

WILLIAMS, ERIC LYLE: #24013851 10/10/2012-INTERLOCUTORY SUSPENSION 10/10/2012-UNTIL FURTHER ORDER

On October 10, 2012, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against Kaufman attorney Eric Lyle Williams, 45, State Bar of Texas Card No. 240138510.

On or about April 9, 2012, Williams was found guilty of one count of burglary of a building and one count of theft by a public servant over \$500 and less than \$1500, Intentional Crimes as defined in the Texas Rules of Disciplinary Procedure, in case number 29823-422 styled, *The State of Texas v. Eric Lyle Williams* in the 422<sup>nd</sup> District Court of Kaufman County, Texas. Williams was sentenced to two years in Texas Department of Criminal Justice State Jail Division suspended for two years and ordered to perform 80 hours of community service. Williams has appealed his criminal conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final.

WOOTEN, SUZANNE H.; #00794881 10/24/2012-ACTIVE SUSPENSION 10/24/2012-12/12/21

On October 24, 2012, the Board of Disciplinary Appeals signed a judgment of suspension against McKinney attorney Suzanne H. Wooten, 44, State Bar of Texas Card No. 00794881.

On or about December 6, 2011, Ms. Wooten was found guilty by a jury of engaging in organized criminal activity, six counts of bribery, money laundering and tampering with a governmental record to defraud or harm, Intentional Crimes as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in Cause number 366-81639-2011 styled, *The State of Texas v. Suzanne H. Wooten*, in the 366<sup>th</sup> District Court of Collin County, Texas. She was sentenced to ten years in the Institutional Division of the Texas Department of Criminal Justice for each count of bribery and ordered to pay a fine in the amount of \$10,000.00. Imposition of the criminal sentence was suspended and Wooten was placed on community supervision for a term of ten years. She was sentenced to ten years in the Institutional Division of the Texas Department of Criminal Justice for the count of money laundering and ordered to pay a fine in the amount of \$10,000.00. Imposition of the criminal sentence was suspended and Wooten was placed on community supervision for a term of ten years. She was sentenced to two years in the Institutional Division of the Texas Department of Criminal Justice for the count of tampering with a governmental record and ordered to pay a fine in the amount of \$10,000.00. Imposition of the criminal sentences was suspended and Wooten was placed on community supervision for a term of five years. All sentences run concurrently. Wooten did not appeal her criminal conviction and it is final. Wooten is suspended for the term of her criminal probation.