

COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS
ON
ATTORNEY DISCIPLINE

SEPTEMBER 2013

Disciplinary Sanctions
June 1, 2013 through August 15, 2013

DISBARMENTS	DISTRICT	Number of Complaints Resolved
Harkins, Thad	10	1
Oko, Chukwu Uwakwe	4	1
Ray, Melissa Ray Ann	1	1
Ray, Melissa Ray Ann	7	1
Sandling, Craig F.	9	1
Total	5	5

RESIGNATIONS IN LIEU of DISCIPLINE	DISTRICT	Number of Complaints Resolved
Hardin, Gordon Westley	9	3
Kvinta, Jr., Charles James	9	1
Loisel, Nicolette	9	1
Martin Richard Harold	1	6
Zweifel, William R.	9	1
Total	5	12

SUSPENSIONS	DISTRICT	Number of Complaints Resolved
Adams, Cathy Jean	1	1
Adams, Larry James	11	1
Aninao, V. Antonio	4	1
Batten, Gail Norman	6	2
Brock, Rodric Alan	7	1
Clouser, Jennifer Lynne	4	2
Edwards, Margaret E.	11	2
Gonzalez, Juan P.	11	1
Hodges, Jr., Hugh M.	6	1
Loya, Raul Hector	6	1
Loya, Raul Hector	6	1
Pagano, Christina E.	9	1
Parker, Jr., Kenneth L.	3	2
Rios-Salazar, Delma	11	1
Robin, Richard C.	17	1
Robin, Richard C.	17	1
Robin, Richard C.	17	1
Robin, Richard C.	17	1
Rokohl, Bruce A.	4	1
Sibley, David	11	2
Staton, Gerald G.	7	1

Villalobos, Jaime A.	17	1
Ward, Lloyd Eugene	6	1

Board of Disciplinary Appeals Actions:

Wilkinson, Kristin Diane	BODA	1
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Total	24	29
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PUBLIC REPRIMANDS	DISTRICT	Number of Complaints Resolved
Akpaffiong, Bassey Out	5	1
Davila, Javier J. Campos	9	1
Gammon, William B.	9	1
Merritt, Marianne	8	1
Phifer, Gregory L.	13	1
Rankin, David C.	2	1
Total	6	6

PRIVATE REPRIMANDS		Number of Complaints Resolved
GRIEVANCE COMM.		
4	2	2
5	1	1
6	1	1
7	1	1
10	3	3
11	2	2
13	1	1
Total	11	11
Grievance Referral Program	13	
GRAND TOTAL:	64	76

DISCIPLINARY ACTIONS - CURRENT BAR YEAR

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2013-2014*	DISBARMENTS	5		5	
	RESIGNATIONS	5		12	
	SUSPENSIONS	24		29	
	PUBLIC REPRIMANDS	6		6	
	PRIVATE REPRIMANDS	11		11	
	GRIEVANCE REFERRAL PROGRAM	13	64	13	76

*does not reflect year-end figures

DISCIPLINARY ACTIONS - PREVIOUS BAR YEARS

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2012-2013	DISBARMENTS	39		51	
	RESIGNATIONS	24		46	
	SUSPENSIONS	122		160	
	PUBLIC REPRIMANDS	37		40	
	PRIVATE REPRIMANDS	89		91	
	GRIEVANCE REFERRAL PROGRAM	56	367	56	444
2011-2012	DISBARMENTS	38		45	
	RESIGNATIONS	27		87	
	SUSPENSIONS	137		174	
	PUBLIC REPRIMANDS	40		41	
	PRIVATE REPRIMANDS	106		115	
	GRIEVANCE REFERRAL PROGRAM	55	403	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	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	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				

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
SEPTEMBER 2013

DISTRICT 01:

ADAMS, CATHY JEAN: #00793226
05/03/2013-PARTIALLY PROBATED SUSPENSION
06/01/2013-06/30/2013: SUSPENSION
07/01/2013-12/31/2013: PROBATION

On May 3, 2013, **Cathy Jean Adams** [#00793226], 53, of Kaufman, received a seven-month, partially probated suspension, effective June 1, 2013, with the first month actively suspended, and the remainder probated. An evidentiary panel of the District 1 Grievance Committee found that in representing Complainant in a child custody modification matter, Adams failed to promptly comply with reasonable requests for information from Complainant about the family law matter.

Adams violated Rule 1.03(a). She was ordered to pay \$500.00 in attorneys' fees and direct expenses.

MARTIN, RICHARD HAROLD: #24037034
08/16/2013-RESIGNATION

On August 16, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Richard Harold Martin** [#24037034], 38, of McKinney. Martin was hired by numerous Complainants for representation in traffic ticket matters but Martin neglected the legal matters and failed to keep the Complainants advised of the status of their legal matters. In three of the cases, Martin's neglect resulted in the issuance of arrest warrants for the Complainants with one former client getting arrested. Martin failed to return unearned legal fees to Complainants and did not respond to two of the grievances filed against him. Further, Martin was administratively suspended from the practice of law on July 31, 2012, for non-compliance with Minimum Continuing Legal Education requirements and on August 10, 2012, for non-compliance with the Supreme Court rules concerning repayment of Texas Guaranteed Student Loans. While administratively suspended, Martin practiced law by representing one of the Complainants in a hearing.

Martin violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(8), and 8.04(a)(11).

RAY, MELISSA ANN: #24031618
06/25/2013-DISBARMENT

On June 25, 2013, **Melissa Ann Ray** [#24031618], 37, of Eules, was disbarred. An evidentiary panel of the District 1 Grievance Committee found that Ray, in connection with a bankruptcy case filed on behalf of a debtor, knowingly made a false statement of material fact or law to a tribunal, and knowingly disobeyed an obligation under the standing rules of or a ruling by a tribunal. Further, that Ray engaged in conduct involving dishonesty, fraud, deceit or misrepresentation. Ray also failed to respond to the complaint as required.

Ray violated Rules 3.03(a)(1), 3.04(d), 8.04(a)(3) and 8.04(a)(8). She was ordered to pay \$1,312.50 in attorneys' fees and \$529.31 in direct expenses.

DISTRICT 02:

RANKIN, DAVID CHARLES: #00797284
07/09/2013-PUBLIC REPRIMAND

On July 9, 2013, **David Charles Rankin** (#00797284) 47, of Nacogdoches, received an agreed judgment of public reprimand. An evidentiary panel of the District 2 Grievance Committee found that in representing complainants in a civil matter, Rankin neglected the legal matter entrusted in him. Rankin also failed to keep the complainants reasonably informed about the status of their civil matter.

Rankin violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$2,000.00 in attorneys' fees and direct expenses.

DISTRICT 03:

PARKER, JR., KENNETH L.: #00792739
08/02/2013-FULLY PROBATED SUSPENSION
08/01/2013-10/31/2013

On August 2, 2013, **Kenneth L. Parker, Jr.** [#00792739], 43, of Beaumont, accepted a three-month, fully probated suspension, effective August 1, 2013. An evidentiary panel of the District 3 Grievance Committee found that Parker failed to report the misconduct of another attorney to the appropriate disciplinary authority after the other attorney misappropriated settlement funds.

Parker violated Rule 8.03(a). He was ordered to pay \$1,436.30 in attorneys' fees and direct expenses.

DISTRICT 04:

ANINAO, V. ANTONIO: #01264500
08/05/2013-FULLY PROBATED SUSPENSION
08/01/2013-07/31/2015

On August 5, 2013, **V. Antonio Aninao** [#01264500], 60, of Houston, agreed to a two-year, fully probated suspension, effective August 1, 2013. An evidentiary panel of the District 4 Grievance Committee found that Aninao failed to keep his client reasonably informed about the status of his legal matter, failed to promptly comply with reasonable requests for information, and, upon termination of representation, failed to surrender papers to which his client was entitled. Aninao also violated a disciplinary judgment.

Aninao violated Rules 1.03(a), 1.15(d), and 8.04(a)(7). He was ordered to pay \$500.00 in attorneys' fees.

DALLAS ATTORNEY
07/16/2013-PRIVATE REPRIMAND

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

**HOUSTON ATTORNEY
07/10/2013-PRIVATE REPRIMAND**

RULE 1.01(b)(1)
for neglecting a legal matter entrusted to the lawyer

**CLOUSER, JENNIFER LYNNE: #24069522
07/29/2013-PARTIALLY PROBATED SUSPENSION
08/01/2013-07/31/2014: SUSPENSION
08/01/2014-07/31/2016: PROBATION**

On July 29, 2013, **Jennifer Lynne Clouser** [#24069522], 31, of Houston, received a three-year, partially probated suspension, effective August 1, 2013, with the first twelve months actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Clouser neglected a legal matter entrusted to her, failed to promptly comply with reasonable requests for information from the client about his legal matter, failed to refund advanced payment of fees that had not been earned, and engaged in the practice of law when her right to practice had been administratively suspended for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education. Clouser 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.

Clouser violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(8) and 8.04(a)(11). She was ordered to pay \$500.00 in attorneys' fees and direct expenses and \$1,000.00 in restitution.

**OKO, CHUKWU UWAKWE: #24007771
05/29/2013-DISBARMENT**

On May 29, 2013, **Chukwu Uwakwe Oko** [#24007771], 50, of Houston, was disbarred. The 133rd Judicial District Court of Harris County found that Oko committed professional misconduct by violating Rule 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation], Rule 8.04(a)(7) [a lawyer shall not violate any disciplinary or disability order or judgment], and Rule 8.04(a)(11) [a lawyer shall not engage 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].

Oko was ordered to pay \$2,500.00 in restitution, \$5,750.00 in attorneys' fees, and \$391.00 in direct expenses.

**ROKOHL, BRUCE A.: #17208800
08/07/2013-PARTIALLY PROBATED SUSPENSION
08/01/2013-07/31/2014: SUSPENSION
08/01/2014-07/31/2016: PROBATION**

On August 7, 2013, **Bruce A. Rokohl** [#17208800], 57, of Orange Grove, received a three-year, partially probated suspension, effective August 1, 2013, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that in representing his client, Rokohl neglected the legal matter entrusted to him, failed to keep his client reasonably informed about the status of his legal matter, failed to promptly comply with reasonable requests for information, and, upon termination of representation, Rokohl failed to surrender papers and property to which his client was entitled and failed to refund advance payments of fee that had not been earned. Rokohl also failed to timely furnish to the Office of the Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure.

Rokohl violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$3,500.00 in restitution, \$3,262.50 in attorneys' fees and \$560.00 in direct expenses.

DISTRICT 05:

AKPAFFIONG, BASSEY OUT: #24006745
06/26/2013-PUBLIC REPRIMAND

On June 26, 2013, **Bassey Otu Akpaffiong** [#24006745], 47, of Sugar Land, received an agreed judgment of public reprimand. An evidentiary panel of the District 5 Grievance Committee found that Akpaffiong failed to keep his client reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information.

Akpaffiong violated Rule 1.03(a). He was ordered to pay \$400.00 in attorneys' fees.

HOUSTON ATTORNEY
07/09/2013-PRIVATE REPRIMAND

RULE 4.01(b)

for failing to disclose a material fact to a third person when disclosure is necessary to avoid making the lawyer a party to a criminal act or knowingly assisting a fraudulent act perpetrated by a client

DISTRICT 06:

BATTEN, GAIL NORMAN: #00790278
07/31/2013-PARTIALLY PROBATED SUSPENSION
08/01/2013-01/31/2014: SUSPENSION
02/01/2014-07/31/2014: PROBATION

On July 31, 2013, **Gail Norman Batten** [#00790278], 75, of Dallas, agreed to a one-year, partially probated suspension, effective August 1, 2013, with the first six months actively served and the remainder probated.

The District 6 Grievance Committee found that Batten neglected the legal matter entrusted to him in an immigration case. Batten 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.

Batten violated Rules 1.01(b)(1) and 8.04(a)(8). He was ordered to pay \$800.00 in attorneys' fees and direct expenses.

DALLAS ATTORNEY
06/19/2013-PRIVATE REPRIMAND

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

HODGES, JR., HUGH M.: #09767000
04/22/2013-ACTIVE SUSPENSION
04/11/2013-04/10/2016

On April 22, 2013, **Hugh M. Hodges, Jr.** [#09767000], 68, of Dallas, received a three-year, active suspension, effective April 11, 2013. An evidentiary panel of the District 6 Grievance Committee found that Hodges failed to explain the criminal matter to the extent reasonably necessary to permit Complainant and her son to make informed decisions regarding the representation of Complainant's son. Hodges failed to keep the fees paid by Complainant in a separate trust account, and upon termination of representation, failed to refund advance payments of fee that had not been earned. Hodges also engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees.

Hodges violated Rules 1.03(b), 1.14(a), 1.15(d), and 8.04(a)(11). He was ordered to pay \$2,750.00 in restitution, \$3,328.75 in attorneys' fees, and \$297.35 in direct expenses.

Hodges filed an appeal with the Board of Disciplinary Appeals on July 18, 2013.

LOYA, RAUL HECTOR: #00791142
05/07/05-FULLY PROBATED SUSPENSION
07/01/2013-06/30/2014

On May 7, 2013, **Raul Hector Loya** [#00791142], 49, of Dallas, received a six-month, fully probated suspension, effective May 15, 2013. The 298th District Court of Dallas County found that Loya violated Rule 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], and 1.15(d) [requiring a lawyer to take steps to the extent reasonably practicable to protect a client's interests upon termination of representation].

Loya was ordered to pay \$2,000.00 in attorney's fees and direct expenses. On July 9, 2013, Raul Hector Loya [#00791142], 49, of Dallas, received a 12 month, fully probated suspension, effective July 1, 2013. The 160th District Court of Dallas County found that Loya violated Rule 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], Rule 1.15(a)(3) [requiring a lawyer to withdraw from representation when the lawyer is discharged, with or without good cause], and Rule 8.04(a)(8) [requiring a lawyer to timely furnish to the Chief Disciplinary Counsel's Office or a district grievance committee a response or other information].

Loya was ordered to pay \$4,000.00 in attorneys' fees and direct expenses.

LOYA, RAUL HECTOR: #00791142
07/09/2013-FULLY PROBATED SUSPENSION
07/01/2013-06/30/2014

On July 9, 2013, **Raul Hector Loya** [#00791142], 49, of Dallas, received a 12-month, fully probated suspension, effective July 1, 2013. The 160th District Court of Dallas County found that Loya violated Rule 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], Rule 1.15(a)(3) [requiring a lawyer to withdraw from representation when the lawyer is discharged, with or without good cause], and Rule 8.04(a)(8) [requiring a lawyer to timely furnish to the Chief Disciplinary Counsel's Office or a district grievance committee a response or other information].

Loya was ordered to pay \$4,000 in attorney's fees and direct expenses.

WARD, LLOYD EUGENE: #20845100
07/29/2013-PARTIALLY PROBATED SUSPENSION
07/29/2013-09/28/2013: SUSPENSION
09/29/2013-06/28/2014: PROBATION

On July 29, 2013, **Lloyd Eugene Ward** [#20845100], 52, of Dallas, received an eleven-month, partially probated suspension, effective July 29, 2013, with the first two months actively suspended and the remainder probated. The 101st District Court of Dallas County found that Ward committed professional misconduct by violating Rule 1.08(a)(2) [entering into a business transaction with a client without giving the client a reasonable opportunity to seek the advice of independent counsel in the transaction].

Ward was ordered to pay \$3,000.00 in attorneys' fees and \$293.76 in costs.

DISTRICT 07:

BROCK, RODRIC ALAN: #00795264
08/15/2013-FULLY PROBATED SUSPENSION
09/01/2013-08/30/2014

On August 15, 2013, **Rodric Alan Brock** [#00795264], 45, of Bedford, agreed to a one-year, fully probated suspension. An Evidentiary Panel of the District 7 Grievance Committee found that Brock failed to keep a client reasonably informed about the status of a forfeiture matter. Further, Brock failed to maintain his client's funds in a separate trust account and failed to promptly deliver to the client funds that the client was entitled to receive.

Brock violated Rules 1.03(a), 1.14(a), and 1.14(b). He agreed to pay \$1,175.00 in attorneys' fees and direct expenses.

RAY, MELISSA ANN: #24031618
06/17/2013-DISBARMENT

On June 17, 2013, **Melissa Ann Ray** [#24031618], 37, of Plano, was disbarred. An evidentiary panel of the District 7 Grievance Committee found that in representing Complainant in a child custody matter, Ray neglected the legal matter entrusted to her by failing to appear at a scheduled hearing regarding temporary orders. Ray failed to keep Complainant reasonably informed about the status of the legal matter by failing to inform Complainant of the hearing and failing to keep Complainant advised of the status of the legal matter. Ray failed to promptly comply with reasonable request for information from Complainant about the legal matter. Upon termination of representation, Ray failed to surrender papers and property to which Complainant was entitled. Ray failed to timely furnish to the Chief Disciplinary Counsel office a response or other information as required by the Texas Rules of Disciplinary Procedure. Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.

Ray violated Rules 1.01(b)(1), 1.03(a), 1.15(d) and 8.04(a)(8). She was ordered to pay \$3,900.00 in restitution, \$1,812.50 in attorneys' fees and \$499.41 in direct expenses.

STATON, GERALD G.: #24000064
05/16/2013-ACTIVE SUSPENSION
01/10/2015-07/09/2015

On May 16, 2013, **Gerald G. Staton** [#24000064], 44, of Fort Worth, received a six-month, active suspension, effective January 10, 2015. An evidentiary panel of the District 7 Grievance Committee found that Staton engaged in the practice of law when his right to practice has been administratively suspended for failure to timely pay the Texas Attorney Occupation Tax 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.

Staton violated Rules 8.04(a)(8) and 8.04(a)(11). He was ordered to pay \$1,939.90 in attorneys' fees and direct expenses.

DALLAS ATTORNEY
07/25/2013-PRIVATE REPRIMAND

RULE 1.01(b)(1)
for neglecting a legal matter entrusted to the lawyer

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

DISTRICT 08:

MERRITT, MARIANNE: #13967440
06/05/2013-PUBLIC REPRIMAND

On June 5, 2013, **Marianne Merritt** [#13967440], 50, of Liberty Hill, accepted a public reprimand. The District 8 Evidentiary Panel found that Merritt was suspended from the practice of law on September 1, 2010, for failure to pay State Bar dues and taxes. Between August 2, 2011 and December 6, 2011, while suspended, Merritt performed legal services for TransStar Nation Title Company.

Merritt violated Rules 8.04(a)(1) and 8.04(a)(11) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Merritt was ordered to pay \$1,064.18 in attorneys' fees and direct expenses.

DISTRICT 09:

DAVILA, JAVIER J. CAMPOS: #00792445
06/13/2013-PUBLIC REPRIMAND

On June 13, 2013, **Javier J. Campos Davila** [#00792445], 61, of Austin, accepted a public reprimand. The District 9 Evidentiary Panel found that Complainant hired Davila for a medical malpractice case regarding her daughter in March of 2008. During the course of the representation, Davila failed to keep his client reasonably informed about the status of her matter and comply with his client's reasonable requests for information. Complainant's matter was non-suited without her prior knowledge and consent.

Davila violated Rules 1.02(a)(1), 1.03(a), and 8.04(a)(1) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Davila was ordered to pay \$1,166.46 in attorneys' fees and direct expenses.

GAMMON, WILLIAM B.: #07611280
07/29/2013-PUBLIC REPRIMAND

On July 29, 2013, **William B. Gammon** [#07611280], 63, of Austin, received a public reprimand. The 200th District Court of Travis County found that Gammon violated Rule 1.04(d), which requires that contingent fee agreements be in writing and Rule 8.04(a)(1), which prohibits lawyers from violating the disciplinary Rules.

HARDIN, GORDON WESTLEY: #08963700
06/17/2013-RESIGNATION

On June 17, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline of **Gordon Wesley Hardin** [#08963700], 63, of Austin. In two separate matters, Complainants paid \$3,000.00 and \$3,250.00 in legal fees for a loan modification. The contract for representation lists "The Home Relief Foundation, Gordon Hardin Law Office" at the top of the document indicating that the Home Relief Foundation and Hardin's law firm were one entity, when in fact Home Relief Foundation was a wholly separate entity over which Hardin had no independent control, ownership or authority.

In a third matter, Complainants paid a \$2,500.00 in legal fees for a loan modification. The contract for representation, entitled "Gordon Hardin Law Office Attorney/Client Engagement Agreement" stated that Complainants were retaining Hardin as their attorney. The contract stated that the Law Firm of Gordon Hardin was located at 8240 No. Mo-Pac Expressway, Suite 125, Austin, Texas. However, that was the address of Home Relief Foundation.

In each of the three matters, the contracts stated that Complainants were paying for legal services on their respective matters. Hardin's firm provided no legal services on any of the matters. Instead, all of the work in attempting the loan modification was performed by employees of Home Relief Foundation, who were not lawyers. Hardin received 10% of The Home Relief Foundation's net profit as payment for his association with Home Relief Foundation.

Attempts by all Complainants to reach Hardin were unsuccessful; instead, a representative from Home Relief Foundation corresponded with Complainants by telephone and email before ultimately refusing to answer Complainants' calls

On February 22, 2012, Hardin was suspended from the practice of law pursuant to a disciplinary judgment for the period of February 23, 2012, through August 22, 2013. The judgment required Hardin to notify his clients of his disciplinary suspension before March 24, 2012. In an affidavit signed by Hardin on March 26, 2012, Hardin affirmed that he had complied with the notification requirement in the judgment. Hardin failed to notify any of the Complainants in the above matters of his disciplinary suspension as required.

Hardin violated Rules 1.03(a), 5.04(a), 8.04(a)(1), 8.04(a)(3) and 8.04(a)(7).

KVINTA JR., CHARLES JAMES: #11761700
08/16/2013-RESIGNATION

On August 16, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Charles James Kvinta, Jr.** [#11761700], 57, of Yoakum. At the time of Kvinta's resignation, he had been charged by Information and had pled guilty to Misapplication of Fiduciary Property Elderly >= \$100K <\$200K, in Case No. 13-06-11849-CR, styled *The State of Texas v. Charles James Kvinta, Jr.*, in the 24th District Court of DeWitt County, Texas.

A conviction would subject Kvinta to compulsory discipline.

LOISEL, NICOLETTE: #12507350
08/16/2013: RESIGNATION

On August 16, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Nicolette Loisel** [#12507350], 57, of Houston. At the time of Loisel's resignation an Amended Judgment in a Criminal Case had been entered in Case No. 8:11-cr-366-T-30TBM, styled *United States of America v. Nicolette Loisel*, in the United States District Court, Middle District of Florida, Tampa Division, wherein Loisel was found guilty of Conspiracy to Commit Wire Fraud and placed on probation for a term of four years and ordered participate in the Home Detention program for a period of twelve months. Loisel was further ordered to pay an assessment of \$100.00.

This conviction would subject Loisel to compulsory discipline.

PAGANO, CHRISTINA E.: #07154500
06/07/2013-FULLY PROBATED SUSPENSION
06/07/2013-06/06/2014

On June 7, 2013, **Christina E. Pagano** [#07154500], 60, of Austin, received a one-year, fully probated suspension. The 53rd District Court of Travis County found that Pagano violated Rule 3.04(b), which prohibits lawyers from counseling or assisting a witness to testify falsely and Rule 8.04(a)(1), which prohibits lawyers from violating the disciplinary rules. Pagano was ordered to pay \$1,070.25 in attorneys' fees and direct expenses.

SANDLING, CRAIG F.: 17621700
06/28/2013-DISBARMENT

On June 28, 2013, **Craig F. Sandling** [#17621700], 59, of Austin, was disbarred. An evidentiary panel of the District 9 Grievance Committee found that Complainant hired Sandling on or about March 9, 2012, to secure his release from jail and to represent him in five criminal cases. Complainant paid Sandling \$29,500 of which \$20,000 was an advanced fee for Sandling to represent Complainant in the criminal cases and the remaining \$9,500 was paid to a bail bonds company to secure Complainant's release from jail. Sandling did not deposit any of the fees paid for Complainant's representation into a trust or escrow account. Complainant fired Sandling shortly thereafter and requested a refund of unearned fees. Sandling did minimal work to obtain Complainant's release but did not enter a notice of appearance in any of his cases. Sandling failed to return any unearned fees.

Sandling violated Rules 1.14(a), 1.14(c), 1.15(d) and 8.04(a)(1). He was ordered to pay \$19,500 in restitution and \$9,551.94 in attorneys' fees and expenses.

ZWEIFEL, WILLIAM R.: #22294500
08/16/2013-RESIGNATION

On August 16, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **William R. Zweifel** [#22294500], 59, of The Woodlands. At the time of Zweifel's resignation, he had been charged by Information with Willfully Aiding and Assisting in the Preparation and Presentation of False Tax Returns, in Case No. 13CR40, styled *United States of America v. William R. Zweifel*, in the United States District Court for the Southern District of Texas, Houston Division.

A conviction would subject Zweifel to compulsory discipline.

DISTRICT 10:

SAN ANTONIO ATTORNEY
06/18/2012-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

**SAN ANTONIO ATTORNEY
04/15/2013-PRIVATE REPRIMAND**

RULE 1.01(b)(1)
for neglecting a legal matter entrusted to the lawyer

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

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

**HARKINS, THAD: #09009700
06/24/2013-DISBARMENT**

On June 24, 2013, **Thad Harkins** [#09009700], 58, of San Antonio, was disbarred. The District 10 Grievance Committee found that Harkins knowingly disobeyed an order by a tribunal and failed to respond to the grievance.

Harkins violated Rules 3.04(d) and 8.04(a)(8). He was ordered to pay \$1,328.75 in attorneys' fees and direct expenses.

**SAN ANTONIO ATTORNEY
07/08/2013-PRIVATE ATTORNEY**

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

DISTRICT 11:

**ADAMS, LARRY JAMES: #00869500
06/18/2013-FULLY PROBATED SUSPENSION
08/01/2013-01/31/2014**

On June 18, 2013, **Larry James Adams** [#00869500], 62, of Corpus Christi, agreed to a six-month, fully probated suspension, effective August 1, 2013. An evidentiary panel of the District 11 Grievance Committee found that Adams failed to hold an advance fee in trust, failed to promptly render a full accounting to his client and failed to refund the unearned portion of fee.

Adams violated Rules 1.14(a), 1.14(b), and 1.15(d). He was ordered to pay \$1,500.00 in attorneys' fees and direct expenses.

**SAN ANTONIO ATTORNEY
08/07/2013-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

**EDWARDS, MARGARET E.: #17531600
06/27/2013-FULLY PROBATED SUSPENSION
07/01/2013-06/30/2017**

On June 27, 2013, **Margaret E. Edwards** [#17531600], 57, of Corpus Christi, agreed to a four-year, fully probated suspension, effective July 1, 2013. An evidentiary panel of the District 11 Grievance Committee found that Edwards failed to deposit and hold settlement fund in trust, failed to respond to reasonable request for information from clients and also failed to return a client's file.

Edwards violated Rules 1.03(a), 1.14(a), 1.14(c), and 1.15(d), was ordered to pay \$1,053.15 in restitution and \$7,500.00 in attorneys' fees and direct expenses.

**GONZALEZ, JUAN P.:#08129500
06/27/2013-FULLY PROBATED SUSPENSION
07/01/2013-06/30/2015**

On June 27, 2013, **Juan P. Gonzalez** [#08129500], 63, of Corpus Christi, accepted a two-year, fully probated suspension, effective July 1, 2013. The District 11 Grievance Committee found that Gonzalez failed to communicate with his client, failed to respond to the grievance and also practiced law while his license was suspended.

Gonzalez violated Rules 1.03(a) & (b), 8.01(b), 8.04(a) (8), and 8.04(a) (11) and was ordered to pay \$850.00 in attorneys' fees and direct expenses.

**RIOS-SALAZAR, DELMA: #05202325
06/04/2013-FULLY PROBATED SUSPENSION
07/01/2013-06/30/2014**

On June 4, 2013, **Delma Rios-Salazar** [#05202325], 63, of Kingsville, accepted a one-year, fully probated suspension, effective July 1, 2013. An evidentiary panel of the District 11 Grievance Committee found that Rios-Salazar was representing opposing parties in the same litigation.

Rios-Salazar violated Rule 1.06(a) and was ordered to pay \$850.00 in attorneys' fees and direct expenses.

**SAN ANTONIO ATTORNEY
05/26/2013-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

SIBLEY, DAVID: #18337600
07/15/2013-ACTIVE SUSPENSION
05/15/2014-05/14/2015

On July 15, 2013, **David Sibley** [#18337600], 52, of Gregory, accepted a one-year, active suspension, effective May 15, 2014 by an evidentiary panel of the District 11 Grievance Committee. The panel found that Sibley neglected client matters, failed to communicate with a client and also failed to return client's files.

Sibley violated Rules 1.01(b)(1), 1.03(a)&(b), and 1.15(d) and was ordered to pay \$400.00 in attorneys fees and direct expenses.

DISTRICT 13:

PHIFER, GREGORY L.: #15908580
06/03/2013-PUBLIC REPRIMAND

On June 3, 2013, **Gregory L. Phifer** [#15908580], 49, of Amarillo, accepted an agreed judgment of public reprimand. An evidentiary panel of the District 13 Grievance Committee found that Phifer neglected the complainant's legal matter and failed to keep complainant reasonably informed about the status of the matter. Upon termination of the representation Phifer failed to refund advanced payments of unearned fees. Phifer also failed to respond to the complaint as required.

Phifer violated Rules 1.01(b)(1), 1.03(a), 1.15(d) and 8.04(a)(8). He agreed to pay \$1,625.00 in attorneys' fees and costs and \$2,000.00 in restitution.

D0091143899

DALLAS ATTORNEY
05/16/2013-PRIVATE REPRIMAND

RULE 1.01(b)(1)
for neglecting a legal matter entrusted to the lawyer

DISTRICT 17:

ROBINS, RICHARD C.: #17084300
07/25/2013-FULLY PROBATION SUSPENSION
05/16/2013-05/15/2014

On July 25, 2013, **Richard C. Robins** [#17084300], 65, of El Paso, accepted a one-year, fully probated suspension, effective May 16, 2013. An evidentiary panel of the District 17 Grievance Committee found that Robins neglected client's matters, failed to keep clients reasonably informed, and failed to timely respond to four grievances.

Robins violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and was ordered to pay \$277.00 in restitution and \$300.00 in attorneys' fees and direct expenses.

S0051227218

ROBINS, RICHARD C.: #17084300
07/25/2013-FULLY PROBATION SUSPENSION
05/16/2013-05/15/2014

On July 25, 2013, **Richard C. Robins** [#17084300], 65, of El Paso, accepted a one-year, fully probated suspension, effective May 16, 2013. An evidentiary panel of the District 17 Grievance Committee found that Robins neglected client's matters, failed to keep clients reasonably informed, and failed to timely respond to four grievances.

Robins violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and was ordered to pay \$277.00 in restitution and \$300.00 in attorneys' fees and direct expenses.

S0071227456

ROBINS, RICHARD C.: #17084300
07/25/2013-FULLY PROBATION SUSPENSION
05/16/2013-05/15/2014

On July 25, 2013, **Richard C. Robins** [#17084300], 65, of El Paso, accepted a one-year, fully probated suspension, effective May 16, 2013. An evidentiary panel of the District 17 Grievance Committee found that Robins neglected client's matters, failed to keep clients reasonably informed, and failed to timely respond to four grievances.

Robins violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and was ordered to pay \$277.00 in restitution and \$300.00 in attorneys' fees and direct expenses.

S0071227456

ROBINS, RICHARD C.: #17084300
07/25/2013-FULLY PROBATION SUSPENSION
05/16/2013-05/15/2014

On July 25, 2013, **Richard C. Robins** [#17084300], 65, of El Paso, accepted a one-year, fully probated suspension, effective May 16, 2013. An evidentiary panel of the District 17 Grievance Committee found that Robins neglected client's matters, failed to keep clients reasonably informed, and failed to timely respond to four grievances.

Robins violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and was ordered to pay \$277.00 in restitution and \$300.00 in attorneys' fees and direct expenses.

S0121228133

VILLALOBOS, JAIME A.: #00785151
06/04/2013-FULLY PROBATED SUSPENSION
05/21/2013-05/20/2015

On June 4, 2013, **Jaime A. Villalobos** [#00785151], 46, of El Paso, received a two-year, fully probated suspension effective May 21, 2013. An evidentiary panel of the District 17 Grievance Committee found that Villalobos failed to hold funds in trust and failed to promptly notify and deliver funds to the parties entitled.

Villalobos violated Rules 1.14(a) and 1.14(b) and was ordered to pay \$2,666.66 in restitution, \$2,680.00 in attorneys' fees and \$100.00 in direct expenses.

BOARD OF DISCIPLINARY APPEALS:

WILKINSON, KRISTIN DIANE: #24037708

07/26/2013-ACTIVE SUSPENSION

REVOKED PROBATION

07/26/2013-07/25/2015

On July 26, 2013 the Board of Disciplinary Appeals revoked the probation of attorney **Kristin Diane Wilkinson**, 49, State Bar of Texas Card No. 24037708 and suspended her from the practice of law for two years, beginning July 26, 2013 and ending July 25, 2015. On or about January 21, 2011 the District 4E State Bar of Texas grievance committee signed a 48 month partially probated suspension against Ms. Wilkinson. The judgment found that Wilkinson committed professional misconduct by violating the Texas Disciplinary Rules of Professional Conduct and suspended her from the practice of law for two years with the last 24 months of the suspension, beginning May 1, 2013 and ending on May 1, 2015, probated on certain terms and conditions. The Board of Disciplinary Appeals found that Wilkinson materially violated the terms and conditions of the default judgment of probated suspension, including, among other violations, by failing to pay attorney's fees and by failing to pay restitution.