

COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS
ON
ATTORNEY DISCIPLINE

JUNE 2016

Disciplinary Sanctions
March 1, 2016 through May 31, 2016

DISBARMENTS	DISTRICT	Number of Complaints Resolved
Cantrell, Garry Philip	6	2
Froeschl, Adam Thomas	10	8
Kowis, Kelly Michael	3	3
Loya, Raul H.	6	1
Nolen, James Andrew	3	2
Rogers, Brian Wade	11	5
Board of Disciplinary Appeals:		
Lassen, Gary L.	BODA	1
Rosenthal, Marc G.	BODA	1
Total	8	23

RESIGNATIONS IN LIEU of DISCIPLINE	DISTRICT	Number of Complaints Resolved
Brooks, Douglas Joe	6	15
Climmons, Gwendolyn F.	4	2
Coleman, Ronald D.	9	1
Crisp, Carrie Beth	15	1
Guerrero, Jr., Humberto G.	9	1
Loya, Raul H.	6	5
Mathis, Jennie R.	7	2
Paschall, John Charles	8	1
Sarwal, Anirudh D.	9	1
Total	9	29

SUSPENSIONS	DISTRICT	Number of Complaints Resolved
Alford, IV, D. Lee	8	3
Anassi, Josephine Nyaboke	4	5
Beale, Samuel C.	4	1
Becerra, Jose Angel	12	3
Becerra, Jose Angel	12	3
Bernoudy, Jr., Michael Lawrence	1	1
Boone-Delgado, Cheryl	10	1

Brooks, Jerry Cole	4	5
Brunner, Mark Edwin	8	1
Cantrell, Garry Philip	6	1
Ellis, Keith F.	3	1
Ferguson, Jr., Roland M.	1	1
Fitzgerald, Robert E. E.	6	1
Gaines, Shanita Danielle	6	3
Gerard, Bretton Craig	6	1
Guerra, Juan Angel	12	1
Hall, Kevin Matthew	4	1
Hall, Kevin Matthew	4	1
Harrell, Charles K.	10	4
Hinchman, Gary A.	4	1
Huber, Scott K.	6	1
Hulett, William Eric	6	1
Izen, Afton Jane	4	5
Jenkins, Jr., Howard S.	9	2
Lake, George G.	1	1
Lorenzana, Jr., Elias V.	9	4
Miller, Clyde	4	1
Nguyen, Nhan Huynh	4	1
Rippy, Felix O'Neill	8	1
Rodriguez, Ross A.	10	4
Salas, Lee	1	1
Sandoval, Daiel Armando	10	2
Smith, Paul Andrew	9	1
Smitherman, David Patrick	4	1
Tirrez, Jesus E.	9	1
Welker, Mark L.	1	1
Zevallos, Oscar John	6	2

Board of Disciplinary Appeals:

Daniels, L. Mickle	BODA	1
Maldonado, Ernesto	BODA	4
Reynolds, Ronald Eugene	BODA	1

Total	40	75
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PUBLIC REPRIMANDS	DISTRICT	Number of Complaints Resolved
Bethune, Brian D.	1	2
Bracey, Monique Jurae	1	1
Choe, Jason Edward	6	1
Churak, Gary	10	1
Ewert, Norman H.	6	1
Hiran, S. Bruce	4	2
Hulett, William Eric	6	1
Russell, Terence A.	7	1
Veenstra, Samuel Walter	4	1
Wynn, William Reagan	7	1
Total	10	12

PRIVATE REPRIMANDS		
GRIEVANCE COMM.	NUMBER OF SANCTIONS	Number of Complaints Resolved
1	2	2
3	1	1
4	5	5
5	1	1
6	4	4
7	1	1
10	2	2
12	3	3
13	1	1
15	1	1
Total	21	21
Complaints from Previous Quarters		10
Grievance Referral Program	11	11
GRAND TOTAL:	99	181

DISCIPLINARY ACTIONS - CURRENT BAR YEAR

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2015-2016	DISBARMENTS	22		52	
	RESIGNATIONS	27		146	
	SUSPENSIONS	135		210	
	PUBLIC REPRIMANDS	30		33	
	PRIVATE REPRIMANDS	67		72	
	GRIEVANCE REFERRAL PROGRAM	47	328	47	560

DISCIPLINARY ACTIONS - PREVIOUS BAR YEARS

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2014-2015	DISBARMENTS	28		48	
	RESIGNATIONS	19		54	
	SUSPENSIONS	111		146	
	PUBLIC REPRIMANDS	32		34	
	PRIVATE REPRIMANDS	65		71	
	GRIEVANCE REFERRAL PROGRAM	63	318	63	416

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2013-2014	DISBARMENTS	21		21	
	RESIGNATIONS	17		55	
	SUSPENSIONS	131		164	
	PUBLIC REPRIMANDS	31		34	
	PRIVATE REPRIMANDS	65		72	
	GRIEVANCE REFERRAL PROGRAM	57	322	57	403

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	54	402	54	516
2010-2011	DISBARMENTS	28		52	
	RESIGNATIONS	23		101	
	SUSPENSIONS	157		253	
	PUBLIC REPRIMANDS	40		50	
	PRIVATE REPRIMANDS	77		82	
	GRIEVANCE REFERRAL PROGRAM	46	371	46	584
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		

COMMISSION FOR LAWYER DISCIPLINE
REPORT TO THE BOARD OF DIRECTORS
JUNE 2016

DISTRICT 01:

BERNOUDY, JR., MICHAEL L.: #24051882
03/01/2016-FULLY PROBATED SUSPENSION
04/01/2016-09/30/2016

On March 1, 2016, **Michael L. Bernoudy, Jr.** [#24051882], 39, of Marshall, received a six-month, fully probated suspension, effective April 1, 2016. An evidentiary panel of the District 1 Grievance Committee found that in representing Complainant in connection with a post-conviction habeas corpus matter, Bernoudy neglected the legal matter entrusted to him and failed to keep Complainant reasonably informed about the status of his legal matter.

Bernoudy violated Rules 1.01(b)(1), and 1.03(a). He was ordered to pay \$618.75 in attorneys' fees and direct expenses.

BETHUNE, BRIAN D.: #02268315
04/26/2016-PUBLIC REPRIMAND

On April 26, 2016, **Brian D. Bethune** [#02268315], 62, of Plano, agreed to a public reprimand. The 366th District Court of Collin County found that the parties agreed that Bethune committed Professional Misconduct by violating Rule 3.04(d) [A lawyer shall not knowingly disobey, or advise the client to disobey, an obligation under the standing rules of or a ruling by a tribunal except for an open refusal based either on an assertion that no valid obligation exists or on the client's willingness to accept any sanctions arising from such disobedience].

Bethune was ordered to pay attorneys' fees and direct expenses in the sum of \$2,000.00.

BRACEY, MONIQUE JURAE: #24058788
04/19/2016-PUBLIC REPRIMAND

On April 19, 2016, **Monique Jurae Bracey** [#24058788], 33, of Plano, received a public reprimand. The District 1 Grievance Committee found that in representing Complainant in a criminal matter, Bracey neglected the legal matter entrusted to her; failed to keep Complainant reasonably informed about the status of his matter; and failed to promptly comply with reasonable requests for information from Complainant about his criminal matter. Bracey 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. Bracey did not in good faith timely assert a privilege or other legal ground for failure to do so.

Bracey violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$1,262.50 in attorneys' fees and direct expenses and \$2,100.00 in restitution.

FERGUSON, JR., ROLAND M.: #00786425
03/21/2016-FULLY PROBATED SUSPENSION
04/01/2016-03/31/2017

On March 21, 2016, **Roland M. Ferguson, Jr.** [#00786425], 60, of Sulphur Springs, received a 12-month, fully probated suspension (April 1, 2016 through March 31, 2017). An evidentiary panel of the District 1 Grievance Committee found that Ferguson neglected a legal matter entrusted to him and failed to keep his client informed about the status of his case and promptly respond to his requests for information.

Ferguson violated Rules 1.01(b)(1), and 1.03(a). He was ordered to pay \$1,000.00 in attorneys' fees and direct expenses and \$1,250.00 in restitution.

LAKE, GEORGE G.: #24081565
03/28/2016-DEFAULT PARTIALLY PROBATED SUSPENSION
03/23/2016-09/22/20017: SUSPENSION
09/23/2017-03/22/2019: PROBATION

On March 28, 2016, **George G. Lake** [#24081565], 29, of Marshall, received a 36-month, partially probated suspension, effective March 23, 2016, with the first 18 months actively suspended and the remainder probated. An evidentiary panel of the District 1 Grievance Committee found in representing Complainant in connection with a criminal law matter, Lake neglected the legal matter entrusted to him by failing to provide legal services. Lake failed to keep Complainant reasonably informed about the status of his criminal matter. Lake failed to promptly comply with reasonable requests for information from Complainant about his criminal matter. Upon termination of the representation, Lake failed to refund an advance payment of a fee that had not been earned.

Lake violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,000.00 in restitution, and \$1,137.25 in attorneys' fees.

DALLAS ATTORNEY
04/19/2016-PRIVATE REPRIMAND

RULE 1.06(e)

for failing to promptly withdraw from one or more representations to the extent necessary for any remaining representation not to be in violation of Rule 1.06, TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT

SALAS, LEE: #17525960
03/16/2016-FULLY PROBATED SUSPENSION
04/01/2016-09/30/2016

On March 16, 2016, **Lee Salas** [#17525960], 65, of McKinney, received a six-month, fully probated suspension, effective April 1, 2016. The District 1 Grievance Committee found that in February of 2010, Complainant hired Salas for representation in a personal injury claim resulting from an auto accident. In representing Complainant, Salas neglected the matter entrusted to him. Salas accepted the personal injury matter which Salas knew or should have known was beyond Salas' competence. Salas failed to keep Complainant reasonably informed about the status of his legal matter and failed to promptly comply with Complainant's reasonable requests for information.

Salas violated Rules 1.01(a), 1.01(b)(1), and 1.03(a). He was ordered to pay \$3,000.00 in attorneys' fees and direct expenses.

DALLAS ATTORNEY
04/04/2016-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

WELKER, MARK L. L.: #12551490
04/25/2016-FULLY PROBATED SUSPENSION
05/01/2016-01/31/2017

On April 25, 2016, **Mark L. L. Welker** [#12551490], 58, of Quitman, agreed to a nine-month, fully probated suspension, effective May 1, 2016. An evidentiary panel of the District 1 Grievance Committee found that Welker neglected a legal matter entrusted to him, failed to keep his client reasonably informed about the status of her legal matter, failed to promptly comply with requests for information from the client, and failed to refund advance payments of fees that were unearned.

Welker violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). Welker was ordered to pay \$900.00 in restitution and \$2,400.00 in reasonable attorneys' fees and direct expenses.

DISTRICT 03:

ELLIS, KEITH F.: #00790642
02/18/2016-PARTIALLY PROBATES SUSPENSION
03/13/2016-09/12/2016: SUSPENSION
09/13/2016-09/12/2017: PROBATION

On February 18, 2016, **Keith F. Ellis** [#00790642], 59, of Vidor, received an 18-month, partially probated suspension, effective March 13, 2016, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 3 Grievance Committee found that Ellis neglected a probate matter, failed to keep his client reasonably informed about the status of the probate matter, and failed to promptly comply with his client's reasonable requests for information. Upon his termination, Ellis failed to refund advance payments of fee that were not earned. Ellis also failed to respond to the grievance.

Ellis violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,500.00 in restitution, and \$1,770.00 in attorneys' fees and direct expenses.

KOWIS, KELLY MICHAEL: #90001781
02/19/2016-DISBARMENT

On February 19, 2016, **Kelly Michael Kowis** [#90001781], 47, of Conroe, was disbarred. An evidentiary panel of the District 3 Grievance Committee found that in two separate immigration representations, Kowis neglected the legal matters entrusted to him, failed to promptly comply with reasonable requests for information from his clients, failed to refund unearned fees, and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. In a third count, the evidentiary panel found that in a personal injury representation, Kowis neglected the legal matter entrusted to him, failed to have a written contingent-fee agreement, failed to promptly comply with reasonable requests for information from his client, knowingly brought a frivolous proceeding, made a false statement of material fact or law to a tribunal, and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. In all three counts, Kowis failed to respond to the grievance filed against him.

Kowis violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.04(d), 1.15(d), 3.01, 3.03(a)(1), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$2,155.00 in attorneys' fees and direct expenses and \$29,789.03 in restitution.

HOUSTON ATTORNEY
02/25/2016-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

DISTRICT 04:

ANASSI, JOSEPHINE NYABOKE: #24001651
04/13/2016-PARTIALLY PROBATED SUSPENSION
01/01/2017-12/31/2018: SUSPENSION
01/01/2019-12/31/2019: PROBATION

On April 13, 2016, **Josephine Nyaboke Anassi** [#24001651], 47, of Houston agreed to a three-year, partially probated suspension, effective January 1, 2017, with the first two years actively suspended (which will run consecutive to her current active suspension) and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Anassi neglected the legal matter her clients entrusted her to complete, failed to keep her clients reasonably informed about the status of their cases, failed to promptly comply with reasonable requests for information, failed to return unearned fees, failed to return clients' files upon termination of representation, engaged in conduct involving dishonesty, fraud, and deceit, failed to comply with section 13.01 of the Texas Rules of Disciplinary Procedure relating to notification of an attorney's cessation of practice, and engaged in the practice of law when lawyer was on inactive status.

Anassi violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(3), 8.04(a)(10), and 8.04(a)(11). She also agreed to pay restitution in the amount of \$3,000.00; attorneys' fees and costs in the amount of \$1,500.00.

BEALE, SAMUEL C.: #01952380
05/13/2016-FULLY PROBATED SUSPENSION
06/01/2016-05/31/2017

On May 13, 2016, **Samuel C. Beale** [#01952380], 60, of Houston, agreed to a one-year, fully probated suspension, effective June 1, 2016. An evidentiary panel of the District 4 Grievance Committee found that Beale frequently failed to carry out completely the obligations that he owed to his client and failed to keep his client reasonably informed about the status of his legal matter and to promptly comply with reasonable requests for information.

Beale violated Rules 1.01(b)(2), and 1.03(a). He was ordered to pay \$2,500.00 in restitution and \$500.00 in attorneys' fees.

BROOKS, JERRY COLE: #24055217
05/09/2016-PARTIALLY PROBATION SUSPENSION
06/01/2016-11/30/2017: SUSPENSION
12/01/2017-05/31/2019: PROBATION

On May 9, 2016, **Jerry Cole Brooks** [#24055217], 38, of Houston, agreed to a three-year, partially probated suspension, effective June 1, 2016, with the first 18 months actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that, in representing clients, Brooks neglected the legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their legal matters and to promptly comply with reasonable requests for information, failed to explain a legal matter to the extent reasonably necessary to permit his client to make an informed decision regarding his representation, and, upon termination of representations, failed to refund advance payments of fees that had not been earned. Brooks also engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation, failed to respond to grievances, failed to comply with Rule 13.01 of the Texas Rules of Disciplinary Procedure relating to notification of an attorney's cessation of practice, and engaged in the practice of law when his right to practice had been administratively

suspended.

Brooks violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(3), 8.04(a)(8), 8.04(a)(10), and 8.04(a)(11). He was ordered to pay \$2,212.00 in restitution, \$1,500.00 in attorneys' fees, and \$200.00 in direct expenses.

**HOUSTON ATTORNEY
04/01/2016-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

**CLIMMONS, GWENDOLYN F.: #04390000
04/05/2016-RESIGNATION**

On April 5, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Gwendolyn F. Climmons** [#04390000], 55, of Missouri City. At the time of Climmons' resignation, she had two matters pending. In the first matter, Climmons failed to promptly deliver to her client and to a third party settlement funds that they were entitled to receive. Climmons also engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Climmons violated Rules 1.14(b), 1.14(c), and 8.04(a)(3). She was ordered to pay \$7,506.48 in restitution.

In the second matter, Climmons was subject to Compulsory Discipline. On or about June 13, 2014, Climmons was convicted of one count of conspiracy to commit health care fraud and four counts of health care fraud aiding and abetting, intentional crimes as defined in the Texas Rules of Disciplinary Procedure. Climmons was sentenced to incarceration for 97 months, followed by supervised release for three years, in *United States of America v. Gwendolyn Climmons-Johnson* in the U.S. District Court for the Southern District of Texas, Holding Session in Houston. She was ordered to pay an assessment of \$500.00 and restitution of \$972,132.22.

**HALL, KEVIN M.: #24041041
03/10/2016-FULLY PROBATED SUSPENSION
03/15/2016-04/14/2017**

On March 10, 2016, **Kevin M. Hall** [#24041041], 45, of Houston, accepted a one-year, fully probated suspension, effective March 15, 2016. An evidentiary panel of the District 4 Grievance Committee found that Hall neglected a legal matter, failed to keep his client reasonably informed about the status of her case, and failed to promptly comply with his client's reasonable requests for information. Upon the termination of his representation, Hall failed to surrender papers and property to which his client was entitled. Hall further failed to timely respond to the grievance.

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

**HALL, KEVIN M.: #24041041
03/11/2016-FULLY PROBATED SUSPENSION
03/15/2016-04/14/2017**

On March 11, 2016, **Kevin M. Hall** [#24041041], 45, of Houston, accepted a one-year, fully probated suspension,

effective March 15, 2016. An evidentiary panel of the District 4 Grievance Committee found that Hall neglected a legal matter, failed to keep his client reasonably informed about the status of his case, and failed to promptly comply with his client's reasonable requests for information. Hall further failed to timely respond to the grievance.

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

HINCHMAN, GARY A.: #09684350
04/01/2016-PARTIALLY PROBATED SUSPENSION
06/01/2016-06/30/2016: SUSPENSION
07/01/2016-11/30/2017: PROBATION

On April 1, 2016, **Gary A. Hinchman** [#09684350], 60, of the Woodlands, received an 18-month, partially probated suspension, effective June 1, 2016, with the first month actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Hinchman neglected his client's legal matter and frequently failed to carry out the obligations he owed to his client. Hinchman further failed to keep his client reasonably informed about the status of her case.

Hinchman violated Rules 1.01(b)(1), 1.01(b)(2), and 1.03(a). He was ordered to pay \$675.00 in restitution and \$1,345.00 in attorneys' fees and direct expenses.

HIRAN, S. BRUCE: #00785965
05/06/2016-PUBLIC REPRIMAND

On May 6, 2016, **S. Bruce Hiran** [#00785965], 56, of Houston, accepted an agreed judgment of public reprimand. An evidentiary panel of the District 4 Grievance Committee found that upon receipt of settlement funds, Hiran failed to promptly deliver a portion of the funds, as directed by his clients, to the medical providers who had treated them for their injuries.

Hiran violated Rule 1.14(b). He was ordered to pay \$1,000.00 in attorneys' fees and direct expenses.

IZEN, AFTON JANE: #10443400
04/15/2016-FULLY PROBATED SUSPENSION
05/01/2016-04/30/2019

On April 15, 2016, **Afton Jane Izen** [#10443400], 67, of Bellaire, accepted a three-year, fully probated suspension, effective May 1, 2016. An evidentiary panel of the District 4 Grievance Committee found that in one matter, Izen failed to keep her client reasonably informed about his divorce and further failed to respond to the grievance. In a second matter, Izen failed to respond to the grievance. In a third case, Izen failed to refund unearned fees, as well as failed to respond to the grievance. In the fourth case, Izen failed to promptly comply with her client's reasonable requests for information about her divorce. In the final matter, Izen failed to keep her client reasonably informed about her discrimination case.

Izen violated Rules 1.03(a), 1.15(d), and 8.04(a)(8). She was ordered to pay \$2,500.00 in restitution and \$1,000.00 in attorneys' fees and direct expenses.

HOUSTON ATTORNEY
04/01/2016-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

MILLER, CLYDE: #14061950
04/01/2016-PARTIALLY PROBATED SUSPENSION
04/01/2016-03/31/2017: SUSPENSION
04/01/2017-03/31/2019: PROBATION

On April 1, 2016, **Clyde Miller** [#14061950], 60, of Houston, accepted a three-year, partially probated suspension, with the first year actively served, effective April 1, 2016. The 127th District Court of Harris County found that Miller violated Rule 1.03(a) [failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], Rule 1.03(b) [failure to explain a legal matter to the extent reasonably necessary to permit a client to make informed decisions regarding the representation], Rule 1.14(a) [failure to hold funds belonging to a client that are in a lawyer's possession in connection with a representation in a trust account], Rule 1.14(b) [failure to promptly notify a client upon receiving funds in which a client has an interest and failure to promptly deliver funds to a client], and Rule 8.04(a)(3) [engaged in conduct involving dishonesty, fraud, deceit or misrepresentation].

Miller was ordered to pay \$1,528.49 in attorneys' fees and direct expenses.

NGUYEN, NHAN HUYNH: #24041589
04/20/2016-FULLY PROBATED SUSPENSION
05/01/2016-08/31/2016

On April 20, 2016, **Nhan Huynh Nguyen** [#24041589], 41, of Houston, accepted a four-month, fully probated suspension, effective May 1, 2016. An evidentiary panel of the District 4 Grievance Committee found that Nguyen permitted conduct by a non-lawyer that would be in violation of the rules if engaged in by a lawyer.

Nguyen violated Rule 5.03(b)(1). He was ordered to pay \$1,000.00 in attorneys' fees.

HOUSTON ATTORNEY
03/04/2016-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

HOUSTON ATTORNEY
05/04/2016-PRIVATE REPRIMAND

RULE 1.08 (c)
Prior to the conclusion of all aspects of the matter giving rise to the lawyer's employment, a lawyer shall not make or negotiate an agreement with a client, prospective client, or former client giving the lawyer literary or media rights to a portrayal or account based in substantial part on information relating to the representation.

**HOUSTON ATTORNEY
04/06/2016-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

**VEENSTRA, SAMUEL WALTER: #24048857
03/29/2016-PUBLIC REPRIMAND**

On March 29, 2016, **Samuel Walter Veenstra** [#24048857], 39, of Houston, accepted an agreed public reprimand. The Honorable Scott Becker, presiding by special assignment in the 295th District Court of Harris County, Texas, found that Veenstra failed to adequately communicate and keep the Complainant reasonably informed about the status of a matter. Veenstra violated Rule 1.03(a) [keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information].

Veenstra agreed to pay attorneys' fees and direct expenses in the amount of \$750.00.

DISTRICT 05:

**HOUSTON ATTORNEY
03/04/2016-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

**NOLEN, JAMES ANDREW: #00784687
02/29/2016-DISBARMENT**

On February 29, 2016, **James Andrew Nolen** [#00784687], 51, of Missouri City, was disbarred. An evidentiary panel of the District 5 Grievance Committee found that in two separate representations, Nolen neglected the legal matters entrusted to him, failed to promptly comply with reasonable requests for information from his clients, failed to refund unearned fees, and failed to respond to the grievances filed against him.

Nolen violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,885.00 in attorneys' fees and direct expenses and \$4,100.00 in restitution.

201405077 and 201406431

DISTRICT 06:

BROOKS, DOUGLAS J.: #03064000
05/03/2016-RESIGNATION

On May 3, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Douglas J. Brooks** [#03064000], 72, of Lewisville.

At the time of Brooks' resignation, there were fifteen pending matters against him alleging neglecting legal matters; failing to follow client's instructions regarding settlement; failing to keep clients reasonably informed about status of legal matter; failing to promptly comply with reasonable requests for information from clients about their legal matters; failing to explain matters to the extent reasonably necessary to permit clients to make informed decisions regarding the representation; failing to hold funds belonging to clients separate from own property; failing to promptly deliver to clients funds that clients were entitled to receive; upon termination of representation, failing to return unearned fees; failing to supervise nonlawyer assistant to ensure that person's conduct is compatible with professional obligations of lawyer; sharing fees with nonlawyer; assisting nonlawyer in unauthorized practice of law; committing a serious crime; engaging in conduct involving dishonesty, fraud, deceit or misrepresentation and failing to respond to grievances.

Alleged Rules Violated: 1.01(b)(1), 1.01(b)(2), 1.02(a)(1), 1.03(a), 1.03(b), 1.14(a), 1.14(b), 1.15(d), 5.03(a), 5.03(b)(1), 5.03(b)(2)(i), 5.03(b)(2)(ii), 5.04(b), 5.05(b), 8.04(a)(2), 8.04(a)(3), and 8.04(a)(8)

CANTRELL, GARRY P.: #00789200
11/10/2015-ACTIVE SUSPENSION
11/10/2015-11/09/2017

On November 10, 2015, **Garry P. Cantrell** [#00789200], 57, of Dallas, received a two-year, active suspension, effective November 10, 2015. The 193rd District Court of Dallas County found that Cantrell violated Rule 1.04(d) [a contingent fee agreement shall be in writing and shall state the method by which the fee is to be determined], Rule 1.14(b) [upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person and promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive], Rule 3.01 [a lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless the lawyer reasonably believes that there is a basis for doing so that is not frivolous], and 4.04(b)(2) [a lawyer shall not present civil, charges against a complainant, a witness, or a potential witness in a bar disciplinary proceeding solely to prevent participation by the complainant, witness or potential witness therein].

Cantrell was ordered to pay restitution to the Complainant in the sum of \$15,211.57, \$4,821.50 in attorneys' fees, and \$530.45 in direct expenses.

DC-14-01233

CANTRELL, GARRY P.: #00789200
12/17/2015-DISBARMENT

On December 17, 2015, **Garry P. Cantrell** [#00789200], 57, of Dallas, was disbarred. The 162nd Judicial District Court, Dallas County, found that Cantrell committed professional misconduct by violating Rules 1.03(a) [a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], 1.14(b) [upon receiving funds or other property in which a client or third person has an interest, a lawyer shall notify the client or third person and promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive] and 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation].

Cantrell was ordered to pay \$11,830.77 in attorneys' fees and direct expenses and \$36,253.00 in restitution.

CHOE, JASON E.: #24009954
04/30/2016-PUBLIC REPRIMAND

On April 30, 2016, **Jason E. Choe** [#24009954], 45, of Dallas, agreed to a judgment of public reprimand. An evidentiary panel of the District 6 Grievance Committee found that Choe failed to keep Complainant reasonably informed about the status of her case and promptly comply with her reasonable requests for information. Choe further failed to file a response to Complainant's grievance with the State Bar of Texas.

Choe violated Rules 1.03(a), and 8.04(a)(8). Choe paid \$1,000.00 in attorneys' fees and direct expenses.

EWERT, NORMAN H.: #06754500
05/03/2016-PUBLIC REPRIMAND

On May 3, 2016, **Norman H. Ewert** [#06754500], 67, of Mesquite, received an agreed judgment of public reprimand. An evidentiary panel of the District 6 Grievance Committee found that in representing Complainant in connection with a real estate matter, Ewert neglected the legal matter entrusted to him. Ewert had direct supervisory authority over his nonlawyer assistant and failed to make reasonable efforts to ensure that her conduct was compatible with the professional obligations of Ewert.

Ewert violated Rules 1.01(b)(1), and 5.03. He was ordered to pay \$1,125.00 in attorneys' fees and direct expenses.

201502664

FITZGERALD, ROBERT E.: #07088700
03/02/2016-PARTIALLY PROBATED SUSPENSION
02/01/2016-01/31/2018: SUSPENSION
02/01/2018-01/31/2021: PROBATION

On March 2, 2016, **Robert E. Fitzgerald** [#07088700], 65, of Dallas, received a five-year, partially probated suspension, effective February 1, 2016, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that in representing Complainant, Fitzgerald neglected the legal matter entrusted to him. Fitzgerald also failed to keep the Complainant reasonably informed about the status of her case and promptly comply with her reasonable requests for information. Furthermore, Fitzgerald misrepresented information to the Complainant about her case.

Fitzgerald violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(3). He was ordered to pay \$1,722.50 in attorneys' fees and direct expenses. Fitzgerald has filed a Notice of Appeal.

GAINES, SHANITA DANIELLE: #24045906
03/21/2016-FULLY PROBATED SUSPENSION
04/01/2016-03/31/2018

On March 21, 2016, **Shanita Danielle Gaines** [#24045906], 39, of Oklahoma City, received a two-year, fully probated suspension, effective April 1, 2016. In each of three personal injury matters, a contract paralegal assisted Gaines with maintaining a practice in Dallas. In representing the first Complainant, Gaines neglected the two legal matters and failed to communicate with the Complainant. Gaines had direct supervisory authority over the paralegal and failed to make reasonable efforts to ensure that his conduct was compatible with Gaines' professional

obligations. In the second matter, upon receiving settlements funds Gaines failed to promptly notify Complainant and the medical providers, and failed to promptly deliver the funds. Gaines shared legal fees with the paralegal. In the third matter, Gaines neglected the legal matters and failed to communicate with the Complainant. Gaines had direct supervisory authority over the paralegal and failed to make reasonable efforts to ensure that his conduct was compatible with Gaines' professional obligations.

Gaines violated Rules 1.01(b)(1), 1.03(a), 1.14(b), 5.03(a) and 5.04(a). She was ordered to pay \$1,566.66 in restitution and \$1,962.50 in attorneys' fees.

GERARD, BRETTON CRAIG: #07813050
01/26/2016-FULLY PROBATED SUSPENSION
02/01/2016-01/31/2018

On January 26, 2016, **Brettton Craig Gerard** [#07813050], 56, of Richardson, received a two-year, fully probated suspension, effective February 1, 2016. In February 2013, Complainant requested representation in a bankruptcy matter and gave property to Gerard to hold towards a retainer. Thereafter, Gerard failed to hold the property separate from Gerard's own property. Gerard failed to deliver the property to Complainant upon request, and failed to promptly render a full accounting of the property.

Gerard violated Rules 1.14(a), and 1.14(b). He was ordered to pay \$9,800.00 in restitution and \$3,570.00 in attorneys' fees and costs.

HUBER, SCOTT K.: #24013905
04/29/2016-ACTIVE SUSPENSION
04/21/2016-10/20/2018

On April 29, 2016, **Scott K. Huber** [#24013905], 49, of Dallas, received a 30-month, active suspension, effective April 21, 2016. An evidentiary panel of the District 6 Grievance Committee found that in September 2009, Complainant hired Huber for representation in a contractual matter. In representing Complainant, Huber neglected the legal matter entrusted to him by: failing to notify the Court and opposing counsel of his change of address; failing to file a Response to a Motion for Summary Judgment; failing to appear at a hearing on the Motion for Summary Judgment; and by failing to file motions for extension of time with the Court of Appeals. Huber failed to keep Complainant reasonably informed about the status of his legal matter and failed to promptly comply with reasonable requests for information from Complainant about the matter. Huber 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. Huber did not in good faith timely assert a privilege or other legal ground for failure to do so.

Huber violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$3,025.00 in attorneys' fees and \$1,052.87 in direct expenses.

HULETT, WILLIAM E.: #00796797
05/03/2016-PUBLIC REPRIMAND

On May 3, 2016, **William E. Hulett** [#00796797], 50, of Dallas, received an agreed judgment of public reprimand. An evidentiary panel of the District 6 Grievance Committee found that Hulett failed to promptly keep Complainant reasonably informed about the status of her family law matter. Hulett failed to promptly comply with reasonable requests for information from Complainant about her family law matter. Notice and a copy of the complaint were served on Hulett on July 20, 2015. Hulett was directed to provide a written response to the allegations within 30 days receipt of the notice. Hulett 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. Hulett did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Hulett violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$393.75 in attorneys' fees and direct expenses.

HULETT, WILLIAM ERIC: #00796797
04/13/2016-FULLY PROBATED SUSPENSION
04/15/2016-01/14/2017

On April 13, 2016, **William Eric Hulett** [#00796797], 50, of Dallas, agreed to a nine-month, fully probated suspension, effective April 15, 2016. The District 6 Grievance Committee found that in representing Complainant in a divorce proceeding, Hulett failed to keep Complainant reasonably informed about the status of his matter and failed to promptly comply with reasonable requests for information. Upon termination of representation, Hulett failed to refund advanced payment of a fee that had not been earned. Hulett 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. Hulett did not in good faith timely assert a privilege or other legal ground for failure to do so.

Hulett violated Rules 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,500.00 in restitution and \$1,400.00 in attorneys' fees and direct expenses.

201501111

DALLAS ATTORNEY
03/22/2016-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

LOYA, RAUL H.: #00791142
1/14/2016-DISBARMENT

On January 14, 2016, **Raul H. Loya** [#00791142], 51, of Dallas, was disbarred. In a trial before a jury of twelve duly qualified and selected jurors in the 134th Judicial District Court of Dallas County, Texas, the jury found that Loya committed professional misconduct in violation of Rules 1.15(a)(3) and 3.03(a)(1) of the Texas Disciplinary Rules of Professional Conduct.

Loya was ordered to pay attorneys' fees and expenses in the amount of \$10,525.12 to the State Bar of Texas.

LOYA, RAUL H.: #00791142
03/22/2016-RESIGNATION

On March 22, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Raul H. Loya** [#00791142], 52, of Dallas.

At the time of Loya's resignation, there were four (4) pending matters against him that alleged neglect of legal matters; failure to communicate; failure to have contingent fee agreements with clients in writing; trust account violations; disobeying a ruling by a tribunal; practicing law in a jurisdiction where doing so violates the regulation

of the legal profession in that jurisdiction; engaging in conduct involving dishonesty, fraud, deceit or misrepresentation; violating a disciplinary judgment; and engaging in the practice of law when his right to practice had been suspended.

Alleged Rules Violated: 1.01(b)(1), 1.03(a), 1.04(d), 1.14(a), 1.14(b), 1.14(c), 3.04(d), 5.05(a), 8.04(a)(3), 8.04(a)(7), and 8.04(a)(11).

**DALLAS ATTORNEY
04/18/2016-PRIVATE REPRIMAND**

RULE 1.09(a)(2)

Without prior consent, a lawyer who personally has formerly represented a client in a matter shall not thereafter represent another person in a matter adverse to the former client: if the representation in reasonable probability will involve a violation of Rule 1.05

**DALLAS ATTORNEY
04/11/2016-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 1.14(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

**DALLAS ATTORNEY
03/18/2016-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 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

**ZEVALLS, OSCAR JOHN: #24013798
03/15/2016-PARTIALLY PROBATED SUSPENSION
01/07/2016-01/06/2017: SUSPENSION
01/07/2017-01/06/2019: PROBATION**

On March 15, 2016, **Oscar John Zevallos** [#24013798], 47, of Dallas, received an amended three-year, partially probated suspension, effective January 7, 2016, with the first year actively served and the remainder probated.

The District 6 Grievance Committee found that in representing Complainants in their personal injury matter, Zevallos failed to keep Complainants reasonably informed about the status of their matter. Zevallos failed to

promptly comply with reasonable requests for information from Complainants about their personal injury matter. Upon termination of representation, Zevallos failed to surrender papers and property to which Complainants were entitled. Zevallos 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 Zevallos did not in good faith timely assert a privilege or other legal ground for failure to do so.

Zevallos violated Rules 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,315.00 in attorneys' fees and direct expenses.

DISTRICT 07:

**DALLAS ATTORNEY
04/11/2016-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

**MATHIS, JENNIE R.: #00793647
03/22/2016-RESIGNATION**

On March 22, 2016, The Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Jennie R. Mathis** [#00793647], 57, of Arlington. At the time of Mathis' resignation, there were two pending matters. In the first matter, in May 2014, Complainant hired Mathis in a family law matter. Mathis neglected the case and failed to communicate. In the second matter, in 2006, Complainant hired Mathis to in connection with a divorce. A Final Divorce of Decree was signed in 2010. Mathis failed to prepare and file a final order awarding the house to Complainant. Finally, Mathis failed to respond to the notice of complaint.

Mathis violated Rules 1.01(b)(1), 1.03(a) and 8.04(a)(8).

**RUSSELL, TERENCE A.: #17437070
05/24/2016-PUBLIC REPRIMAND**

On May 24, 2016, **Terence A. Russell** [#17437070], 61, of Hillsboro, agreed to a public reprimand. The District 7 Grievance Committee found that during the representation of his client in a criminal matter, Russell failed to explain the matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation. Additionally, Russell failed to keep his client's funds separate from Russell's own property.

Russell violated Rules 1.03(b), and 1.14(a). He was ordered to pay attorneys' fees and direct expenses in the sum of \$1,200.00.

**WYNN, WILLIAM R.: #00797708
04/04/2016-PUBLIC REPRIMAND**

On April 4, 2016, **William R. Wynn** [#00797708], 45, of Fort Worth, received an agreed judgment of public reprimand. An evidentiary panel of the District 7 Grievance Committee found that on March 29, 2004, Complainant hired Wynn to represent him in a post-conviction habeas corpus matter. The fee paid was \$20,000.00. In representing Complainant, Wynn neglected the legal matter entrusted to him. Wynn failed to keep Complainant

reasonably informed about the status of his matter. Wynn 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. Wynn did not in good faith timely assert a privilege or other legal ground for failure to do so.

Wynn violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$618.75 in attorneys' fees and direct expenses.

DISTRICT 08:

ALFORD, IV, D. LEE: #01011450
12/18/2015-PARTIALLY PROBATED SUSPENSION
01/01/2016-06/30/2017: SUSPENSION
07/01/2017-12/31/2020: PROBATION

On December 18, 2015, **D. Lee Alford, IV**, [#01011450], 52, of Bryan, received a five-year, partially probated suspension, effective January 1, 2016, with the first 18 months actively suspended and the remainder probated. An evidentiary panel of the District 8 Grievance Committee found that in one case involving a divorce, Alford neglected the legal matter, failed to keep the client reasonably informed about the status of a matter, failed to promptly comply with reasonable requests for information, failed to refund an advance payment of fees that had not been earned and failed to file a response to the complaint. In a second case, Alford neglected the legal matter, failed to keep the client reasonably informed about the status of the matter, failed to promptly comply with reasonable requests for information, failed to refund an advance payment of fees that had not been earned, violated a disciplinary judgment, failed to file a response to the complaint and engaged in the practice of law while suspended. In a third case, Alford failed to file a response to the complaint and engaged in the practice of law while suspended.

Alford violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(1), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$3,670.00 in attorneys' fees and direct expenses and \$3,500.00 in restitution.

BRUNNER, MARK EDWIN: #24006917
05/23/2016-FULLY PROBATED SUSPENSION
06/01/2016-05/31/2017

On May 23, 2016, **Mark Edwin Brunner** [#24006917], 46, of Round Rock, accepted a one-year, fully probated suspension, effective June 1, 2016. An evidentiary panel of the District 8 Grievance Committee found that Brunner was the First Assistant District Attorney in Williamson County, Texas, representing the State of Texas in a criminal case involving four counts of aggravated bank robbery. Prior to the acceptance of a plea agreement, when the court specifically asked Brunner in open court whether he had consulted with the victims on the plea, he misrepresented that he had spoken with the listed victims when he had not done so. Brunner made no efforts to correct this misrepresentation.

Brunner violated Rule 3.03(a)(1). He was ordered to pay \$1,169.05 in attorneys' fees and direct expenses and to complete six additional hours of CLE in the area of ethics.

PASCHALL, JOHN CHARLES: #15554200
03/22/2016-RESIGNATION

On March 22, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **John Charles Paschall** [#15554200], 62, of Franklin, Texas. At the time of Paschall's resignation, a disciplinary matter was pending against him. In 1992, Marium Oscar named Paschall independent executor of her estate and gave him her Power of Attorney. Ms. Oscar passed away in 2004 and litigation regarding her estate began in 2011. During the litigation, it was discovered that Paschall misapplied \$86,518.07 belonging to the estate. Paschall lied in discovery

responses and made misrepresentations to the court in a sworn inventory filed with the court. Further, Paschall misrepresented to the court that the estate still contained the \$86,518.07 at issue. The court ordered Paschall to turn the money into the court registry, at which point Paschall withdrew \$86,518.07 of his own funds and submitted this money to the court, representing that it was from the estate. Paschall violated Rules 3.03(a)(1), 3.04(a), 8.04(a)(1), 8.04(a)(2), and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct.

In early 2015, Paschall was indicted on charges of Misapplication of Fiduciary Property. He pled guilty on January 21, 2016, and was sentenced to ten years' probation, ordered to pay a \$1,000.00 fine and \$303.00 in court costs, and \$186,518.07 in restitution.

RIPPY, FELIX O'NEILL: #16937400
04/18/2016-FULLY PROBATED SUSPENSION
05/01/2016-10/31/2017

On April 18, 2016, **Felix O'Neill Rippy** [#16937400], 54, of Indianapolis, accepted an 18-month, fully probated suspension, effective May 1, 2016. The District 8 evidentiary panel found that Complainant hired Rippy in August of 2014, to represent him in a family law case. Rippy provided to YELP email accounts and passwords purporting to be those of former clients, without receiving prior authorization from the clients. Rippy posted fabricated reviews of his law firm on YELP and AVVO, purporting to be from former clients, without prior consent from these former clients.

Rippy violated Rules 7.02(a)(1), 8.04(a)(1), and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Rippy was ordered to pay \$3,500.00 in attorneys' fees and expenses.

DISTRICT 09:

COLEMAN, RONALD D.: #04571000
03/22/2016-RESIGNATION

On March 22, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Ronald D. Coleman** [#04571000], 74, of Oxford, Mississippi. At the time of Coleman's resignation, one disciplinary matter was pending in which he failed to hold funds belonging to clients separate from his own property, failed to promptly deliver to a client funds that the client was entitled to receive, and failed to return unearned fees.

Coleman violated 1.14(a), 1.14(b), 1.15(d), and 8.04(a)(1) of the Texas Disciplinary Rules of Professional Conduct.

GUERRERO, HUMBERTO G., JR.: #00784186
04/05/2016-RESIGNATION

On April 5, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Humberto G. Guerrero, Jr.** [#00784186], 49, of Dallas, Texas. At the time of Guerrero's resignation, one disciplinary matter was pending in which Guerrero was hired in November 2012, to represent Complainant in connection with a personal injury matter resulting from an auto accident. Attorney's fees were based on a contingency fee arrangement. After October 2013, Guerrero failed to promptly comply with reasonable requests for information from Complainant and failed to keep Complainant reasonably informed about the status of her case. In September 2014, Guerrero filed suit on behalf of Complainant. Thereafter, Guerrero failed to attend a scheduling conference, and, as a result, the case was dismissed for want of prosecution. Guerrero failed to furnish a written response to the complaint as directed.

In a second matter, in May 2011, Complainant hired Guerrero to represent her in a personal injury matter. Complainant signed a contingency-fee agreement. Guerrero settled Complainant's case with the third-party insurance carrier and received a settlement check in May 2013 for \$8,000.00. During the course of the

representation, Guerrero failed to adequately communicate with Complainant, failed to promptly notify Complainant upon receiving settlement checks, and failed to disburse any portion of the settlement checks to Complainant. Guerrero failed to furnish a written response to the complaint as directed.

In four additional matters, Guerrero failed to complete the work for which he was hired and failed to communicate the status of Complainants' cases to them.

Guerrero violated 1.01(b)(1), 1.03(a), 1.14(b), 8.04(a)(1), 8.04(a)(3), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

JENKINS, HOWARD S.: #10619550
05/20/2016-PARTIALLY PROBATED SUSPENSION
06/15/2016-09/14/2016: SUSPENSION
09/15/2016-12/14/2017: PROBATION

On May 20, 2016, **Howard S. Jenkins** [#10619550], 56, of Austin, accepted an 18-month, partially probated suspension, effective June 15, 2016, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Jenkins was court appointed to represent a female client in a DWI criminal case. During the representation, he asked his client a series of inappropriate questions of a sexual nature, some of which were asked under the pretext that Jenkins was conducting a "women's study." In another matter, Jenkins was court appointed to represent a female client in a criminal case. During that representation, Jenkins asked his client inappropriate questions of a sexual nature and made inappropriate sexual statements to her.

Jenkins violated Rule 1.06(b)(2) in each case. He was ordered to pay \$500.00 in attorneys' fees and direct expenses, complete three additional hours of CLE in the area of client relations, and further agreed not to accept female client court appointments during the term of his probation.

LORENZANA, JR., ELIAS V.: #00794191
03/29/2016-PARTIALLY PROBATED SUSPENSION
05/01/2016-10/31/2016: SUSPENSION
11/01/2016-04/30/2019: PROBATION

On March 29, 2016, **Elias V. Lorenzana, Jr.** [#00794191], 49, of Austin, Texas, accepted a three-year, partially probated suspension, effective May 1, 2016, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Lorenzana committed professional misconduct with respect to four cases. The panel found that in two of the cases, Lorenzana neglected the legal matters. In all four of the cases he failed to keep the clients reasonably informed about the status of a matter and failed to promptly comply with reasonable requests for information. In one of the cases Lorenzana failed to return an unearned fee and failed to timely furnish a written response to the Chief Disciplinary Counsel's office.

In the first case, Lorenzana violated Rules 1.03(a) and 8.04(a)(1). In the second case, Lorenzana violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(1). In the third case, Lorenzana violated Rules 1.03(a) and 8.04(a)(1). In the fourth case, Lorenzana violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(1) and 8.04(a)(8). He was ordered to pay \$1,500.00 in restitution and \$1,000.00 in attorneys' fees and direct expenses.

SARWAL, ANIRUDH D.: #24002895
03/22/2016-RESIGNATION

On March 22, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Anirudh D. Sarwal** [#24002895], 42, of Austin, Texas. At the time of Sarwal's resignation, a Judgment in a Criminal Case had been entered in the United States District Court for the Northern District of Texas, Dallas Division, wherein Sarwal

pled guilty to Conspiracy to Commit Bank Fraud and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 57 months and ordered upon release from imprisonment to be on supervised release for a term of 2 years. Sarwal was further ordered to pay an assessment in the amount of \$100.00 and restitution in the amount of \$13,461,604.31. This conviction would subject Sarwal to compulsory discipline.

SMITH, PAUL ANDREW: #24010408
05/06/2016-FULLY PROBATED SUSPENSION
05/01/2016-10/31/2017

On May 6, 2016, Paul Andrew Smith [#24010408], 46, of Austin, accepted an 18-month, fully probated suspension, effective May 1, 2016. The District 9 evidentiary panel found that Smith was hired in August 2014 to represent Complainant in a family law matter. In an email dated February 23, 2015, Smith revealed confidential information to a third party without obtaining Complainant's consent. On April 8, 2015, Complainant requested that Smith provide her with a copy of Smith's motion to withdraw and return her file. Thereafter, Smith failed to withdraw and failed to return the client's file to Complainant.

Smith violated Rules 1.05(b)(1)(i), 1.15(a)(3), 1.15(d), and 8.04(a)(1) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Smith was ordered to pay \$1,124.50 in attorneys' fees and expenses.

TIRREZ, JESUS E.: #20076750
03/30/2016-PARTIALLY PROBATED SUSPENSION
04/18/2016-07/17/2016: SUSPENSION

On March 30, 2016, Jesus E. Tirrez [#20076750], 54, of Austin, received a judgment of partially probated suspension [04/18/16 – 07/17/16 Active and 07/18/16 – 04/17/18 Probated]. The 419th District Court of Travis County found that Tirrez violated Rules 5.03(b)(1) [a lawyer shall be subject to discipline for the conduct of a person that would be a violation of these rules if engaged in by the lawyer if the lawyer orders, encourages, or permits the conduct involved]; Rule 7.03(a) [a lawyer shall not by in-person contact seek professional employment concerning a matter arising out of a particular occurrence or event from a prospective client or nonclient who has not sought the lawyer's advice regarding employment or with whom the lawyer has no family or past or present attorney-client relationship when a significant motive for doing so is the lawyer's pecuniary gain]; and Rule 8.04(a)(1) [a lawyer shall not violate these rules, knowingly assist or induce another to do so, or do so through the acts of another]. Tirrez was ordered to pay \$18,743.17 in attorney's fees and costs. Tirrez has filed a Notice of Appeal.

DISTRICT 10:

SAN ANTONIO ATTORNEY
03/01/2016-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)(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

BOONE-DELGADO, CHERYL: #02627500
05/16/2016-ACTIVE SUSPENSION
05/16/2016-05/15/2017

On May 16, 2016, **Cheryl Boone-Delgado** [#02627500], 66, of San Antonio, accepted a 12-month, active suspension, effective May 16, 2016. The District 10 Grievance Committee found that Boone-Delgado failed to hold client's funds in a trust account separate from her own property, failed to supervise her non-lawyer staff, shared fees with a non-layer, and failed to respond to the grievance timely.

Boone-Delgado violated Rules 1.14(a), 5.03(a)&(b), 5.04(a), 8.01(b), and 8.04(a)(8) and was ordered to pay \$800.00 attorneys' fees and direct expenses.

201500047

CHURAK, GARY: #04245500
04/28/2016-PUBLIC REPRIMAND

On April 28, 2016, **Gary Churak** [#04245500], 58, of San Antonio, accepted a judgment of public reprimand. The District 10 Grievance Committee found that Churak, failed to respond promptly to a client's reasonable requests for information.

Churak violated Rule 1.03(a), and was ordered to pay \$800.00 in attorneys' fees and direct expenses.

FROESCHL, ADAM THOMAS: #24076390
04/08/2016-DISBARMENT

On April 8, 2016, **Adam Thomas Froeschl** [#24076390], 30, of San Antonio, was disbarred. The District 10 Grievance Committee found that Froeschl neglected a client's matter, failed to communicate with a client, failed to refund unearned fees, and failed to return the client's file.

Froeschl violated Rules 1.01(b)(1), 1.03(a), and 1.15(d), was ordered to pay \$1,620.00 in attorneys' fees and direct expenses and \$3,500.00 in restitution.

HARRELL, CHARLES K.: #09036800
04/11/2016-FULLY PROBATED SUSPENSION
03/01/2016-02/28/2021

On April 11, 2016, **Charles K. Harrell** [#09036800], 63, of San Antonio, accepted a five-year, fully probated suspension, effective March 1, 2016. The District 10 Grievance Committee found that Harrell neglected clients matters, failed to promptly comply with reasonable requests for information from his clients, failed to hold funds in trust and promptly notify and deliver trust funds to his clients' health care providers and failed to properly supervise the conduct of his non-lawyer employees.

Harrell violated Rules 1.01(b)(1), 1.03(a)&(b), 1.14(a)&(b), and 5.03(a)&(b)(1), and was ordered to pay \$5,067.70.00 in attorneys' fees and expenses.

**SAN ANTONIO ATTORNEY
04/07/2016-PRIVATE REPRIMAND**

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

**RODRIGUEZ, ROSS A.: #24025756
05/26/2016-PARTIALLY PROBATED SUSPENSION
10/01/2016-12/31/2016: SUSPENSION
01/01/2017-03/31/2019: PROBATION**

On May 26, 2016, **Ross A. Rodriguez** [#24025756], 52, of San Antonio, agreed to a 30-month, partially probated suspension, effective October 1, 2016, with the first three-months actively served and the remainder probated. The District 10 Grievance Committee found that Rodriguez failed to hold client's funds separate from his own property, failed to promptly deliver client's funds that they were entitled to receive, failed to withdraw from representation when discharged, and upon termination failed to surrender client's file and return unearned fees.

Rodriguez violated Rules 1.14(a)&(b), 1.15(a)(3), &(d) and was ordered to pay \$2,300.00 in restitution and \$1,000.00 attorneys' fees and direct expenses.

201407040, 201500171, 201503065 & 201506428

**SANDOVAL, DANIEL ARMANDO: #24075521
04/27/2016-FULLY PROBATED SUSPENSION
05/01/2016-07/31/2017**

On April 27, 2016, **Daniel Armando Sandoval** [#24075521], 35, of San Antonio, accepted a 15-month, fully probated suspension, effective May 1, 2016. The District 10 Grievance Committee found that Sandoval neglected a client's matter, failed to promptly comply with reasonable requests for information and failed to refund unearned fees.

Sandoval violated Rules 1.01(b)(1), 1.03(a), and 1.15(d), was ordered to pay \$800.00 in attorneys' fees and \$3,500.00 in restitution.

DISTRICT 11:

**ROGERS, BRIAN WADE: #24041811
02/12/2016-DISBARMENT**

On February 12, 2016, **Brian Wade Rogers** [#24041811], 41, of Victoria, was disbarred. The District 11 Grievance Committee found that Rogers neglected a client's matter, failed to carry out the obligations owed to his client, failed to promptly respond to reasonable request for information, failed to keep client reasonably informed, and failed to return the client's file.

Rogers violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a)(b), and 1.15(d) and was ordered to pay \$3,675.00 in restitution and \$2,862.00 in attorneys' fees and direct expenses.

DISTRICT 12:

BECERRA, JOSE ANGEL: #24026790
01/08/2016-ACTIVE SUSPENSION
01/06/2016-07/05/2016

On January 8, 2016, **Jose Angel Becerra** [#24026790], 41, of Laredo, received a six-month, active suspension, effective January 6, 2016. The District 12 Grievance Committee found that Becerra neglected a client's matter, failed to obtain prior consent of a former client before commencing the representation of another person in a matter adverse to the former client in a substantially related matter, failed to hold client's funds separate from his own property, failed to promptly deliver client's funds that they were entitled to receive, failed to withdraw when the representation would result in a violation of a rule of Professional Conduct, upon termination of representation, failed to return unearned fees and failed to respond to three grievances timely.

Becerra violated Rules 1.01(b)(1), 1.09(a)(2), 1.14(a)&(b), 1.15(a)(1)&(d), and 8.04(a)(8) and was ordered to pay \$19,291.82 in attorneys' fees and direct expenses.

BECERRA, JOSE ANGEL: #24026790
05/03/2016-ACTIVE SUSPENSION
05/01/2016-04/30/2017

On May 3, 2016, **Jose Angel Becerra** [#24026790], 41, of Laredo, accepted a one-year, active suspension, effective May 1, 2016. The District 12 Grievance Committee found that Becerra failed to return a client's file, failed to provide a full accounting of client's funds, failed to hold client's funds separate from his own property, failed to deliver promptly client's funds that they were entitled to receive, failed to return unearned fees and failed to respond to three grievances timely.

Becerra violated Rules 1.14(a)&(b), 1.15(d), and 8.04(a)(8) and was ordered to pay \$5,164.82 in attorneys' fees and direct expenses.

GUERRA, JUAN ANGEL: #08581320
03/28/2016-FULLY PROBATED SUSPENSION
03/31/2016-05/31/2016

On March 28, 2016, **Juan Angel Guerra** [#08581320], 60, of Harlingen, accepted a two-month, fully probated suspension, effective March 31, 2016. The District 12 Grievance Committee found that Guerra failed to return a client's file.

Guerra violated Rule 1.15(d) and was ordered to pay \$1,000.00 in attorneys' fees and direct expenses.

SAN ANTONIO ATTORNEY
03/17/2016-PRIVATE REPRIMAND

RULE 4.04(b)(1)

for presenting, participating in presenting, or threatening to present criminal or disciplinary charges solely to gain an advantage in a civil matter

**SAN ANTONIO ATTORNEY
04/13/2016-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
04/22/2016-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 13:

**DALLAS ATTORNEY
03/08/2016-PRIVATE REPRIMAND**

RULE 1.06(b)(2)

for representing a person where the representation of that person reasonably appears to be or become adversely limited by the lawyer's or law firm's responsibilities to another client or to a third person or by the lawyer's or law firm's own interests

DISTRICT 15:

**CRISP, CARRIE BETH: #24074093
03/22/2016-RESIGNATION**

On March 22, 2016, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Carrie Beth Crisp** [#24074093], 34, of San Marcos. At the time of her resignation, there was one disciplinary matter pending alleging Crisp accepted or continued employment beyond her competence, continued the representation when her own interest adversely limited her ability to represent her client, neglected the client's matter and made false statements to the client about the work that had been performed, and failed to return the client's file.

Crisp violated Rules 1.01(a), 1.01(b)(1), 1.06(b)(2), 1.15(d), & 8.04(a)(3).

**SAN ANTONIO ATTORNEY
04/18/2016-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

BOARD OF DISCIPLINARY APPEALS:

DANIELS, L. MICKELÉ: #05374900
05/02/2016-INTERLOCUTORY SUSPENSION
05/02/2016-UNTIL FURTHER ORDER

On May 2, 2016, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Houston attorney **L. Mickelé Daniels**, 42, State Bar of Texas Card No. 05374900. On or about January 21, 2015, Mr. Daniels pled nolo contendere in, *The State of Texas v. Daniels, Leiroi Micklele*, Case No. 139959801010 in the 230th District Court of Harris County, Texas to Misapplication/Fiduciary/Finan 20K- 100k, a third degree felony, an Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, and placed on community supervision for five years and ordered to pay court costs. Daniels has appealed his criminal conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final.

LASSEN, GARY L.: #11969500
05/02/2016-DISBARMENT

On April 2, 2016, the Board of Disciplinary Appeals signed default judgment of disbarment of Mesa, AZ attorney, **Gary L. Lassen**, 68, State Bar of Texas Card No.11969500. Mr. Lassen was disbarred in a matter styled, *In the Matter of a Suspended Member of the State Bar of Arizona, Gary L. Lassen, Bar No. 005259, Respondent*, PDJ-2014-9026, State Bar Nos. 11-3805, 13-0301, 13-1205, 13-2214, and 13-3323. In accordance with the Texas Rules of Disciplinary Procedure, Mr. Lassen is disbarred in Texas.

MALDONADO, ERNESTO: #12855100
04/11/2016-INDEFINITE SUSPENSION
04/11/2016-UNTIL FURTHER ORDER

On April 11, 2016, **Ernesto Maldonado** [#12855100], 81, of Dallas, agreed to a judgment of indefinite disability suspension, effective immediately.

The Board of Disciplinary Appeals signed an Agreed Judgment of Indefinite Disability Suspension based on Maldonado's agreement that he suffers from a disability that results in his inability to practice law.

REYNOLDS, RONALD EUGENE: #24025610
05/02/2016-INTERLOCUTORY SUSPENSION
05/02/2016-UNTIL FURTHER ORDER

On May 2, 2016, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Missouri City attorney **Ronald Eugene Reynolds**, 42, State Bar of Texas Card No. 24025610. On or about November 24, 2015 Mr. Reynolds was convicted in *The State of Texas v. Ronald Eugene Reynolds*, Case Nos. 15-307888, 15-307889, 15-307890, 15-307891, 15-307892, in the County Court at Law 4 in Montgomery County, Texas of Barratry and Barratry III Obtain Employment, Intentional Crimes as defined in the Texas Rules of Disciplinary Procedure, and sentenced to 365 days of incarceration and ordered to pay fine and court costs. Reynolds has appealed his criminal convictions. The Board retains jurisdiction to enter a final judgment when the criminal appeals are final.

ROSENTHAL, MARC G.: #17281450
05/02/2016-DISBARMENT

On May 2, 2016 the Board of Disciplinary Appeals signed a final judgment of disbarment against Austin attorney

Marc G. Rosenthal, 52, State Bar of Texas Card No. 17281450. On or about February 13, 2014, Mr. Rosenthal was convicted in *United States of America v. Marc Garrett Rosenthal*, Case No. 1:11CR00743-001, United States District Court for the Southern District of Texas holding session in Brownsville of One count of participating in conduct and affairs of a criminal enterprise in violation of 18 U.S.C. § 1962(d), four counts of mail fraud and aiding and abetting in violation of 18 U.S.C. §§ 1341 and 1342, one count tampering with a witness and aiding and abetting in violation of 18 U.S.C. §§ 1512(b)(1) and 2, one count of tampering with official proceeding by false affidavit in violation of 18 U.S.C. §§ 1512(c)(2) and 2, one count of tampering with official proceeding by perjured testimony in violation of 18 U.S.C. §§ 1512(c)(2) and 2, one count of extortion under color of official right and aiding and abetting in violation of 18 U.S.C. §§ 1951 and 2, and one count of honest services mail fraud and aiding and abetting in violation of 18 U.S.C. §§ 1341, 1346, and 2, Intentional Crimes as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, and sentenced to was sentenced to 240 months incarceration on each count, to run concurrently. Rosenthal appealed his criminal conviction and on April 11, 2014, the Board of Disciplinary Appeals signed an agreed order of interlocutory suspension suspending Rosenthal during the pendency of the appeal of his criminal conviction. On November 5, 2015, the U.S. Court for the Fifth Circuit issued its mandate affirming Rosenthal's conviction.

