

COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS
ON
ATTORNEY DISCIPLINE

JANUARY 2021

Disciplinary Sanctions
09/01/2020 - 11/30/2020

DISBARMENTS	District	# of Complaints Resolved
Brown, Cynthia Gail	8	3
Cole, Cynthia Rachelle Wil	1	1
Crews, Jeffrey Earl	4	1
Jackson, Larrisha Charlie Vaughn	4	1
Smith, Kimberly Dian	1	1
Vaughn, Andrew David	1	6

Board of Disciplinary Appeals:

Teater, Cassidy Ann	BODA	1
Total:	7	14

RESIGNATIONS IN LIEU OF DISCIPLINE	District	# of Complaints Resolved
Crosland, Seth Parker	6	1
Rodriguez, Brigida	6	2
Torchinsky, Ilya	6	3

Board of Disciplinary Appeals:

Layman, Kyle Gregory	BODA	2
Perales Pina, Jose Marcos	BODA	3
Smoots-Hogan, Judge Alexandra Ilana	BODA	1
Total:	6	12

SUSPENSIONS	District	# of Complaints Resolved
Baker, Tametha D'Lyn	13	1
Berger, Tyler Kline	6	1
Bourque, Morgan Anthony	3	1
Brower, Paul Jason	4	1
Collins, Kyle B.	9	2
Copeland, Kathryn Marie	7	1
Craggs, Dennis Warren	4	1
Doezema, Sarah Sue	4	1
Ferguson, Corey Keitt	3	1
Ferguson, Corey Keitt	3	1
Gomez, Paul	6	1
Harris, James Bruce	14	1
Harvey, David Nathaniel	4	1
Jeffrey, Richard N.	8	3
Johnson, Charles Ray Jr.	4	1
Leonard, Candice Lee	4	1
Leonard, Candice Lee	4	1
Martin, Dennis R.	10	1
Maynez-Grijalva, Omar	17	2
McKee, Darwin	9	1
Mendoza, John Luna	4	2
Oliphint, Stuart R.	7	1
Portley, Kirby Jerome	9	1
Rincon, Raymond	6	1
Seymour, Aaron Christian	15	1
Smith, Cynthia Borgfeld	8	1
Smith, Cynthia Borgfeld	8	1
Vaughn, Andrew David	1	1
Ward, Lloyd Eugene	6	1

Board of Disciplinary Appeals:

Davison, Ward Brackett Bennett	BODA	1
Pursley, Jack Stephen	BODA	1
Washington, Alex James Jr.	BODA	1
Total:		32
		37

PUBLIC REPRIMANDS	District	# of Complaints Resolved
Abraham, C. Bruce	1	1
Aguilar, Hugo Vasquez	6	1
Chidgey, John-Paul	7	1
Courtade, Arthur David	7	1
Davis, Rochelle Dianne	4	1
Davis, Rochelle Dianne	4	1
Ferguson, Corey Keitt	3	1
Huie, Ryan Edward	8	4
Ivey, Ben L. III	17	2
Lilly, Curtis	6	1
Miller, Walter McNab IV	4	1
McElroy, Summer Aja	4	1
Stewart, Joe Steven	4	1

Board of Disciplinary Appeals:

Cohn, William A.	BODA	1
Total:		14
		18

PRIVATE REPRIMANDS

Grievance Comm.	# of Sanctions	# of Complaints Resolved
1	1	1
2	1	1
3	2	2
4	6	6
5	1	1
6	4	4
7	3	3
8	1	1
9	1	1
10	2	2
13	1	1
14	4	5
15	1	1
16	1	2
BODA	2	2
Total:		34
Grievance Referral Program		11
Grand Total:		126

Disciplinary Actions - Current Bar Year

BAR YEARS	Total Sanctions	Total Complaints Resolved
2020-2021		
DISBARMENTS	10	22
RESIGNATIONS IN LIEU OF DISCIPLINE	8	19
SUSPENSIONS	43	49
PUBLIC REPRIMANDS	14	18
PRIVATE REPRIMANDS	46	48
GRIEVANCE REFERRAL PROGRAM	37	37
Total:	158	193

*does not reflect year-end figures/summary data includes ytd

Disciplinary Actions - Previous Bar Year

BAR YEARS	Total Sanctions	Total Complaints Resolved
2019-2020		
DISBARMENTS	21	28
RESIGNATIONS IN LIEU OF DISCIPLINE	9	35
SUSPENSIONS	140	188
PUBLIC REPRIMANDS	39	41
PRIVATE REPRIMANDS	106	115
GRIEVANCE REFERRAL PROGRAM	86	88
Total:	401	495

BAR YEARS	Total Sanctions	Total Complaints Resolved
2018-2019		
DISBARMENTS	14	38
RESIGNATIONS IN LIEU OF DISCIPLINE	17	88
SUSPENSIONS	152	209
PUBLIC REPRIMANDS	32	39
PRIVATE REPRIMANDS	124	138
GRIEVANCE REFERRAL PROGRAM	74	81
Total:	413	593

BAR YEARS 2017-2018	Total Sanctions	Total Complaints Resolved
DISBARMENTS	21	49
RESIGNATIONS IN LIEU OF DISCIPLINE	23	103
SUSPENSIONS	113	159
PUBLIC REPRIMANDS	25	29
PRIVATE REPRIMANDS	70	74
GRIEVANCE REFERRAL PROGRAM	79	80
Total:	331	494

BAR YEARS 2016-2017	Total Sanctions	Total Complaints Resolved
DISBARMENTS	21	63
RESIGNATIONS IN LIEU OF DISCIPLINE	28	124
SUSPENSIONS	126	182
PUBLIC REPRIMANDS	30	37
PRIVATE REPRIMANDS	90	98
GRIEVANCE REFERRAL PROGRAM	50	50
Total:	345	554

BAR YEARS 2015-2016	Total Sanctions	Total Complaints Resolved
DISBARMENTS	22	61
RESIGNATIONS IN LIEU OF DISCIPLINE	27	146
SUSPENSIONS	132	205
PUBLIC REPRIMANDS	30	33
PRIVATE REPRIMANDS	67	72
GRIEVANCE REFERRAL PROGRAM	47	47
Total:	325	564

BAR YEARS 2014-2015	Total Sanctions	Total Complaints Resolved
DISBARMENTS	27	56
RESIGNATIONS IN LIEU OF DISCIPLINE	19	56
SUSPENSIONS	113	147
PUBLIC REPRIMANDS	32	36
PRIVATE REPRIMANDS	66	72
GRIEVANCE REFERRAL PROGRAM	63	71
Total:	320	438

BAR YEARS 2013-2014	Total Sanctions	Total Complaints Resolved
DISBARMENTS	22	41
RESIGNATIONS IN LIEU OF DISCIPLINE	17	59
SUSPENSIONS	130	169
PUBLIC REPRIMANDS	31	35
PRIVATE REPRIMANDS	63	70
GRIEVANCE REFERRAL PROGRAM	58	58
Total:	321	432

BAR YEARS 2012-2013	Total Sanctions	Total Complaints Resolved
DISBARMENTS	39	51
RESIGNATIONS	24	46
SUSPENSIONS	122	160
PUBLIC REPRIMANDS	37	40
PRIVATE REPRIMANDS	89	91
GRIEVANCE REFERRAL PROGRAM	56	56
Total:	367	444

BAR YEARS 2011-2012	Total Sanctions	Total Complaints Resolved
DISBARMENTS	38	45
RESIGNATIONS	27	87
SUSPENSIONS	137	174
PUBLIC REPRIMANDS	40	41
PRIVATE REPRIMANDS	106	115
GRIEVANCE REFERRAL PROGRAM	54	54
Total:	402	516

BAR YEARS 2010-2011	Total Sanctions	Total Complaints Resolved
DISBARMENTS	28	52
RESIGNATIONS	23	101
SUSPENSIONS	157	254
PUBLIC REPRIMANDS	40	50
PRIVATE REPRIMANDS	77	82
GRIEVANCE REFERRAL PROGRAM	46	46
Total:	371	584

BAR YEARS 2009-2010	Total Sanctions	Total Complaints Resolved
DISBARMENTS	25	33
RESIGNATIONS	22	40
SUSPENSIONS	111	169
PUBLIC REPRIMANDS	37	47
PRIVATE REPRIMANDS	81	89
GRIEVANCE REFERRAL PROGRAM	39	39
Total:	315	417

BAR YEARS 2008-2009	Total Sanctions	Total Complaints Resolved
DISBARMENTS	32	43
RESIGNATIONS	26	104
SUSPENSIONS	127	189
PUBLIC REPRIMANDS	46	54
PRIVATE REPRIMANDS	68	73
GRIEVANCE REFERRAL PROGRAM	36	36
Total:	335	499

BAR YEARS 2007-2008	Total Sanctions	Total Complaints Resolved
DISBARMENTS	24	63
RESIGNATIONS	24	90
SUSPENSIONS	121	224
PUBLIC REPRIMANDS	28	35
PRIVATE REPRIMANDS	69	73
GRIEVANCE REFERRAL PROGRAM	33	33
Total:	299	518

BAR YEARS 2006-2007	Total Sanctions
DISBARMENTS	30
RESIGNATIONS	31
SUSPENSIONS	110
PUBLIC REPRIMANDS	62
PRIVATE REPRIMANDS	87
Total:	320

DISTRICT 1:

Abraham, C. Bruce: #00819800
11/09/2020-Agreed Public Reprimand

On November 9, 2020, **C. Bruce Abraham** [#00819800], 70, of Marshall, entered into an agreed judgment of public reprimand. An investigatory panel found that the Complainant hired Abraham to represent him in a divorce case. Abraham neglected the legal matter entrusted to him, failed to keep the Complainant reasonably informed about the status of his divorce case and failed to promptly comply with reasonable requests for information from the Complainant. Abraham also failed to file a response to the grievance.

Abraham violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$250.00 in attorneys' fees and direct expenses.

Cole, Cynthia Rachelle Wil: #24035579
10/05/2020-Disbarment
09/11/2020 Effective

On October 5, 2020, **Cynthia Rachelle Wil Cole** [#24035579], 47, of Kaufman, was disbarred, effective September 11, 2020. The District 1 Grievance Committee found that beginning in 2008, Cole was hired by Complainants for representation in civil and bankruptcy matters. Throughout Cole's representation of the Complainants, Cole neglected the legal matters entrusted to her, failed to keep the Complainants reasonably informed, failed to promptly comply with reasonable requests for information, and failed to explain the matter to the extent reasonably necessary to permit the Complainants to make informed decisions regarding the representation. Cole made multiple misrepresentations to the Complainants about the status of their legal matters and engaged in repeated fraudulent conduct, including, fabricating and/or forging court orders, settlement agreements, travel expenses, and legal work performed. Cole unlawfully appropriated \$326,953.00 from the Complainants in violation of Texas Penal Code 31.03(e)(7). Due to Cole's professional misconduct, sanctions were ordered against Complainants and Complainants paid a judgment in the amount of approximately \$160,000.00. Cole failed to respond to the grievance.

Cole violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 8.04(a)(2), 8.04(a)(3), and 8.04(a)(8). She was ordered to pay attorneys' fees and direct expenses in the sum of \$2,462.00 and restitution in the sum of \$486,593.00.

Dallas Attorney
08/10/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

Rule 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.

Smith, Kimberly Dian: #24041944
10/07/2020-Disbarment

On October 7, 2020, **Kimberly Dian Smith** [#24041944], 42, of Longview, was disbarred. An evidentiary panel of the District 1 Grievance Committee found that in June, 2017, Smith was hired to represent Complainant's daughter with regard to divorce and child custody matters. In representing Complainant's daughter, Smith neglected the legal matter entrusted to her by failing to perform legal work on the case after the initial pleadings were filed. Smith failed to keep Complainant's daughter reasonably informed about the status of her divorce and child custody matters, and failed to promptly comply with reasonable requests for information from Complainant's daughter about the cases. In addition, Smith failed to respond to the grievance.

Smith violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$2,926.75 in attorneys' fees and expenses.

Vaughn, Andrew David: #24056764
08/31/2020-Disbarment

On August 31, 2020, **Andrew David Vaughn** [#24056764], 39, of Canton, was disbarred. An evidentiary panel of the District 1 Grievance Committee found that in April 2017, Complainant retained Vaughn for representation in a potential criminal case and paid Vaughn an advance legal fee of \$2,500.00. Thereafter, Vaughn failed to keep Complainant's funds in a separate trust or escrow account. Further, Vaughn violated a disciplinary judgment by representing Complainant while he was actively suspended from the practice of law and failing to notify Complainant of his suspension. In addition, Vaughn 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.

Vaughn violated Rules 1.14(a), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(10). He was ordered to pay \$2,500.00 in restitution and \$1,984.00 in attorneys' fees and costs.

Vaughn, Andrew David: #24056764
08/31/2020-Default Active Suspension
03/01/2021-02/29/2024: SUSPENSION

On August 31, 2020, **Andrew David Vaughn** [#24056764], 39, of Canton, received a 36-month active suspension, effective March 1, 2021. An evidentiary panel of the District 1 Grievance Committee found that in or about November 2017, Complainant hired Vaughn for representation in her divorce and paid Vaughn an advance legal fee of \$2,000.00. In representing Complainant, Vaughn neglected the legal matter entrusted to him by failing to complete any additional legal work on the case after filing the petition and negotiating an agreement for temporary orders, failed to keep Complainant reasonably informed about the status of her divorce and failed to promptly comply with reasonable requests for information from Complainant. Further, upon termination of representation, Vaughn failed to surrender papers and property to which Complainant was entitled and failed to refund advance payments of the fee that had not been earned.

Vaughn violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$2,000.00 in restitution and \$740.50 in attorneys' fees and costs.

DISTRICT 2:

Dallas Attorney

11/04/2020-Agreed Private Reprimand

Rule 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.

DISTRICT 3:

Houston Attorney

11/30/2020-Agreed Private Reprimand

Rule 1.15(d)

Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payments of fee that has not been earned.

Rule 8.04(a)(8)

A lawyer shall not fail to timely furnish to the Chief Disciplinary Counsel's Office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so.

Bourque, Morgan Anthony: #24062627

11/30/2020-Agreed Partially Probated Suspension

12/01/2020-12/31/2020: SUSPENSION

01/01/2021-11/30/2021: PROBATED

On November 30, 2020, **Morgan Anthony Bourque** [#24062627], 41, of The Woodlands, accepted a one-year partially probated suspension, effective December 1, 2020, with the first month actively suspended and the remainder probated. An evidentiary panel of the District 3 Grievance Committee found that Bourque paid and gave something of value to a person not licensed to practice law, for soliciting prospective clients for, or referring clients or prospective clients to Bourque for representation.

Bourque violated Rule 7.03(b). He was ordered to pay \$2,606.00 in attorneys' fees and direct expenses.

Houston Attorney

10/05/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

Ferguson, Corey Keitt: #24036553
10/05/2020-Agreed Partially Probated Suspension
10/01/2020-10/31/2020: SUSPENSION
11/01/2020-04/30/2021: PROBATED

On October 5, 2020, **Corey Keitt Ferguson** [#24036553], 45, of Conroe, accepted a seven-month partially probated suspension, with the first month actively suspended, effective October 1, 2020. An investigatory panel of the District 3 Grievance Committee found that Ferguson neglected the legal matter entrusted to him, failed to keep his client reasonably informed about the status of her case, failed to promptly comply with his client's reasonable requests for information, and failed to return unearned fees. Additionally, Ferguson failed to timely respond to the grievance.

Ferguson violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$150.00 in restitution and \$500.00 in attorneys' fees and direct expenses.

Ferguson, Corey Keitt: #24036553
10/05/2020-Agreed Partially Probated Suspension
10/01/2020-10/31/2020: SUSPENSION
11/01/2020-04/30/2021: PROBATED

On October 5, 2020, **Corey Keitt Ferguson** [#24036553], 45, of Conroe, accepted a seven-month partially probated suspension, with the first month actively suspended, effective October 1, 2020. An investigatory panel of the District 3 Grievance Committee found that Ferguson failed to return unearned fees and further failed to timely respond to the grievance.

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

Ferguson, Corey Keitt: #24036553
10/05/2020-Agreed Public Reprimand

On October 5, 2020, **Corey Keitt Ferguson** [#24036553], 45, of Conroe, accepted a public reprimand. An investigatory panel of the District 3 Grievance Committee found that Ferguson 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. Ferguson further failed to hold funds belonging in whole or in part to his client in a separate trust or escrow account, as well as failed to return unearned fees. Additionally, Ferguson failed to timely respond to the grievance.

Ferguson violated Rules 1.03(a), 1.14(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$4,000.00 in restitution and \$500.00 in attorneys' fees and direct expenses.

DISTRICT 4:

**Houston Attorney
09/22/2020-Agreed Private Reprimand**

Rule 1.01(b)(1)
Neglecting a legal matter entrusted to the lawyer.

Rule 1.03(a)
Failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

**Brower, Paul Jason: #24040581
10/06/2020-Agreed Partially Probated Suspension
11/01/2020-01/31/2021: SUSPENSION
02/01/2021-10/31/2025: PROBATED**

On October 6, 2020, **Paul Jason Brower** [#24040581], 43, of Houston, accepted a five-year partially probated suspension, effective November 1, 2020, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Brower accepted an appointment as guardian of a person and their estate which he knew was beyond his competence, he neglected the legal matter entrusted to him, and frequently failed to carry out completely the obligations he owed to his client. Brower also failed to promptly deliver to a third party funds that they were entitled to receive, upon termination of representation, failed to refund advance payments of fee that had not been earned, knowingly made a false statement of material fact or law to the tribunal, knowingly, in an ex parte proceedings, failed to disclose to the tribunal an unprivileged fact which Brower reasonably believes should be known by that entity for it to make an informed decision, and knowingly offered or used evidence that he knew to be false.

Brower violated Rules 1.01(a), 1.01(b)(1), 1.01(b)(2), 1.14(b), 1.15(d), 3.03(a)(1), 3.03(a)(3), and 3.03(a)(5) . He was ordered to pay \$57,580.09 in restitution and \$513.50 in attorneys' fees and costs.

Houston Attorney
09/24/2020-Default Private Reprimand

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. Except as stated in the rule of otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

Rule 8.04(a)(8)

A lawyer shall not fail to timely furnish to the Chief Disciplinary Counsel's Office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so.

Craggs, Dennis Warren: #04975000
11/24/2020-Agreed Fully Probated Suspension
12/01/2020-12/01/2022: PROBATED

On November 24, 2020, a modified order was entered wherein **Dennis Warren Craggs** [#04975000], 75, of Houston, accepted a two-year fully probated suspension, effective December 1, 2020. An investigatory panel of the District 4 Grievance Committee found that Craggs failed to file a response to the grievance.

Craggs violated Rule 8.04(a)(8). He agreed to pay \$500.00 in attorneys' fees and direct expenses. The November 24, 2020 order modifies the order entered on May 19, 2020.

Crews, Jeffrey Earl: #24012475
09/17/2020-Disbarment

On September 17, 2020, **Jeffrey Earl Crews** [#24012475], 59, of Houston, was disbarred. An evidentiary panel of the District 4 Grievance Committee found that, in representing a client, Crews neglected a legal matter entrusted to him, frequently failed to carry out completely the obligations he owed to his client, failed to keep his client reasonably informed about the status of her legal matter, failed to promptly comply with reasonable requests for information, and failed to explain a legal matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation. Crews, upon termination of representation, also failed to refund advance payments of fee that had not been earned and 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.

Crews violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,500.00 in restitution and \$1,480.00 in attorneys' fees and direct expenses.

Davis, Rochelle Dianne: #24099669
11/02/2020-Agreed Public Reprimand

On November 2, 2020, **Rochelle Dianne Davis** [#24099669], 31, of Houston, accepted a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Davis neglected a legal matter entrusted to her, failed to keep her client reasonably informed about the status of the client's legal matter and failed to promptly comply with his reasonable requests for information about the case. Davis also failed to withdraw from representing her client when Davis' physical or mental condition materially impaired her fitness to represent her client, and failed to timely respond to a grievance.

Davis violated Rules 1.01(b)(1), 1.03(a), 1.15(a)(2), 8.04(a)(8). She was ordered to pay \$1,000.00 in attorneys' fees and direct expenses.

Davis, Rochelle Dianne: #24099669
11/02/2020-Agreed Public Reprimand

On November 2, 2020, **Rochelle Dianne Davis** [#24099669], 31, of Houston, accepted a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Davis neglected a legal matter entrusted to her, failed to keep her client reasonably informed about the status of the client's legal matter and failed to promptly comply with her reasonable requests for information about the case. Davis also failed to withdraw from representing her client when Davis' physical or mental condition materially impaired her fitness to represent her client, and failed to timely respond to a grievance.

Davis violated Rules 1.01(b)(1), 1.03(a), 1.15(a)(2), 8.04(a)(8). She was ordered to pay \$1,000.00 in attorneys' fees and direct expenses.

Houston Attorney
09/11/2020-Agreed Private Reprimand

Rule 7.03(a)

A lawyer shall not by in-person contact, or by regulated telephone or other electronic contact as defined in paragraph (f) seek professional employment concerning a matter arising out of a particular occurrence or event, or series of occurrences or events, from a prospective client or non-client 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 the lawyer's doing so is the lawyer's pecuniary gain. Notwithstanding the provisions of this paragraph, a lawyer for a qualified nonprofit organization may communicate with the organization's members for the purpose of educating the members to understand the law, to recognize legal problems, to make intelligent selection of counsel, or to use legal services.

Doezema, Sarah Sue: #24063259
09/16/2020-Agreed Fully Probated Suspension
10/01/2020-10/31/2021: PROBATED

On September 16, 2020, **Sarah Sue Doezema** [#24063259], 39, of Houston, accepted a six-month fully probated suspension, effective October 1, 2020. An investigatory panel of the District 4 Grievance Committee found that Doezema neglected the legal matter entrusted to her and failed to explain a matter to the extent reasonably necessary to permit her client to make informed decisions regarding the representation.

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

Houston Attorney
11/04/2020-Agreed Private Reprimand

Rule 8.04(a)(12)

A lawyer shall not violate any other laws of this state relating to the professional conduct of lawyers and to the practice of law.

Harvey, David Nathaniel: #24040049
11/03/2020-Agreed Fully Probated Suspension
11/01/2020-04/30/2024: PROBATED

On October 3, 2020, **David Nathaniel Harvey** [#24040049], 55, of Houston, accepted a 42-month fully probated suspension, effective November 1, 2020. An investigatory panel of the District 4 Grievance Committee found that Harvey frequently failed to carry out completely his obligations to his client, 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. Additionally, Harvey failed to timely respond to the grievance

Harvey violated Rules 1.01(b)(2), 1.03(a), and 8.04(a)(8). He was ordered to pay \$55,000.00 in restitution and \$1,000.00 in attorneys' fees and direct expenses.

Jackson, Larrisha Charlie Vaughn: #24073658
08/14/2020-Disbarment

On August 14, 2020, **Larrisha Charlie Vaughn Jackson** [#240731658], 33, of Houston, received of judgment of disbarment. An evidentiary panel of the District 4 Grievance Committee found that Jackson failed to hold funds belonging in whole or in part to a third person separate from the lawyer's own property, such funds were not kept in a separate account, designated as a "trust" or "escrow" account; failed upon receiving funds in which a third person had an interest to promptly notify the third person and failed to promptly deliver to the third person funds that the third person was entitled to received and she failed to timely furnish to the Chief Disciplinary Counsels office a response or other information as required by the Texas Rules of Disciplinary Procedure.

Jackson did not, in good faith, timely assert a privilege or other legal ground for failure to do so Jackson violated Rules 1.14(a), 1.14(b) and 8.04(a)(8) and was order to pay attorneys' fees and cost of \$1,811.06.

Johnson, Charles Ray Jr.: #24025742
10/09/2020-Agreed Fully Probated Suspension
10/01/2020-03/31/2021: PROBATED

On October 9, 2020, **Charles Ray Johnson, Jr.** [#24025742], 51, of Houston, accepted a six-month fully probated suspension, effective October 1, 2020. An evidentiary panel of the District 4 Grievance Committee found that, upon termination of representation, Johnson failed to timely surrender property consisting of an investigator's fee.

Johnson violated Rule 1.15(d). He was ordered to pay \$750.00 in attorneys' fees.

Leonard, Candice Lee: #24005603
10/07/2020-Agreed Fully Probated Suspension
10/01/2020-09/30/2021: PROBATED

On October 7, 2020, **Candice Lee Leonard** [#24005603], 49, of Houston, accepted a one-year fully probated suspension, effective October 1, 2020. The 190th District Court of Harris County found that Leonard violated Rule 3.02 [took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter] and Rule 3.03(a)(1) [knowingly made a false statement of material fact or law to a tribunal].

Leonard was ordered to pay \$1,000.00 in attorneys' fees.

Leonard, Candice Lee: #24005603
10/08/2020-Agreed Fully Probated Suspension
10/01/2020-09/30/2021: PROBATED

On October 8, 2020, **Candice Lee Leonard** [#24005603], 49, of Houston, accepted a one-year fully probated suspension, effective October 1, 2020. The 189th District Court of Harris County found that Leonard violated Rule 3.02 [took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter], Rule 3.07(a) [knowingly disseminated an extrajudicial statement by means of public communication that had a substantial likelihood of materially prejudicing a proceeding] and Rule 4.04(b)(1) [threatened disciplinary charges solely to gain an advantage in a legal matter].

Leonard was ordered to pay \$250.00 in attorneys' fees.

McElroy, Summer Aja: #24042610
10/09/2020-Agreed Public Reprimand

On October 9, 2020, **Summer Aja McElroy** [#24042610], 43, of Houston, received a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that McElroy upon termination of representation failed to refund advance payments of fees that had not been earned 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.

McElroy violated Rules 1.15(d), and 8.04(a)(8). She was ordered to pay \$1,000.00 in restitution and \$1,597.00 in attorneys' fees and direct expenses.

Mendoza, John Luna: #13937000
10/01/2020-Agreed Partially Probated Suspension
11/01/2020-11/30/2020: SUSPENSION
12/01/2020-04/30/2021: PROBATED

On October 1, 2020, **John Luna Mendoza** [#13937000], 80, of Houston, received a six-month partially probated suspension, effective November 1, 2020, with the first month actively suspended and the remainder probated. An investigatory panel of the District 4 Grievance Committee found that in representing two clients in separate matters, Mendoza neglected the legal matters entrusted to him and frequently failed to carry out the obligations he owed to his clients.

Mendoza violated Rules 1.01(b)(1) and 1.01(b)(2). He was ordered to pay \$1,500.00 in restitution.

Miller, Walter McNab IV: #24065758
10/14/2020-Agreed Public Reprimand

On October 14, 2020, **Walter McNab Miller, IV** [#24065758], 49, of Houston, accepted a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Miller neglected his client's case, 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.

Miller violated Rules 1.01(b)(1), and 1.03(a). He was ordered to pay \$3,500.00 in restitution and \$2,500.00 in attorneys' fees and direct expenses.

Houston Attorney
10/15/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

Neglecting a legal matter entrusted to the lawyer.

Rule 1.03(a)

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

Stewart, Joe Steven: #19210500
10/14/2020-Agreed Public Reprimand

On October 14, 2020, **Joe Steven Stewart**, [#19210500], 68, of Houston, received a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Stewart failed to promptly render a full accounting of funds to client, upon termination failed to refund advance payment of fees that had not been earned and failed to timely furnish to the Chief Disciplinary Counsels office a response or other information as required by the Texas Rules of Disciplinary Procedure. Stewart did not, in good faith, timely assert a privilege or other legal ground for failure to do so.

Stewart violated Rules 1.14(b), 1.15(d), and 8.04(a)(8). Stewart was order to pay \$5,000.00 in restitution and \$868.00 in attorneys' fees and direct expenses.

Houston Attorney
11/24/2020-Agreed Private Reprimand

Rule 1.01(b)(1)
Neglecting a legal matter entrusted to the lawyer.

Rule 1.03(a)
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)
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.

Rule 8.04(a)(8)
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
11/24/2020-Agreed Private Reprimand

Rule violated 1.01(b)(1)
Neglecting a legal matter entrusted to the lawyer.

DISTRICT 5:

Houston Attorney
11/03/2020-Agreed Private Reprimand

Rule 1.06(b)(2)
A lawyer shall not represent a person if 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 6:

Aguilar, Hugo Vasquez: #24006740
09/17/2020-Agreed Public Reprimand

On September 17, 2020, **Hugo Vasquez Aguilar** [#24006740], 51, of Dallas, agreed to a public reprimand. The District 6 Grievance Committee found that in December 2016, Aguilar was appointed to represent Complainant in a criminal matter. After Complainant's multiple requests to Aguilar for copies of his file, Aguilar ultimately sent Complainant a copy of the entire file, including discovery. Aguilar violated a law in this State relating to the professional conduct of lawyers and to the practice of law, specifically Texas Code of Criminal Procedure Article 39.14.

Aguilar violated Rule 8.04(a)(12). He was ordered to pay attorneys' fees and direct expenses in the sum of \$250.00.

Berger, Tyler Kline: #24082223
09/10/2020-Agreed Fully Probated Suspension
09/01/2020-08/31/2022: PROBATED

On September 10, 2020, **Tyler Kline Berger** [#24082223], 32, of Dallas, agreed to 24-month fully probated suspension, effective September 1, 2020. The District 6 Grievance Committee found that Berger was a salaried associate at Fears Nachawati Law Firm (FN) and had a LegalZoom profile identifying Berger as such. Berger has the LegalZoom profile because of her association with FN. Part of Berger's employment duties at FN was to provide telephone consultations to LegalZoom referrals with the ultimate goal being that the referrals would hire FN for representation. Instead of signing some of the referrals up as FN clients, and unbeknownst to FN, Berger instructed the referrals to send payment for legal services to her personal law firm bank account. Berger corresponded with these clients from her FN email and telephone number even though she had directed the clients' funds to her personal law firm bank account. Berger failed to promptly deliver funds to FN that the firm was entitled to receive. Berger made false or misleading communications to potential clients about Berger's services. Berger engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Berger violated Rules 1.14(b), 7.02(a)(1), and 8.04(a)(3). She was ordered to pay \$700.00 in attorneys' fees and direct expenses.

Crosland, Seth Parker: #24069551
10/13/2020-Resignation in lieu of Discipline

On October 13, 2020, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Seth Parker Crosland** [#24069551], 45, of Dallas. At the time of Crosland's resignation, there was one pending matter against him alleging that, since 2013, Crosland has been sanctioned multiple times by various bankruptcy courts. The Bankruptcy Court for the Southern District of Texas sanctioned Crosland for multiple categories of misconduct in a Chapter 13 bankruptcy case. The Bankruptcy Court for the Western District of Texas sanctioned Crosland for misconduct in three Chapter 13 cases. In September 2017, Crosland filed a Chapter 7 bankruptcy petition on behalf of an individual at the request of the individual's ex-spouse. In an adversary proceeding brought by the United States Trustee Crosland agreed to the imposition of sanctions and was suspended from filing cases in the Bankruptcy Court for the Northern District for two years. In May 2019, Crosland violated his suspension by taking bankruptcy clients from the Northern District of Texas and filing their cases in the Eastern District of Texas, even though venue was improper. Between January and June 2019, Crosland filed 19 bankruptcy cases in the Eastern District for 23 debtors who lived in the Northern District.

Alleged Rules Violated: 1.01(b)(2), 1.03(a), 1.03(b), 3.01, 3.03(a)(1), 3.04(d), 5.05(a), 8.04(a)(3), and 8.04(a)(7).

Gomez, Paul: #24063778
11/24/2020-Agreed Fully Probated Suspension
11/15/2020-05/14/2022: PROBATED

On November 24, 2020, **Paul Gomez** [#24063778], 45, of Little Elm, agreed to an 18-month fully probated suspension, effective November 15, 2020. The District 6 Grievance Committee found that in July 2019, Complainant hired Gomez for representation in a divorce matter and discovery requests were served on Gomez. Gomez did not timely respond the requests and hearing was held regarding Gomez's late discovery responses. Gomez did not attend the hearing and Complainant was sanctioned. Gomez neglected the legal matter entrusted to him and failed to carry out completely the obligations Gomez owed to Complainant. By planning to not appear at the properly noticed hearing resulting in Complainant being sanctioned, Gomez failed to explain the discovery matter to the extent reasonably necessary to permit Complainant to make informed decisions regarding the representation. By not informing the court or opposing counsel that he did not plan to appear at the hearing, Gomez took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter.

Gomez violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(b), and 3.02. He was ordered to pay \$500.00 in attorneys' fees and direct expenses.

Dallas Attorney
08/24/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

Rule 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.

Dallas Attorney
09/24/2020-Agreed Private Reprimand

Rule 1.03(b)

A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Rule 1.15(d)

Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payments of fee that has not been earned. The lawyer may retain papers relating to the client to the extent permitted by other law only if such retention will not prejudice the client in the subject matter of the representation.

Dallas Attorney
11/24/2020-Agreed Private Reprimand

Rule 4.04(a)

In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.

Rule 8.02(a)

A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory official or public legal officer, or of a candidate for election or appointment to judicial or legal office.

Lilly, Curtis: #24030063
09/03/2020-Public Reprimand

On September 3, 2020, **Curtis Lilly** [#24030063], 48, of Dallas, received a public reprimand. The District 6 Grievance Committee found that in August 2016, Lilly was hired to represent Complainant in a criminal matter. Lilly failed to withdraw from representing Complainant when Lilly was discharged.

Lilly violated Rule 1.15(a)(3). He was ordered to pay attorneys' fees and direct expenses in the sum of \$1,897.68.

Dallas Attorney
09/18/2020-Private Reprimand

Rule 8.04 (a)(7)

A lawyer shall not violate any disciplinary or disability order or judgment.

Rincon, Raymond: #16933500
09/25/2020-Agreed Partially Probated Suspension
10/15/2020-01/14/2021: SUSPENSION
01/15/2021-10/14/2023: PROBATED

On September 25, 2020, **Raymond Rincon** [#16933500], 65, of Dallas, agreed to three-year partially probated suspension, effective October 15, 2020, with the first three months actively served and the remainder probated. An investigatory panel of the District 6 Grievance Committee found that on September 8, 2017, client's mother hired Rincon to represent her son in a Habeas Corpus appeal. In representing the client, Rincon neglected the legal matter entrusted to him, and frequently failed to carry out completely the obligations Rincon owed to his client by incorrectly filing a writ petition twice and failing to submit a correct writ for several months. Rincon failed to keep his client reasonably informed about the status of his case and failed to promptly comply with reasonable requests for information from his client. Rincon failed to explain client's legal matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation. Rincon failed to obtain written consent from his client regarding the division or arrangement for division of a fee between Rincon and another attorney not in the same firm as Rincon. Rincon failed to take reasonable remedial action to avoid or mitigate the consequences of the other lawyer's violation of the Texas Disciplinary Rules of Professional Conduct.

Rincon violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.04(f)(2), and 5.01(b). He was ordered to pay \$500.00 in attorneys' fees and direct expenses.

Rodriguez, Brigida: #24046743
11/10/2020-Resignation in lieu of Discipline

On November 10, 2020, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Brigida Rodriguez** [#24046743], 65, of Dallas. At the time of Rodriguez's resignation, there were two pending matters against her alleging professional misconduct. In the first matter, Complainant hired Rodriguez to start the adoption process to adopt her grandson on August 31, 2017. Complainant paid Rodriguez \$4,000.00. Rodriguez neglected the legal matter; failed to communicate with Complainant; failed to return the unearned legal fee, and failed to respond to the notice of grievance. In the second matter, Complainant hired Rodriguez for representation in a family law matter on June 10, 2019. Complainant paid Rodriguez \$2,000.00. Rodriguez frequently failed to carry out completely the obligations owed to Complainant; and failed to explain the legal matter to the extent reasonably necessary to permit Complainant to make informed decisions regarding the representation.

Rodriguez failed to return the unearned legal fee. Alleged Rules Violated 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(8).

Torchinsky, Ilya: #24095196
11/10/2020-Resignation in lieu of Discipline

On November 10, 2020, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Ilya Torchinsky** [#24095196], 42, of Florida. At the time of Torchinsky's resignation, there were three pending matters against him alleging professional misconduct. On or about October 31, 2019, a Judgment was entered by the Supreme Court of Florida in a matter styled, In Re: Petition for Disciplinary Revocation of Ilya Torchinsky, Case No. SC19-1416, Lower Tribunal No(s): 2020-70,103(11F-MDR), which granted Torchinsky's uncontested petition for disciplinary revocation with leave to seek readmission after five (5) years. The judgment stated: "Disciplinary revocation is tantamount to disbarment." In the Petition for Disciplinary Revocation with Leave to Reapply for Readmission, Torchinsky admitted that he knowingly and voluntarily submitted the petition with full knowledge of its effect. He further admitted that the following disciplinary charges were pending against him: TFB File No. 2019-70,573(11F); 2019-70,574(11F); 2019-70,701(11F); 2020-70(11F); 2020-70,095(11F), involved allegations of conversion of client's trust funds by Torchinsky. The Florida Bar File No. 2019-70,500(11F) alleges that petitioner engaged in neglect and lack of communication.

In all three pending matters, Torchinsky sent a demand letter and draft Complaint from Legal Justice Advocates signed by Torchinsky and a licensed Florida Attorney, to Complainants stating that their website was in violation of the Federal Fair Housing Act of 1988 because the website was not accessible to blind or visually disabled people. The letter demanded that Complainants make their websites readily accessible to and usable by blind and visually impaired individuals, and made a demand for "damages, attorney's fees and costs." Torchinsky is not listed as one of the attorneys for Legal Justice Advocates despite the demand letter implying that he works for Legal Justice Advocates and represents Victims Awareness as local counsel. The letters and draft Complaints identify Torchinsky as "Local Counsel for Plaintiff" but does not contain Torchinsky's address. At the time the demand letter was sent, Torchinsky was not admitted to practice before the Northern District of Texas or the Western District of Texas.

Alleged Rules Violated 4.01(a), 8.04(a)(3), and 8.05(a).

Ward, Lloyd Eugene: #20845100
10/23/2020-Fully Probated Suspension
03/07/2020-03/06/2023: PROBATED

On October 23, 2020, **Lloyd Eugene Ward** [#20845100], 59, of Dallas, received a 36-month fully probated suspension, effective March 7, 2020. The 191st District Court of Dallas County found that Ward committed Professional Misconduct by violating Rule 3.03(a)(1) [A lawyer shall not knowingly make a false statement of material fact or law to a tribunal].

Ward was ordered to pay attorneys' fees and direct expenses in the sum of \$19,216.74.

DISTRICT 7:

Chidgey, John-Paul: #24035419
11/16/2020-Agreed Public Reprimand

On November 16, 2020, **John-Paul Chidgey** [#24035419], 47, of Fort Worth, agreed to a public reprimand. The District 7 Grievance Committee found that in March 2019, Complainant hired Chidgey for representation in a medical practice matter. Chidgey neglected the legal matter entrusted to him by allowing the statute of limitation to expire. Chidgey failed to explain the matter to the extent reasonably necessary to permit Complainant to make informed decisions regarding the representation.

Chidgey violated Rules 1.01(b)(1), and 1.03(b). He was ordered to pay attorneys' fees and direct expenses in the sum of \$500.00.

Copeland, Kathryn Marie: #24086056
11/18/2020-Agreed Active Suspension
11/01/2020-10/31/2025: SUSPENSION

On November 18, 2020, **Kathryn Marie Copeland** [#24086056], 35, of Fort Worth, agreed to a 60-month active suspension, effective November 1, 2020. The District 7 Grievance Committee found that during the course of a divorce proceeding, marital residence sale proceeds were deposited in Copeland's IOLTA for distribution to Complainants. Copeland failed to hold funds belonging in whole to Complainants separate from Copeland's own property and failed to appropriately safeguard the property. Copeland represented to Complainant and opposing counsel that Copeland would transfer the trust funds upon request when, in fact, the Complainants funds had already been transferred to Copeland's operating account and spent. Copeland engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Copeland violated Rules 1.14(a), and 8.04(a)(3). She was ordered to pay \$1,000.00 in attorneys' fees and direct expenses.

Courtade, Arthur David: #04891000
10/26/2020-Agreed Public Reprimand

On October 26, 2020, **Arthur David Courtade** [#04891000], 73, of Fort Worth, agreed to a public reprimand. The District 7 Grievance Committee found that upon termination of representation, Courtade informed Complainant that he was experiencing a health issue and would provide any information and paperwork that Complainant might need regarding the case. Thereafter, Courtade failed to respond to the grievance.

Courtade violated Rules 1.15(d), and 8.04(a)(8). He was ordered to pay attorneys' fees and direct expenses in the sum of \$200.00.

Dallas Attorney
09/28/2020-Agreed Private Reprimand

Rule 1.14(a)

A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated as a "trust" or "escrow" account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

Rule 1.14(c)

When in the course of representation a lawyer is in possession of funds or other property in which both the lawyer and another person claim interests, the property shall be kept separate by the lawyer until there is an accounting and severance of their interest. All funds in a trust or escrow account shall be disbursed only to those persons entitled to receive them by virtue of the representation or by law. If a dispute arises concerning their respective interests, the portion in dispute shall be kept separated by the lawyer until the dispute is resolved, and the undisputed portion shall be distributed appropriately.

Dallas Attorney
11/03/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

Rule 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.

Dallas Attorney
11/04/2020-Agreed Private Reprimand

Rule 3.09(d)

The prosecutor in a criminal case shall make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal.

Oliphint, Stuart R.: #00789526
10/13/2020-Default Partially Probated Suspension
11/01/2020-04/30/2021: SUSPENSION
05/01/2021-10/31/2023: PROBATED

On October 13, 2020, [#00789526], **Stuart R. Oliphint**, 61, of Fort Worth, received a 36-month partially probated suspension, effective November 1, 2020, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 7 Grievance Committee found that on April 14, 2018, Complainant hired Oliphint for representation in a criminal case. Complainant paid an advance legal fee of \$4,000.00 to Oliphint for the representation. In representing Complainant, Oliphint neglected the legal matter entrusted to him. Oliphint failed to explain the matter to the extent reasonably necessary to permit Complainant to make informed decisions regarding the representation. Upon termination of representation Oliphint failed to refund advance payments of the fee that had not been earned. In addition, Oliphint failed to respond to the grievance.

Oliphint, violated Rules 1.01(b)(1), 1.03(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$4,000.00 in restitution and \$1,461.50 in attorneys' fees and costs.

DISTRICT 8:

Brown, Cynthia Gail: #24026968
09/15/2020-Disbarment

On September 15, 2020, **Cynthia Gail Brown** [#24026968], 56, of Palm Coast, Florida, received a judgment of disbarment related to three disciplinary cases. An evidentiary panel of the District 8 Grievance Committee found that in the first case, Brown was hired by a client, on or about June 28, 2016, to represent her in a modification of her child custody orders. The client paid Brown an advanced fee of \$1,600.00 for the representation.

On September 19, 2016, Brown was administratively suspended from the practice of law. Between June and September of 2016, Brown filed no pleadings on the client's behalf to initiate the modification. Further, Brown failed to notify the client of her suspension and ceased all communication with the client after a couple of months. When the client discovered that Brown had been suspended and abandoned her law practice, she requested a refund. Brown failed to respond to the request and did not refund any unearned fees.

In a second case, Brown was hired by a client, in January 2016, to represent her in a stepparent adoption.

The client paid Brown an advanced fee of \$3,900.00 for legal fees, filing fees, and a home study. Although Brown obtained the biological mother's written relinquishment of parental rights and moved the case from McLennan to Bell County, she failed to complete or file any other pleadings on the client's behalf. Brown was administratively suspended from the practice of law on September 19, 2016. However, Brown did not file a motion to withdraw in the pending case. Further, when the client contacted Brown to determine the status of the matter, Brown informed the client that they were "just waiting on a court date," and did not inform the client of her suspension. In September of 2016, Brown abandoned her law practice without notice to the client and failed to return the client's file or refund any unearned fees.

In a third case, Brown was paid \$1,200.00, on or about August 2, 2016, to represent a client in a suit affecting the parent-child relationship. On September 19, 2016, Brown was administratively suspended from the practice of law. After her suspension, Brown continued the representation and corresponded with the client regarding responses to discovery requests and the possibility of filing a motion to dismiss. Brown failed to notify the client of her suspension, failed to return the client's file, and failed to return any unearned portion of the \$1,200.00. The client learned of Brown's suspension in October of 2016, and attempted to negotiate a return of unearned fees but Brown failed to respond to the client's texts and emails.

Brown violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(3), and 8.04(a)(11) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Brown was ordered to pay \$5,498.00 in restitution and \$3,700.30 in attorneys' fees and expenses.

Huie, Ryan Edward: #24055700
11/24/2020-Agreed Public Reprimand

On November 24, 2020, **Ryan Edward Huie** [#24055700], 42, of Austin, received a public reprimand related to four disciplinary cases. An investigatory panel of the District 8 Grievance Committee found that in the first case, Huie was paid \$5,000.00, in August 2018, to defend a client in a DWI matter. On November 7, 2019, Huie failed to appear for a scheduled court hearing and notify the client that he would not be attending the hearing. In addition, Huie failed to inform his client and the court that his license to practice law had been administratively suspended, in compliance with Section 13.01 of the Texas Rules of Disciplinary Procedure.

Subsequently, after Huie was terminated by the client, he failed to withdraw from the representation and to take the steps reasonably practicable to protect the client's interests. Additionally, Huie was found to have neglected the client's case and failed to maintain reasonable communication with the client regarding the matter.

In the second case, the panel found that Huie was paid \$1,800.00, in November 2018, to represent a client in a criminal matter. During his representation of the client, Huie failed to appear for a scheduled court hearing and failed to inform the client and the court in writing that his license to practice law was administratively suspended, in compliance with Section 13.01 of the Texas Rules of Disciplinary Procedure. In addition, Huie failed to withdraw from the case and to take steps reasonably practicable to protect the client's interests after he was terminated. Huie also failed to respond to the client's numerous communication attempts, thus failing to maintain reasonable communication with the client regarding her case.

In the third case, the panel found that after Huie was paid \$2,000.00 to represent a client in a criminal

matter, he failed to appear for a scheduled court hearing and failed to inform the client and the court that his license to practice law was administratively suspended, in compliance with Section 13.01 of the Texas Rules of Disciplinary Procedure. In addition, after Huie was terminated by the client, he failed to withdraw from the case and to take steps reasonably practicable to protect the client's interests. Huie also failed to maintain reasonable communication with the client regarding his case.

In the fourth case, the panel found Huie was paid \$6,000.00, in July 2018, to represent a client in multiple criminal matters and failed to appear for two scheduled court hearings in 2019. In addition, the panel found Huie failed to inform the client and the court that his license to practice law was administratively suspended, in compliance with Section 13.01 of the Texas Rules of Disciplinary Procedure.

Subsequently, after Huie was terminated by the client, he failed to withdraw from the client's representation and to take steps reasonably practicable to protect the client's interests. Further, Huie failed to respond to the client's numerous communication attempts, thus failing to maintain reasonable communication with the client regarding his case.

Huie violated Rules 1.01(b)(1), 1.03(a), 1.15(a)(1), 1.15(d), and 8.04(a)(10) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Huie was ordered to pay \$2,500.00 in restitution in the first case.

Jeffrey, Richard N.: #24036839

10/27/2020-Agreed Partially Probated Suspension

12/01/2020-05/31/2021: SUSPENSION

06/01/2021-11/30/2025: PROBATED

On October 27, 2020, **Richard N. Jeffrey** [#24036839], 44, of Harker Heights, received a five-year partially probated suspension (six months active and fifty-four months probated), related to two disciplinary cases, effective December 1, 2020. An evidentiary panel of the District 8 Grievance Committee found that in the first case, Jeffrey was hired, on or about June 5, 2018, to represent a client in a Suit to Modify the Parent Child Relationship. The client gave Jeffrey a check for \$500.00 as an advanced fee. Rather than place the funds in an escrow or trust account, Jeffrey made the check payable to a third person.

Thereafter, at Jeffrey's request, the client paid Jeffrey another advanced fee of \$500.00 in cash. Thereafter, Jeffrey represented to the client that he was having difficulty serving the opposing party with the petition; however, Jeffrey never filed any pleadings on behalf of the client. When the client discovered that no pleadings had been filed, the client terminated the representation and requested a refund. Jeffrey failed to respond to the client's request and failed to refund any portion of the fees paid.

In a second case, Jeffrey was paid an advanced fee of \$1,500.00, on or about September 12, 2017, to represent a client with regard to a traffic citation and on a Motion to Revoke or Adjudicate Community Supervision. Jeffrey failed to perform the work for which he was hired and failed to return any portion of the advanced fee paid. Jeffrey further failed to provide written responses to both disciplinary cases.

Jeffrey violated Rules 1.01(b)(1), 1.03(a), 1.14(a), 1.15(d), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Jeffrey was ordered to pay \$2,500.00 in restitution and \$1,315.00 in attorneys' fees and expenses.

Austin Attorney
10/13/2020-Agreed Private Reprimand

Rule 1.03(b)

Failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Smith, Cynthia Borgfeld: #18553650
09/22/2020-Partially Probated Suspension
10/01/2020-09/30/2021: SUSPENSION
10/01/2021-09/30/2023: PROBATED

On September 22, 2020, **Cynthia Borgfeld Smith** [#18553650], 72, of Georgetown, received a three-year partially probated suspension [one year active and two years probated]. An evidentiary panel of the District 8 Grievance Committee found that after Smith was hired in June 2018, to represent a client in a child custody matter, Smith failed to contact the client for four months. The panel also found that after Smith met with the client in September 2018, for the purpose of signing final paperwork evidencing an agreement between the client and her ex-husband, Smith failed to file the final paperwork with the court and failed to return any of the client's attempts to communicate with Smith. Subsequently, the client was forced to hire new counsel. Smith further failed to file a response to the grievance as required by the Texas Rules of Disciplinary Procedure.

Smith violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). Smith was ordered to complete 40 additional hours of CLE in the area of family law, 8 additional hours in the area of law practice management, and to provide quarterly trust account reports to the State Bar of Texas. Smith was further ordered to pay \$2,612.00 in attorneys' fees and direct expenses and \$3,000.00 in restitution.

Smith, Cynthia Borgfeld: #18553650
09/23/2020-Partially Probated Suspension
10/01/2020-09/30/2022: SUSPENSION
10/01/2022-09/30/2023: PROBATED

On September 23, 2020, **Cynthia Borgfeld Smith** [#18553650], 72, of Georgetown, received a three-year partially probated suspension [two years active and one year probated]. An evidentiary panel of the District 8 Grievance Committee found that after Smith was hired in May 2018, to represent a client in a child custody matter, Smith failed to file the necessary pleadings for several months.

In September 2018, Smith told the client that she would draft the pleadings and those pleadings would be ready in a week. However, between October and November of 2018, the client was unable to reach Smith concerning the status of her case and the filing of the pleadings. The client then terminated Smith's services and requested the return of unearned fees. Smith advised the client that she would return the unearned fees but failed to do so. When the unearned fees were not returned, the client contacted the Client Attorney Assistant Program (CAAP) for help with communicating with Smith. Smith advised CAAP that the unearned fees had been returned. To date, the client has not received a refund from Smith. Smith further failed to file a response to the grievance as required by the Texas Rules of Disciplinary Procedure.

Smith violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(3), and 8.04(a)(8). Smith was ordered to pay \$2,849.51 in attorneys' fees and direct expenses and \$2,500.00 in restitution.

DISTRICT 9:

Collins, Kyle B.: #04613400

10/15/2020-Agreed Partially Probated Suspension

12/01/2020-05/31/2021: SUSPENSION

08/10/2020-11/08/2020: PROBATED

On October 15, 2020, **Kyle B. Collins** [#04613400], 66, of Austin, accepted an 18-month partially probated suspension [6 months active and 12 months probated], effective December 1, 2020. An investigatory panel of the District 9 Grievance Committee found that while representing two clients in criminal matters, Collins failed to timely return unearned fees to the clients. In addition, Collins failed to timely respond to the grievance filed by one of the clients.

Collins violated Rules 1.15(d), and 8.04(a)(8). Collins was ordered to pay \$400.00 in restitution to one client and \$1,850.00 in restitution to another client.

Austin Attorney

11/19/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

Neglecting a legal matter entrusted to the lawyer.

Rule 1.03(a)

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)

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.

McKee, Darwin: #13695700

09/24/2020-Agreed Partially Probated Suspension

11/01/2020-12/31/2020: SUSPENSION

01/01/2021-10/31/2021: PROBATED

On September 24, 2020, **Darwin McKee** [#13695700], 69, of Austin, accepted a one-year partially probated suspension [two months active and ten months probated], effective November 1, 2020. An evidentiary panel of the District 9 Grievance Committee found that McKee failed to appear at a hearing while representing a client in a breach of contract case. The panel also found that after the client appealed the case, McKee failed to meet appellate deadlines, notify the appellate court of his subsequent termination, and/or withdraw from the case.

McKee violated Rules 1.01(b)(1), and 1.15(a)(3). He was ordered to pay \$875.00 in attorneys' fees and direct expenses.

Portley, Kirby Jerome: #24085865
08/31/2020-Agreed Active Suspension
09/01/2020-08/31/2021: SUSPENSION

On August 31, 2020, **Kirby Jerome Portley** [#24085865], 36, of Austin, accepted a one-year active suspension, effective September 1, 2020. An evidentiary panel of the District 9 Grievance Committee found that Complainant hired Portley, on or about May 10, 2017, to enforce an order in her divorce decree. Complainant paid Portley an advanced fee of \$5,000.00 in cash, which Portley failed to deposit into a trust or escrow account. Portley filed a notice of appearance in the case but filed no other pleading. In addition, Complainant attempted numerous times to contact Portley regarding the status of her case. The only time Portley spoke with Complainant after he was hired, he told Complainant the judge had given permission to enforce the order. However, Portley filed no pleadings or enforcement motions with the court.

Complainant terminated the representation and requested that Portley return unearned fees, but Portley failed to respond or comply with the request. On or about November 28, 2018, after receiving notice of the complaint and filing a response, Portley provided a full refund to Complainant. At that time, Portley represented that he would withdraw from the case, but failed to do so.

Portley violated Rules 1.01(b)(1), 1.03(a), 1.14(a), 1.14(b), and 1.15(d) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Portley was ordered to pay \$500.00 in attorneys' fees and expenses.

DISTRICT 10:

San Antonio Attorney
11/18/2020-Agreed Private Reprimand

Rule 1.04 (a)

A lawyer shall not enter into an arrangement for, charge, or collect an illegal fee or unconscionable fee.

Rule 1.15(d)

Upon termination of representation, a lawyer shall surrender papers and property to which the client is entitled.

Martin, Dennis R.: #13059400
10/30/2020-Agreed Fully Probated Suspension
10/15/2020-10/15/2023: PROBATED

On October 30, 2020, **Dennis R. Martin** [#13059400], 71, of San Antonio, agreed to a three-year fully probated suspension, effective October 15, 2020. An evidentiary panel of the District 10 Grievance Committee found that Martin neglected a client's matter and failed to keep a client reasonably informed.

Martin violated Rules 1.01(b)(1), and 1.03(a), was ordered to pay \$600.00 in attorneys' fees and direct expenses.

San Antonio
11/12/2020-Agreed Private Reprimand

Rule 1.06(b)(1)

Representing a person where the representation of that person involves a substantially related matter in which that person's interests are materially and directly adverse to the interests of another client.

DISTRICT 13:

Barker, Tametha D'Lyn: #24044113
11/19/2020-Agreed Active Suspension
11/18/2022-11/17/2027: SUSPENSION

On November 19, 2020, **Tametha D'lyn Barker** [#24044113], 43, of Potter, received a five-year active suspension, effective November 18, 2022. The District 13 Grievance Committee found that Barker was hired in May of 2018 to represent the complainant in her divorce. In representing the Complainant, Barker neglected the legal matter entrusted to her by failing to complete any legal work for the Complainant after filing the divorce petition. Barker also failed to keep the complainant reasonable informed about the status of her divorce case, and failed to promptly comply with reasonable requests for information from the Complainant about the matter. Upon termination of representation, Barker failed to surrender papers and property to which the complainant was entitled to. Barker also failed to refund advance payments of the fee that had not been earned. Barker also failed to respond to grievance.

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

Dallas Attorney
10/06/2020-Agreed Private Reprimand

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. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

Rule 1.15(d)

Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payments of fee that has not been earned. The lawyer may retain papers relating to the client to the extent permitted by other law only if such retention will not prejudice the client in the subject matter of the representation.

DISTRICT 14:

**Dallas Attorney
11/03/2020-Agreed Private Reprimand**

Rule 1.08(a)

A lawyer shall not enter into a business transaction with a client unless the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed in a manner which can be reasonably understood by the client; the client is given a reasonable opportunity to seek the advice of independent counsel in the transaction; and the client consents in writing thereto.

Rule 1.14(a)

A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated as a "trust" or "escrow" account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

Rule 8.04(a)(3)

A lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

**Dallas Attorney
08/24/2020-Agreed Private Reprimand**

Rule 1.01(b)(1)

In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

Rule 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.

Rule 8.04(a)(8)

A lawyer shall not fail to timely furnish to the Chief Disciplinary Councils office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so.

Dallas Attorney
11/04/2020-Agreed Private Reprimand

Rule 8.04(a)(11)

A lawyer shall not engage in the practice of law when the lawyer is on inactive status, except as permitted by section 81.053 of the Government Code and Article XIII of the State Bar Rules, 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.

Harris, James Bruce: #24026926
10/7/2020-Agreed Fully Probated Suspension
11/01/2020-10/31/2021: PROBATED

On October 7, 2020, **James Bruce Harris** [#24026926], 50, of Wichita Falls, received an agreed judgment of fully probated suspension, effective November 1, 2020, and ending on October 31, 2021. An evidentiary panel of the District 14 Grievance Committee found that Harris was hired in May 2016 to represent a client in a criminal matter. In representing his client, Harris neglected the legal matter entrusted to him by failing to perform legal work on the criminal matter and failing to explain the criminal matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. Harris also failed to promptly render a full accounting to his client regarding the fees paid. Upon termination of representation, Harris failed to refund advance payments of the fee that had not been earned. Harris also failed to provide a response to the grievance.

Harris violated Rules 1.01(b)(1), 1.03(b), 1.14(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,300.00 in attorneys' fees, and restitution in the amount of \$5,000.00.

Dallas Attorney
11/16/2020-Agreed Private Reprimand

Rule 1.03(b)

A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

DISTRICT 15:

San Antonio Attorney
11/23/2020-Agreed Private Reprimand

Rule 1.05(b)(1)(i)

Revealing confidential information of a client or a former client to a person that the client has instructed is not to receive the information.

Seymour, Aaron Christian: #24094943
10/26/2020-Agreed Fully Probated Suspension
10/01/2020-09/30/2024: PROBATED

On October 26, 2020, **Aaron Christian Seymour** [#24094943], 35, of New Braunfels, agreed to a four-year fully probated suspension, effective October 1 2020. An evidentiary panel of the District 15 Grievance Committee found that Seymour neglected a client's matter and failed to keep a client reasonably informed.

Seymour violated Rules 1.01(b)(1), and 1.03(a), was ordered to pay \$200.00 restitution and \$800.00 in attorneys' fees and direct expenses.

DISTRICT 16:

San Antonio Attorney
09/23/2020-Agreed Private Reprimand

Rule 1.01(b)(1)

In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

Rule 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.

DISTRICT 17:

Ivey, Ben L. III: #24032462
11/17/2020-Agreed Public Reprimand

On November 17, 2020, **Ben L. Ivey, III** [#24032462], 46, of El Paso, accepted a public reprimand. An investigatory panel of the District 17 Grievance Committee found that Ivey failed to promptly notify and deliver funds to parties entitled to receive funds.

Ivey violated Rule 1.14(b) and was ordered to pay \$2,800.00 in restitution and \$750.00 in attorneys' fees and direct expenses.

Maynez-Grijalva, Omar: #24043807
11/04/2020-Agreed Fully Probated Suspension
11/06/2020-11/05/2022: PROBATED

On November 4, 2020, **Omar Maynez-Grijalva** [#24043807], 55, of El Paso, accepted a two-year fully probated suspension, effective November 6, 2020. The 210th District Court of El Paso County found that Maynez-Grijalva violated Rules 1.08(a) & (g) [business transactions with client]; 1.14(b) [failing to promptly notify third party & deliver settlement funds]; 1.14(c) [falling to disburse to third parties]; 8.01(b) [knowingly fail to respond to a lawful demand for information] ; 8.04(a)(3) [conduct involving dishonesty, fraud, deceit or misrepresentation] and 8.04(a)(8) [failing to respond to a grievance timely]

Maynez-Grijalva violated Rules 1.08(a)&(g), 1.14(b), 1.14(c), 8.01(b), 8.04(a)(3), and 8.04(a)(8) was ordered to pay \$4,211.96 in attorneys' fees and direct expenses.

Board of Disciplinary Appeals

Cohn, William A.: #04512980
10/02/2020-Agreed Public Reprimand

Cohn, William A.: #04512980 10/2/2020-Public Reprimand Pursuant to Texas Rules of Disciplinary Procedure ("TRDP") Part IX, the Chief Disciplinary Counsel of the State Bar of Texas filed a Petition for Reciprocal Discipline against Respondent William A. Cohn on June 9, 2020. The Petition states that on or about October 22, 2019, the Supreme Court of Tennessee at Nashville entered an Order of Enforcement, ordering public censure of Respondent, in File No. M2019-01855-BARBP, BOPR No. 2018-2875-9-AJ, In Re: William Allan Cohn, BPR #005873, An Attorney Licensed to Practice Law in Tennessee (Shelby County).

Davison, Ward Brackett Bennett: #24066787
11/06/2020-Active Suspension
11/20/2020-11/19/2021: SUSPENSION

On November 6, 2020, the Board of Disciplinary Appeals issued a Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law for 9 Dallas attorney **Ward B.B. Davison**, 40, State Bar of Texas Card # 24066787, from an Agreed Judgment of Partially Probated Suspension by the Evidentiary Panel for the State Bar of Texas District 6 Grievance Committee #'s 201806874 and 2018070411033 .9 Respondent appeared pro se.

Layman, Kyle Gregory: #24091625
11/10/2020-Resignation in lieu of Discipline

On November 10, 2020, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Kyle Gregory Layman** [#24091625], 32, of Leander. At the time of Layman's resignation, a Waiver of Jury Trial, Stipulation of Evidence and Judicial Confession, and Felony Plea of Guilty to Open Court was entered in Cause No. 2019-1650-C1; The State of Texas v. Kyle Gregory Layman; in the 19th Judicial District Court, McLennan County, Texas, wherein Layman pleaded guilty to the offense of Criminal Solicitation of a Minor, in violation of 15.031 of the Texas Penal Code.

In addition, Layman had a pending grievance matter that involved a client who paid Layman \$3,000.00, on or about March 22, 2019, to represent the client in a criminal matter. Layman was arrested prior to providing any legal services to the client. Layman provided the client his case file but failed to refund any unearned fees.

Perales Pina, Jose Marcos: #24091472
11/10/2020-Resignation in lieu of Discipline

On November 10, 2020, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Jose Marcos Perales Pina** [#24091472], 43, of El Paso. Prior to his resignation, an order had been entered, on or about November 6, 2019, in the Supreme Court of the State of New Mexico, in a case styled: No. S-1-SC-37402, In the Matter of J. Marcos Perales Pina, An Attorney Disbarred from the Practice Law in the State of New Mexico, which permanently disbarred Perales Pina from the practice of law. Specifically, the order set forth that the New Mexico Supreme Court found Perales Pina in contempt for failing to comply with, and attempting to circumvent, the court's March 8, 2019, order suspending him from practicing law in New Mexico for one year. The disbarment order would have subjected Perales Pina to reciprocal discipline.

Pursley, Jack Stephen: #24046667
11/16/2020-Interlocutory Suspension

On November 16, 2020, the Board of Disciplinary Appeals signed an Agreed Interlocutory Order of Suspension against Houston, TX attorney **Jack Stephen Pursley**, 61, State Bar of Texas Card No. 24046667. On August 5, 2020, Pursley was convicted of Conspiracy to Defraud the United States and Tax Evasion, Intentional Crimes as defined in the Texas Rules of Disciplinary Procedure, in the case styled, United States of America v. Jack Stephen Pursley AKA Steve Pursley, Cause No. 4:18-cr-00575, in the United States District Court for the Southern District of Texas, Houston Division. Pursley was sentenced to two years in the Federal Bureau of Prisons. Upon release, Pursley will be on supervised release for a term of two years. Pursley has appealed his criminal conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final.

Smoots-Hogan, Judge Alexandra Ilana: #24035470
10/13/2020-Resignation in lieu of Discipline

On October 13, 2020, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Alexandra Ilana Smoots-Hogan** [#24035470], 45, of Houston. At the time of Smoots-Hogan's resignation, a judgment had been entered in Cause No. 4:19-cr-00786; United States of America v. Alexandra Smoots-Thomas f/k/a Alexandra Smoots-Hogan; In the United States District Court, Southern District of Texas, Houston Division, wherein Smoots-Hogan pleaded guilty to Count 7 Wire Fraud, in violation of Title 18, U.S.C., § 1343. Smoots-Hogan was committed to the custody of the United States Bureau of Prisons to be imprisoned for time served as to Count 7. The judgment contained Special Conditions of Supervision, which set forth that: 1) Smoots-Hogan must provide the probation officer with access to any requested financial information and authorize the release of any financial information; 2) Smoots-Hogan must not incur new credit charges or open additional lines of credit without the approval of the probation officer; 3) Smoots-Hogan is required to pay all outstanding monetary restitution imposed by the court; and 4) Smoots-Hogan is prohibited from employment or acting in a fiduciary role during the term of supervision. Upon release from imprisonment, Smoots-Hogan was ordered to be placed on supervised release for a period of three (3) years as to Count 7. This conviction would subject Smoots-Hogan to compulsory discipline.

Teater, Cassidy Ann: #24080044
10/27/2020-Default Disbarment

On October 27, 2020, the Board of Disciplinary Appeals signed a Default Judgment of Disbarment against Nicholasville, Kentucky attorney **Cassidy Ann Teater**, 35, State Bar of Texas Card # 24080044. On or about January 27, 2020 an Order of Enforcement was issued in the Supreme Court of Tennessee in In Re: Cassidy Teater, An Attorney Licensed to Practice Law in Kentucky and Texas, Case No. M2020-00101-SC-BAR-BP, BOPR No. 2019-2987-0-AJ, disbaring Teater from the practice of Law in the State of Tennessee.

Washington, Alex James Jr.: #24107554
10/2/2020-Agreed Fully Probated Suspension
10/02/2020-10/01/2022: SUSPENSION

On October 2, 2020, the Board of Disciplinary Appeals signed an Agreed Judgment of Probated Suspension against Frisco, TX attorney **Alex James Washington Jr.**, 50, State Bar of Texas Card # 24107554. On or about July 2, 2020 an Attorney Disciplinary Proceeding opinion was entered by the Supreme Court of the State of Louisiana in Case No. 2020-B-0577, suspending Washington from the practice of law for a period of one year and one day.

A TEXAS ATTORNEY
RECIPROCAL DISCIPLINE – AGREED JUDGMENT OF PRIVATE REPRIMAND

On November 16, 2020, the Board of Disciplinary Appeals signed an Agreed Judgment of Private Reprimand against a Texas attorney. On or about September 16, 2020 a Notice recommending a Private Reprimand was entered by the Board of Professional Responsibility of the Supreme Court of Tennessee for his or her failure to register timely with the Board of Law Examiners in accordance with Tennessee Rule of Professional Conduct 5.5(a).

**A TEXAS ATTORNEY
RECIPROCAL DISCIPLINE – AGREED JUDGMENT OF PRIVATE REPRIMAND**

On November 16, 2020, the Board of Disciplinary Appeals signed an Agreed Judgment of Private Reprimand against a Texas attorney. On or about September 25, 2020, a Motion for Admonition was entered by the Louisiana Attorney Disciplinary Board (LSBA) regarding his or her failure to pre-file an advertisement with the LSBA, nor pay the LSBA the required filing fee, violating Rule 7.7 (c).

GRIEVANCE COMMITTEE APPOINTMENT GUIDE

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1. OVERVIEW

One of your important duties as a Director of the State Bar of Texas is to nominate attorney and public members to Grievance Committees in your District. This packet is designed to guide you through that process by:

- (1) Setting out your duties and responsibilities under the Texas Rules of Disciplinary Procedure and Board Policy,
- (2) Setting forth the timeline by which your nominations should be completed,
- (3) Offering logistical assistance through the Chief Disciplinary Counsel's Regional Office serving your Bar District, and
- (4) Providing you with the appropriate forms to make your nominations.

With each Director's consent, the Chief Disciplinary Counsel's Office provides logistical assistance in the administration of committee nomination process. The Chief Disciplinary Counsel's Office is the primary record-keeper for the nomination and appointment of committee members. The Regional Counsel serving your area will notify you of upcoming vacancies in accordance with the enclosed timeline. The Regional Counsel serving your area will notify you of any vacancies that may occur at other times during your term.

The responsibility for the nomination of grievance committee members is solely that of the Directors. However, the Chief Disciplinary Counsel provides a variety of services to assist you in that task. Each potential attorney nomination will be screened for prior attorney discipline. All would-be nominees are asked to consent to a criminal background check.

The Regional Counsel for your District will coordinate with you to assure that the appropriate forms are signed by both Directors and nominees. The Chief Disciplinary Counsel will then forward the nomination to the President for formal appointment, have appointment certificates executed, and send each new member a grievance committee handbook introducing the member to the grievance system. The Regional Counsel will provide a very thorough orientation for new members and training to familiarize new members with the grievance process and applicable rules. If you would like a copy of the grievance committee handbook, please contact the Regional Counsel in your area.

As a member of the Board of Directors, you are prohibited from having or acquiring knowledge about disciplinary matters beyond what is knowable in the public domain. Stated simply, confidentiality extends from the inception of the disciplinary process until either a public sanction is imposed against the respondent lawyer in the evidentiary process or a lawsuit is filed in an open forum, such as a district court or BODA. Even in instances where a Director may have knowledge acquired elsewhere about a disciplinary matter pending at a confidential stage or a matter dismissed as an inquiry, because of the confidentiality rules, the Office of Chief Disciplinary Counsel will be unable to confirm such information or provide any information with regard to confidential

matters.

Both the Chief Disciplinary Counsel and the Commission for Lawyer Discipline periodically report to the Board of Directors regarding the state of the attorney discipline system and annually present for approval a recommended budget for the disciplinary system to the Board as a part of the overall Bar's budget.

ELIGIBILITY FOR GRIEVANCE COMMITTEE MEMBERS

ATTORNEYS:

Any attorney with an active Texas law license in good standing and who has not been convicted of a misdemeanor involving theft, a felony, or a crime involving moral turpitude is eligible for service, provided that he or she resides in or maintains his or her principal place of practice within the District. However, lawyers with prior discipline are usually not nominated. Likewise, lawyers with a history of administrative suspension for non-payment of bar dues or non-compliance with MCLE may not make good candidates. No person may serve as a grievance committee member while he or she is a member of the Board or an active judge subject to Canon 4H of the Code of Judicial Conduct.

PUBLIC MEMBERS:

Any member of the public is eligible to serve on a grievance committee provided he or she meets the following qualifications:

- (1) Must be representative of the general public;
- (2) Have not been convicted of a misdemeanor involving theft, a felony, or a crime involving moral turpitude;
- (3) Is not a member of the State Bar Board of Directors; and
- (4) Does not have, other than as a consumer, a financial interest in the practice of law. "Financial interest in the practice of law" is specifically defined in State Bar Board of Directors Policy as:
 - (a) the spouse of a lawyer;
 - (b) any employee of a lawyer, private law firm, or professional legal corporation;
 - (c) any person who acquires the majority of his or her annual gross income from or through a lawyer, law firm, professional legal corporation by way of professional or consultant fees;

(d) the spouse of any person listed in (b) through (c) above.

In making nominations every Director is requested to consider the following goal set out in Board of Directors Policy:

"It is in the best interest of the public and the lawyers of Texas for the racial, ethnic, and gender makeup of the district grievance committees to fairly represent, as closely as reasonably practicable, the racial, ethnic, and gender makeup of the district they serve. Directors are encouraged to make their district grievance committee appointments so as to continue the fulfillment of this goal and to ensure that lawyer members reflect the various sizes of practice groups."

ALL POTENTIAL NOMINEES:

Each person seeking to serve as a grievance committee member shall, prior to nomination, submit to the Chief Disciplinary Counsel a written consent to the performance of a criminal background check as a prerequisite to nomination.

COMMONLY ASKED QUESTIONS

How will I know how many new committee members to nominate and how many current members could be re-nominated for another term?

Answer: The Regional Counsel serving your district will advise you in February of each year of the number of new members needed for the next term to begin July 1. You may choose to nominate a current member whose term is expiring for another three-year term, if the member is eligible. Members may serve two consecutive three-year terms. Nominations should be submitted to the Regional Counsel who services your region by April 1, utilizing the form included in this manual. Regional Counsel will assist you in the completion of the required forms to implement your nominations.

What information can I obtain about a respondent lawyer or pending grievance case?

Answer: You are not entitled to obtain any information regarding matters dismissed as inquiries, complaints dismissed by summary disposition panels, or disciplinary actions pending before an evidentiary panel. You can get information with respect to any public discipline of an attorney or any lawsuit pending in an open forum, such as a district court or the Board of Disciplinary Appeals.

How do I remove a committee member?

Answer: A committee member who fails or neglects to fulfill the duties of office, including unexcused absences at two or more meeting, may be removed for cause. Rule 4.06(H), Texas Rules of Disciplinary Procedure, provides that the Commission for Lawyer Discipline may recommend removal of a member to the Board of Directors. If a member is no longer eligible because he/she no longer qualifies (either under the TDRP or Board policy) you should notify the President and our office, and the President shall remove the member. Many times a member can be persuaded to resign rather than be removed. Please work with your Regional Counsel to resolve these problems.

What if a committee member becomes ineligible?

Answer: Committee members are requested to notify the Chief Disciplinary Counsel's Office if they become ineligible to serve due to relocation outside the District, change in employment or otherwise. They are given a grievance committee notebook outlining responsibilities and eligibility. An ineligible member should resign the appointment and usually can be persuaded to do so. If an ineligible member refuses to resign, that member can be removed as set out above.

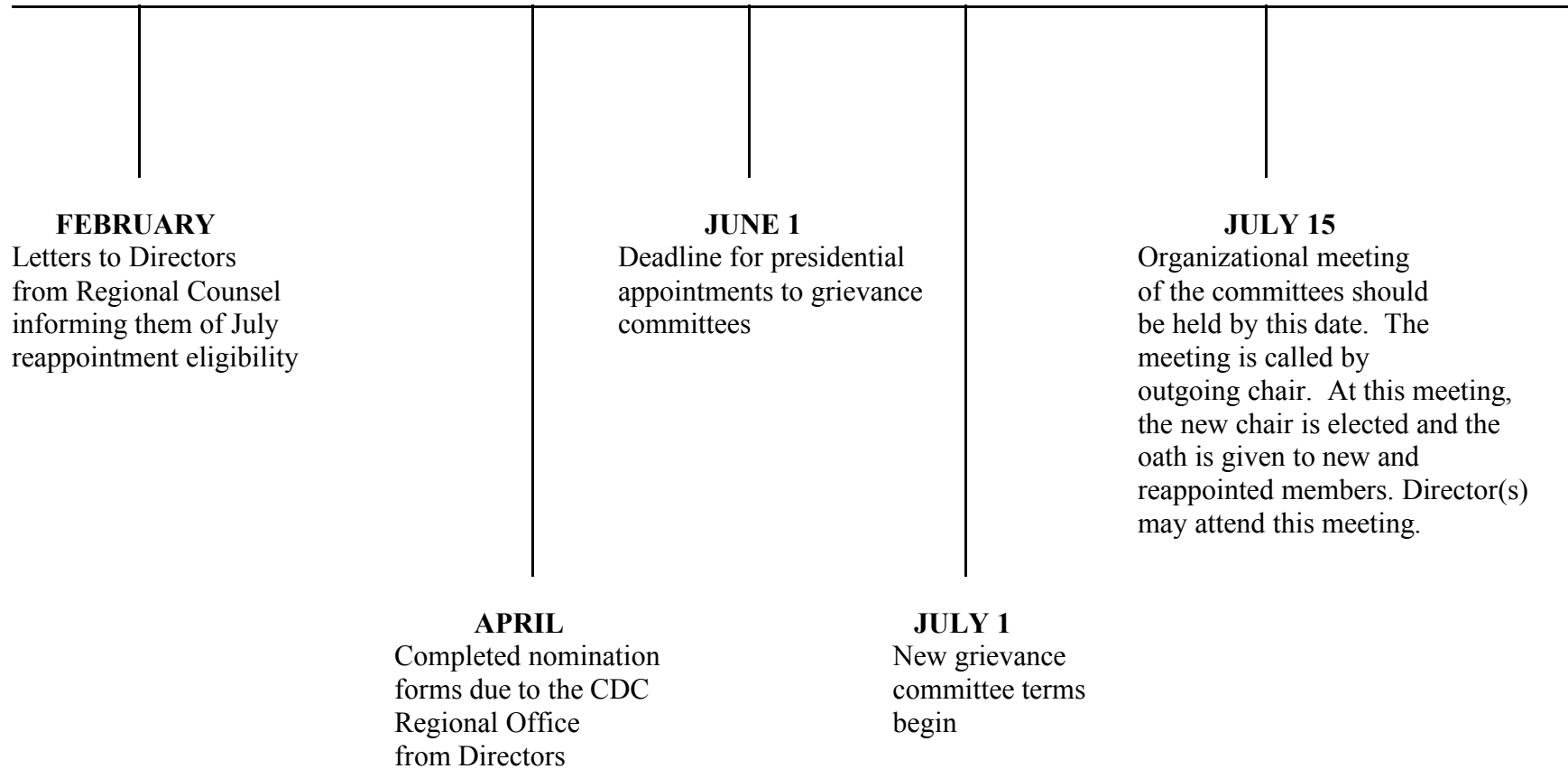
What happens if a grievance is filed against a committee member?

Answer: It is very unlikely that a Director would ever know of such an occurrence because the Director is not privy to that information. By way of information, however, the filing of a grievance does not disqualify an attorney member from service. Any information provided to the Chief Disciplinary Counsel's office about alleged attorney misconduct will proceed in accordance with the protocol as established by the State Bar Act and the Texas Rules of Disciplinary Procedure. If the grievance is classified as a complaint, the committee member will be asked to cease sitting as a grievance committee member until the matter is resolved. The State Bar grievance/discipline process will follow due course.

What is the Director's continuing responsibility with respect to grievance committees in his or district?

Answer: On occasion, a Director may be called upon to assist either district grievance committee chairs or the Chief Disciplinary Counsel in encouraging members to regularly attend called panel meetings. In cases of frequent or habitual absence, a Director may be asked to participate in seeking removal of a grievance committee member.

GRIEVANCE COMMITTEE NOMINATION AND APPOINTMENT TIMELINE



GRIEVANCE COMMITTEE MEMBER NOMINEE FORM

1. TO BE COMPLETED BY DISTRICT DIRECTOR:

TERM: 1st _____
2nd _____
Unexpired _____

I nominate _____ for appointment as a **PUBLIC/ATTORNEY** (circle one) member of the District _____ Grievance Committee.

RESIDING AT: _____
(Street, City, County, and Zip Code)

BUSINESS ADDRESS: _____
(Street, P.O. Box, and/or Building, Suite, City, and Zip Code)

HOME TELEPHONE: (____) _____ BUSINESS TELEPHONE: (____) _____

FAX: (____) _____ E-MAIL ADDRESS: _____

DATE OF BIRTH: _____ DRIVER LICENSE #: _____

PROPOSED TERM TO BEGIN: _____ EXPIRE: _____

DISTRICT DIRECTOR

2. TO BE SIGNED BY ALL NOMINEES:

I have not been convicted of a misdemeanor involving theft, a felony or a crime involving moral turpitude. I am not under indictment or other legal accusation of a misdemeanor involving theft, a felony or a crime involving moral turpitude. I hereby consent to a criminal background check as a prerequisite to my nomination.

I am not currently the subject of a disciplinary proceeding or investigation and am a member in good standing.

I have not served as a member of the grievance committee for two consecutive three-year terms immediately prior to this nomination or three years have passed since my last service.

If appointed, I agree to serve and to actively participate as a member of the State Bar of Texas district grievance committee.

The District Director has explained to me the importance of this position.

I understand that Board Policy prohibits me from counseling or representing any Respondent, Complainant, or any attorney representing any Respondent or Complainant in any disciplinary matter pending or filed while I am serving on the grievance committee.

I understand that Board Policy prohibits me from serving as a grievance committee member while I am a member of the State Bar Board of Directors or while I am serving as an active judge.

I understand that Board Policy prohibits me from sitting on a panel for either a summary disposition hearing or evidentiary hearing if the Respondent or Complainant is represented by a member, associate, employee or shareholder of the law firm or professional corporation of the director who nominated me.

I understand that Board Policy prohibits me from testifying in any capacity in connection with any disciplinary matter pending or filed while I am serving on the grievance committee.

I understand that if I am absent from more than two meetings during the course of a year, I am subject

to removal from office.

I agree to abide by the provisions of the Texas Rules of Disciplinary Procedure, the State Bar Act, and the policies established from time to time by the Board of Directors of the State Bar of Texas relating to grievance committees.

I agree that if at any time during my service I am charged with or indicted for a misdemeanor involving theft, a felony or a crime involving moral turpitude I will immediately notify the Chief Disciplinary Counsel.

NOMINEE

GRIEVANCE COMMITTEE MEMBER NOMINEE FORM FOR: _____
(NAME)

3. TO BE COMPLETED AND SIGNED BY **PUBLIC MEMBER** NOMINEE:

OCCUPATION OR PROFESSION: _____

EMPLOYER: _____

I am not a licensed attorney and, except as a consumer, I have no financial interest in the practice of law. Financial interest includes:

- (1) the spouse of a lawyer;
- (2) an employee of a lawyer, private law firm, or professional legal corporation;
- (3) any person who acquires the majority of his or her annual gross income from or through a lawyer, law firm, or professional legal corporation by way of professional or consultant fees; and
- (4) spouse of any person listed in (2) through (3) above.

PUBLIC MEMBER NOMINEE

4. Furnishing the following information is voluntary on the part of the member. We would like to have this data for the purpose of achieving balanced representation in compliance with Board policy as set forth below:

"The Board of Directors of the State Bar of Texas reaffirms that it is in the best interest of the public and the lawyers of Texas for the racial, ethnic, and gender makeup of the district grievance committees to fairly represent, as closely as reasonably practicable, the racial, ethnic, and gender makeup of the district they serve. Members of the Board are encouraged to make their district grievance committee nominations so that lawyer representatives reflect the various size of practice groups."

GENDER: _____

ETHNICITY: (Please Circle One)

Native American

Asian

White/Caucasian

African-American/Black

Hispanic

Other: _____

—

ATTORNEY NOMINEE: LAW FIRM SIZE (number of attorneys): _____

—

PRIMARY AREA OF PRACTICE: _____