

COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS
ON
ATTORNEY DISCIPLINE

APRIL 2014

Disciplinary Sanctions
December 1, 2013 through February 28, 2014

DISBARMENTS	DISTRICT	Number of Complaints Resolved
Cunningham, Christopher J.	7	1
Turman, Joshua Todd	7	1
Board of Disciplinary Appeals:		
Shoss, Roger Lee	BODA	1
Simon, Patrick Robert	BODA	1
Williams, Eric Lyle	BODA	1
Total	5	5

RESIGNATIONS IN LIEU of DISCIPLINE	DISTRICT	Number of Complaints Resolved
Anderson, Ken	9	1
Endicott, Jr., James	8	3
Foote, Kennitra M.	4	9
Foster, Jr., Joe Anthony	17	1
Total	4	14

SUSPENSIONS	DISTRICT	Number of Complaints Resolved
Baca, Ricardo A.	4	2
Carey, Sean A.	16	3
Clayton, Paul D.	3	1
Clayton, Paul D.	3	1
Clayton, Paul D.	3	1
Cunningham, Christopher J.	7	2
Coker, Simeon Olumide	6	1
Dehoyos, Orlando Flores	15	1
Esquivel, Paul A.	10	4
Esquivel, Paul A.	10	1
Galvan, Jr., Ray	6	1
Garcia, Jr., Felipe	12	1
Gent, Kelly C.	6	1
Gonzalez, Sergio	17	4
Green, Bret Christopher	10	1
Higgins, Ronald Ray	10	2
Higgins, Ronald Ray	12	4
Hood, III, Lester L.	9	4
Jackson, Stephen M.	6	1
Jaggers, Macy Michelle	6	1
Jones, Charles P.	10	1

Jones, Robert M.	6	1
Lafuente, Steven Ryan	6	1
Long, Tara Nicole	4	1
Loya, Raul Hector	6	1
Lucas, James	11	1
McMaster, Douglas Matthew	12	1
Mendiola, Juan L.	12	2
Nolley, Waverly R.	4	1
Phan, Triet Minh	4	1
Ponce, III, Joe Jesse	10	1
Posada, Alberto	7	1
Prendergast, Kevin M.	5	1
Scott, Jeffrey J.	10	2
Seldin, D. Craig	4	1
Stamps, Ingrid K.	7	1
Stamps, Ingrid K.	7	1
Steinheimer, Michael G.	8	1
Stoneham, John M.	3	1
Willette, Jr., Charles V.	12	1
William, Gregory Lance	6	1

Board of Disciplinary Appeals:

Gooding, Alan Edward	BODA	1
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Total	42	61
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PUBLIC REPRIMANDS	DISTRICT	Number of Complaints Resolved
Baskette, William	10	1
Burch, Stanley E.	6	1
Crampton, Mark Wesley	9	2
Duran, Roberto A.	17	1
Hershberger, James Steven	16	1
Total	5	6

PRIVATE REPRIMANDS		
GRIEVANCE COMM.	District	Number of Complaints Resolved
1	2	2
2	1	1
3	1	1
4	2	2
5	1	1
10	2	2
11	2	2
12	2	2
14	1	1
15	1	1
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Total	15	15
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Grievance Referral Program	11	11
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GRAND TOTAL:	82	101

DISCIPLINARY ACTIONS - CURRENT BAR YEAR

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2013-2014*	DISBARMENTS	14		14	
	RESIGNATIONS	15		48	
	SUSPENSIONS	93		120	
	PUBLIC REPRIMANDS	17		18	
	PRIVATE REPRIMANDS	43		50	
	GRIEVANCE REFERRAL PROGRAM	36	218	36	286

*does not reflect year-end figures

DISCIPLINARY ACTIONS - PREVIOUS BAR YEARS

BAR YEARS		Total Sanctions		Total Complaints Resolved	
2012-2013	DISBARMENTS	39		51	
	RESIGNATIONS	24		46	
	SUSPENSIONS	122		160	
	PUBLIC REPRIMANDS	37		40	
	PRIVATE REPRIMANDS	89		91	
	GRIEVANCE REFERRAL PROGRAM	56	367	56	444
2011-2012	DISBARMENTS	38		45	
	RESIGNATIONS	27		87	
	SUSPENSIONS	137		174	
	PUBLIC REPRIMANDS	40		41	
	PRIVATE REPRIMANDS	106		115	
	GRIEVANCE REFERRAL PROGRAM	55	403	55	517
2010-2011	DISBARMENTS	28		52	
	RESIGNATIONS	23		101	
	SUSPENSIONS	157		254	
	PUBLIC REPRIMANDS	40		50	
	PRIVATE REPRIMANDS	77		82	
	GRIEVANCE REFERRAL PROGRAM	46	371	46	585

2009-2010	DISBARMENTS	25		33	
	RESIGNATIONS	22		40	
	SUSPENSIONS	111		169	
	PUBLIC REPRIMANDS	37		47	
	PRIVATE REPRIMANDS	81		89	
	GRIEVANCE REFERRAL PROGRAM	39	315	39	417
2008-2009	DISBARMENTS	32		43	
	RESIGNATIONS	26		104	
	SUSPENSIONS	127		189	
	PUBLIC REPRIMANDS	46		54	
	PRIVATE REPRIMANDS	68		73	
	GRIEVANCE REFERRAL PROGRAM	36	335	36	499
2007-2008	DISBARMENTS	24		63	
	RESIGNATIONS	24		90	
	SUSPENSIONS	121		224	
	PUBLIC REPRIMANDS	28		35	
	PRIVATE REPRIMANDS	69		73	
	GRIEVANCE REFERRAL PROGRAM	33	299	33	518
2006-2007	DISBARMENTS	30			
	RESIGNATIONS	31			
	SUSPENSIONS	110			
	PUBLIC REPRIMANDS	62			
	PRIVATE REPRIMANDS	87	320		
2005-2006	DISBARMENTS	38			
	RESIGNATIONS	17			
	SUSPENSIONS	119			
	PUBLIC REPRIMANDS	62			
	PRIVATE REPRIMANDS	108	344		
	ORDER FOR REHABILITATION				

2003-2004	DISBARMENTS	30	
	RESIGNATIONS	14	
	SUSPENSIONS	113	
	PUBLIC REPRIMANDS	60	
	PRIVATE REPRIMANDS	188	
	ORDER FOR REHABILITATION	54	459

2002-2003	DISBARMENTS	34	
	RESIGNATIONS	11	
	SUSPENSIONS	126	
	PUBLIC REPRIMANDS	68	
	PRIVATE REPRIMANDS	145	
	ORDER FOR REHABILITATION	53	437

COMMISSION FOR LAWYER DISCIPLINE
REPORT TO THE BOARD OF DIRECTORS
APRIL 2014

DISTRICT 01:

**DALLAS ATTORNEY
12/04/2013-PRIVATE REPRIMAND**

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

**DALLAS ATTORNEY
01/28/2014-PRIVATE REPRIMAND**

RULE 1.15(d)
for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

DISTRICT 02:

**DALLAS ATTORNEY
12/16/2013-PRIVATE REPRIMAND**

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

DISTRICT 03:

CLAYTON, PAUL D.: #04342400
12/04/2013-FULLY PROBATED SUSPENSION
12/15/2013-12/14/2014

On December 4, 2013, Paul D. Clayton [#04342400], 53, of Orange, accepted a one-year, fully probated suspension, effective December 15, 2013. An evidentiary panel of the District 3 Grievance Committee found that Clayton previously represented the client in his divorce and was later hired again to prepare a QDRO. Clayton thereafter failed to prepare and/or file the QDRO and further failed to maintain communication with the client

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

H0051132930

CLAYTON, PAUL D.: #04342400
12/04/2013-FULLY PROBATED SUSPENSION
12/15/2013-12/14/2014

On December 4, 2013, Paul D. Clayton [#04342400], 53, of Orange, accepted a one-year, fully probated suspension, effective December 15, 2013. An evidentiary panel of the District 3 Grievance Committee found that Clayton was hired for representation in a misdemeanor case, as well as a related uncontested divorce, if necessary. Clayton thereafter failed to maintain communication with his client. The client terminated the representation and requested a refund of unearned fees; however, Clayton failed to remit said fees.

Clayton violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$3,750.00 in restitution and \$500.00 in attorneys' fees and direct expenses.

H0091133697

CLAYTON, PAUL D.: #04342400
12/04/2013-FULLY PROBATED SUSPENSION
12/15/2013-12/14/2014

On December 4, 2013, Paul D. Clayton [#04342400], 53, of Orange, accepted a two-year, fully probated suspension, effective December 15, 2013. An evidentiary panel of the District 3 Grievance Committee found that Clayton was hired for representation in an uncontested step-parent adoption. Clayton thereafter failed to take any action on his client's behalf for two years until he set a final hearing even though he had not finalized the case. Clayton also failed to communicate with his client.

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

H0021234582

**HOUSTON ATTORNEY
01/30/2014-PRIVATE REPRIMAND**

RULE 1.03(a)

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

**STONEHAM, JOHN M.: #19309730
10/04/2013-FULLY PROBATED SUSPENSION
10/01/2013-03/31/2014**

On October 4, 2013, **John M. Stoneham** [#19309730], 50, of Houston, received a six-month, fully probated suspension, effective October 1, 2013. An evidentiary panel of the District 3 Grievance Committee found that Stoneham was hired for representation in a divorce, but failed to take any action on his client's behalf, failed to communicate with his client, and further failed to refund any unearned fees. Stoneham also failed to respond to the grievance.

Stoneham violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$600.00 in restitution and direct expenses in the amount of \$335.00.

DISTRICT 04:

**BACA, RICARDO A.: #24048333
02/12/2014-PARTIALLY PROBATED SUSPENSION
04/07/2014-04/06/2015-SUSPENSION
04/07/2015-04/06/2017-PROBATION**

On February 12, 2014, **Ricardo A. Baca** [#24048333], 37, of Houston, received a three-year, partially probated suspension, effective April 7, 2014, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that in the first matter, Baca was hired to represent his client's father in a criminal case and was paid an advance payment of attorney's fees, which Baca deposited into his trust account. Within two (2) weeks, the client terminated Baca's employment and requested the return of any unearned fees, which were no longer in Baca's trust account. In the second matter, Baca was hired for representation in a contract dispute. The client paid Baca and the funds were deposited into Baca's trust account; however, Baca almost immediately withdrew all of the funds instead of billing against them during the course of the representation. The client made numerous attempts to contact Baca to ascertain the status of his case, but Baca failed to communicate with the client. In both matters, Baca failed to respond to the grievances.

Baca violated Rules 1.03(a), 1.14(a), and 8.04(a)(8). He was ordered to pay \$10,000.00 in total restitution and \$6,073.36 in attorneys' fees and direct expenses. Baca has filed a notice of appeal.

**FOOTE, KENNITRA M.: #24029552
12/10/2013-RESIGNATION**

On December 10, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Kennitra M. Foote** [#24029552], 41, of Spring. At the time of Foote's resignation, there were nine disciplinary matters pending against her alleging that she neglected a legal matter entrusted to her, failed to abide by a client's decision whether to accept an offer of settlement, failed to keep a client reasonably informed about the status of his legal matter, failed to provide a contingency fee client with a written statement regarding the outcome of the matter, failed to promptly deliver to clients or third persons funds to which they were entitled, failed to refund advance payments of fee that had not been earned, violated a disciplinary judgment, failed to furnish a response to the Chief Disciplinary Counsel's office, and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Foote violated Rules 1.01(b)(1), 1.02(a)(2), 1.03(a), 1.03(b), 1.04(d), 1.14(b), 1.15(d), 8.04(a)(3), 8.04(a)(7), and 8.04(a)(8).

**HOUSTON ATTORNEY
02/06/2014-PRIVATE REPRIMAND**

RULE 1.15(d)

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

**HOUSTON ATTORNEY
02/17/2014-PRIVATE REPRIMAND**

RULE 1.01(b)(1)

for neglecting a legal matter entrusted to the lawyer

RULE 1.01(b)(2)

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

RULE 1.15(d)

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

LONG, TARA NICOLE: 24032680
01/30/2014-PARTIALLY PROBATED SUSPENSION
04/01/2014-04/30/2014: SUSPENSION
05/01/2014-03/31/2015: PROBATION

On January 30, 2014, Tara Nicole Long, [#24032680], 39, of Houston, received a one-year, partially probated suspension, effective April 1, 2014, with the first month actively suspended and the remainder probated. The 11th District Court of Harris County found that Long committed professional misconduct by violating Rule 1.14(a) [requiring a lawyer to keep funds belonging in whole or in part to a client or third person in trust], Rule 1.14(b) [requiring a lawyer to promptly deliver to the client or third person any funds that the client or third person is entitled to receive], Rule 8.04(a)(2) [prohibiting a lawyer from committing a serious crime or committing any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects], Rule 8.04(a)(3) [prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit or misrepresentation], and Rule 8.04(a)(8)[failing to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure]. Long was ordered to pay \$1,000.00 in attorneys' fees and costs.

NOLLEY, WAVERLY R.: #15067420
01/10/2014-FULLY PROBATED SUSPENSION
02/01/2014-07/31/2014

On January 10, 2014, Waverly R. Nolley [#15067420], 54, of Houston, received a six-month, fully probated suspension, effective February 1, 2014. An evidentiary panel of the District 4 Grievance Committee found that Respondent failed to promptly comply with reasonable requests for information from his clients and also failed to explain the status of their personal injury matter to the extent reasonably necessary to permit them to make an informed decision regarding the representation.

Nolley violated Rules 1.03(a) and 1.03(b). He was ordered to pay \$895.00 in attorneys' fees and direct expenses.

PHAN, TRIET MINH: #00797244
11/25/2013-PARTIALLY PROBATED SUSPENSION
12/01/2013-02/28/2014: SUSPENSION
03/01/2014-11/30/2015: PROBATION

On November 25, 2013, Triet Minh Phan [#00797244], 42, of Houston, received a 24-month, partially probated suspension, effective December 1, 2013, with the first three months actively suspended and the remainder probated. The 133rd District Court of Harris County found that Phan committed professional misconduct by violating Rule 1.02(a)(2) [requiring a lawyer to abide by a client's decisions whether to accept an offer of settlement of a matter], Rule 1.03(a) [requiring a lawyer to keep a client reasonable informed about the status of a matter and promptly comply with reasonable requests for information], Rule 8.04(a)(3) [prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit or misrepresentation], and Rule 8.04(a)(11) [prohibiting a lawyer from engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended].

Phan was ordered to pay \$8,881.00 in restitution and \$1,000.00 in attorneys' fees and costs.

SELDIN, D. CRAIG: #18005300
01/29/2014-FULLY PROBATED SUSPENSION
02/01/2014-01/31/2017

On January 29, 2014, **D. Craig Seldin** [#18005300], 61, of Houston, agreed to a three-year, fully probated suspension, effective February 1, 2014. An evidentiary panel of the District 4 Grievance Committee found that Seldin committed criminal acts that reflected adversely on his fitness as a lawyer.

Seldin violated Rule 8.04(a)(2). He was ordered to pay \$600.00 in attorneys' fees.

HOUSTON ATTORNEY
11/26/2013-PRIVATE REPRIMAND

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

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

RULE 1.15(d)
for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client

RULE 8.04(a)(8)
for failing to timely furnish a district grievance committee a response or other information as required unless he/she timely asserts a privilege or other legal ground for failure to do so

PRENDERGAST, KEVIN M.: #24004868
10/29/2013-PARTIALLY PROBATED SUSPENSION
01/01/2014-12/31/2014: SUSPENSION
01/01/2015-12/31/2015: PROBATION

On October 29, 2013, **Kevin M. Prendergast** [#24004868], 49, of Friendswood, received a two-year, partially probated suspension, effective January 1, 2014, with the first year actively suspended and the remainder probated. The 10th District Court of Galveston County found that Prendergast committed professional misconduct by violating Rule 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], Rule 1.14(a) [requiring a lawyer to keep client funds separate from the lawyer's own property], Rule 1.14(c) [requiring a lawyer to keep funds separate until there is an accounting and severance of the interests], and Rule 3.04(d) [forbidding a lawyer from knowingly disobeying a ruling by a tribunal]. Prendergast was ordered to pay \$1,263.00 in attorney's fees and direct expenses.

DISTRICT 06:

**BURCH, STANLEY E.: #03358000
12/13/2013-PUBLIC REPRIMAND**

On December 13, 2013, Stanley E. Burch [#03358000], 71, of Dallas, agreed to a Judgment of Public Reprimand.

The District 6 Grievance Committee found that Burch failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure, and did not in good faith timely assert a privilege or other legal ground for failure to do so.

Burch violated Rule 8.04(a)(8). He was ordered to pay \$1,045.14 in attorneys' fees.

**COKER, SIMEON OLUMIDE: #24049013
12/17/2013-FULLY PROBATED SUSPENSION
12/15/2014-12/14/2016**

On December 17, 2013, Simeon Olumide Coker [#24049013], 37, of Dallas, received a 24-month, fully probated suspension, effective December 15, 2014. The 116th District Court of Dallas County found that Coker violated Rules 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.14(a) [requiring a lawyer to hold funds belonging to a client separate from the lawyer's own property], and 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation].

Coker was ordered to pay \$3,000 in attorneys' fees and direct expenses.

**GALVAN, JR., RAY: #07599300
11/06/2013-FULLY PROBATED SUSPENSION
11/15/2013-10/14/2014**

On November 6, 2013, Ray Galvan, Jr. [#07599300], 51, of Addison, received a one-year, fully probated suspension, effective November 15, 2013. An evidentiary panel of the District 6 Grievance Committee found that in representing Complainant in a personal injury case, Galvan neglected the matter entrusted to him, failed to abide by Complainant's decision whether to accept an offer of settlement of her personal injury matter, failed to keep Complainant reasonably informed about the status of her matter and promptly comply with her reasonable requests for information, and failed to promptly deliver to a third party the funds that the party was entitled to receive.

Galvan violated Rules 1.01(b)(1), 1.02(a)(2), 1.03(a), and 1.14(b). He was ordered to pay \$5,062.50 in attorneys' fees and \$3,230.53 in direct expenses. Galvan filed an appeal on November 15, 2013.

**GENT, KELLY C.: #24038916
01/07/2014-ACTIVE SUSPENSION
12/01/2013-12/01/2014**

On January 7, 2014, Kelly C. Gent [#24038916], 36, of Kaufman, received a one-year, active suspension, effective December 1, 2013. In representing Complainant, Gent neglected the family law matter and failed to keep Complainant reasonably informed about the status of her case. Further, upon termination of representation, Gent failed to surrender papers and property to which Complainant was entitled.

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

JACKSON, STEPHEN M.: #10496450
02/20/2014-FULLY PROBATED SUSPENSION
02/20/2014-08/19/2015

On February 20, 2014, **Stephen M. Jackson** [#10496450], 58, of Irving, agreed to an 18-month, probated suspension, effective February 20, 2014. The District 6 Grievance Committee found in representing Complainant in his family law matter, Jackson neglected the legal matter entrusted to him by failing to perform any legal services. Jackson failed to keep Complainant reasonably informed about the status of his matter and failed to promptly comply with reasonable requests for information from Complainant. Upon termination of representation in Complainant's matter, Jackson failed to refund advance payments of fee that had not been earned.

Jackson violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$1,750.00 in attorneys' fees and \$2,500.00 in restitution.

JAGGERS, MACY MICHELLE: #24030489
12/13/2013-FULLY PROBATED SUSPENSION
12/15/2013-06/14/2014

On December 13, 2013, **Macy Michelle Jagers** [#24030489], 41, of Dallas, received a six-month, probated suspension, effective December 15, 2013.

The District 6 Grievance Committee found that Jagers failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure, and did not in good faith timely assert a privilege or other legal ground for failure to do so. Jagers engaged in the practice of law when her right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Jagers violated Rules 8.04(a)(8) and 8.04(a)(11). She was ordered to pay \$1,531.40 in attorneys' fees and direct expenses.

JONES, ROBERT M.: #10951000
02/13/2014-PARTIALLY PROBATED SUSPENSION
02/11/2014-02/10/2015: SUSPENSION
02/11/2015-02/10/2019: PROBATION

On February 13, 2014, **Robert M. Jones** [#10951000], 69, of Dallas, agreed to a five-year, partially probated suspension, effective February 11, 2014, with the first year actively served and the remainder probated. The 95th District Court of Dallas County found that Jones committed Professional Misconduct by violating Rules 1.01(b)(1) [In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer], 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], and 1.15(d) [Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client 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]. Jones was ordered to pay attorneys' fees and direct expenses in the sum of \$1,500.00.

LAFUENTE, STEVEN RYAN: #24032522
12/12/2013-PARTIALLY PROBATED SUSPENSION
12/01/2014-11/30/2015: SUSPENSION
12/01/2015-11/30/2017: PROBATION

On December 12, 2013, Steven Ryan Lafuente [#24032522], 44, of Forney, received a three-year, partially probated suspension, effective December 1, 2014, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that Lafuente was hired to represent his client in several pending criminal matters and that upon termination of the representation, Lafuente failed to surrender papers and property to which his client was entitled. Lafuente also failed to respond to the complaint.

Lafuente violated Rules 1.15(d) and 8.04(a)(8). He was ordered to pay \$1,100.00 in attorneys' fees and direct expenses.

LOYA, RAUL HECTOR: #00791142
01/13/2014-ACTIVE SUSPENSION
08/01/2014-10/30/2014

On January 31, 2014, Raul Hector Loya [#00791142], 50, of Dallas, received a 90-day, active suspension, effective August 1, 2014. The 192nd District Court of Dallas County found that Loya committed Professional Misconduct by violating Rules 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information] and 8.04(a)(8) [requiring a lawyer to timely furnish to the Chief Disciplinary Councils office a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he in good faith timely asserts a privilege or other legal ground for failure to do so].

Loya was ordered to pay attorneys' fees and direct expenses in the sum of \$11,701.18.

WILLIAMS, GREGORY LANCE: #24053550
11/15/2013-PARTIALLY PROBATED SUSPENSION
11/08/2013-11/17/2016: SUSPENSION
11/08/2016-11/07/2017: PROBATION

On November 15, 2013, Gregory Lance Williams [#24053550], 43, of Frisco, received a four-year, partially probated suspension, effective November 8, 2013, with the first three years actively served and the remainder probated.

The District 6 Grievance Committee found that Williams failed to keep Complainant reasonably informed about the status of her legal matters. The contingent fee agreement entered into with Complainant failed to state the method by which the fee was to be determined. The contingent fee agreement entered into with Complainant failed to differentiate the percentage or percentages that would accrue to Williams in the event of settlement, trial, or appeal and the percentage of each; and failed to state the litigation and other expenses to be deducted from the recovery and whether such expenses were to be deducted before or after the contingent fee was calculated. Williams failed to promptly deliver to Complainant funds that Complainant was entitled to receive. Upon request by Complainant, Williams failed to promptly render a full accounting regarding such funds. Williams engaged in the practice of law when his right to practice had been administratively suspended for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education.

Williams violated Rules 1.03(a), 1.04(d), 1.14(b), and 8.04(a)(11). He was ordered to pay \$2,070.58 in attorneys' fees and \$19,851.62 in restitution. Williams filed an appeal on December 17, 2013.

DISTRICT 07:

CUNNINGHAM, CHRISTOPHER J.: #24048414
10/11/2013-PARTIALLY PROBATED SUSPENSION
10/02/2013-10/01/2015: SUSPENSION
10/02/2015-10/01/2016: PROBATION

On October 11, 2013, **Christopher J. Cunningham** [#24048414], 39, of Fort Worth, received a three-year, partially probated suspension, effective October 2, 2013, with the first two years being an active suspension and the remainder being probated. An Evidentiary Panel of the District 7 Grievance Committee found that in one matter, Cunningham neglected the family law matter entrusted to him, and failed to keep his client reasonably informed about the status of her case. Upon termination of representation, Cunningham failed to refund an advance payment of a fee that had not been earned. Further, Cunningham failed to timely furnish a response to the grievance, or assert any grounds for his failure to do so.

In the second matter, Cunningham failed to communicate and keep his client reasonably informed about the status of his family law matter.

Cunningham violated Rules 1.01(b)(1), 1.03(a), 1.15(d) and 8.04(a)(8). He was ordered to pay \$2,033.45 in attorneys' fees and direct expenses, and \$2,700.00 in restitution.

CUNNINGHAM, CHRISTOPHER J.: #24048414
12/23/2013-DISBARMENT

On December 23, 2013, **Christopher J. Cunningham** [#24048414], 39, of Fort Worth, was disbarred. An evidentiary panel of the District 7 Grievance Committee found that Cunningham failed to keep Complainant reasonably informed about the status of her civil matter. Cunningham accepted representation of Complainant when the representation would result in violation of Tex. Disciplinary Rule of Professional Conduct 3.08. Cunningham engaged in the practice of law when his right to practice had been suspended. Further, Cunningham 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.

Cunningham violated Rules 1.03(a)(1), 1.15(a)(1), 8.04(a)(8) and 8.04(a)(11). He was ordered to pay \$1,168.95 in attorneys' fees and direct expenses and \$1,350.00 in restitution.

POSADA, ALBERTO: #24039360
10/31/2013-FULLY PROBATED SUSPENSION
01/01/2014-12/31/2014

On October 31, 2013, **Alberto Posada** [#24039360], 42, of Euless, received a one-year, fully probated suspension, effective January 1, 2014. An evidentiary panel of the District 7 Grievance Committee found that Posada neglected the legal matters entrusted to him by failing to appear at hearings regarding bond reductions. Posada failed to keep the clients reasonably informed about the status of their criminal matters and failed to promptly comply with reasonable requests for information from the clients about their criminal matters. Upon termination of representation, Posada also failed to refund advance payments of fee that had not been earned.

Posada violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$5,000.00 in restitution, \$1,912.50 in attorneys' fees, and \$365.87 in direct expenses. Posada filed an appeal on November 27, 2013.

STAMPS, INGRID K.: #19025050
12/16/2013-ACTIVE SUSPENSION
12/31/2013-10/31/2016

On December 16, 2013, **Ingrid K. Stamps** [#19025050], 53, of Fort Worth, received a 34-month, active suspension, effective December 31, 2013. An evidentiary panel of the District 7 Grievance Committee found that Stamps violated a disciplinary judgment by practicing law while her right to practice was suspended.

Stamps violated Rules 8.04(a)(7) and 8.04(a)(11). She was ordered to pay \$4,751.25 in attorneys' fees and direct expenses.

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STAMPS, INGRID K.: #19025050
01/03/2014-ACTIVE SUSPENSION
11/01/2016-10/31/2019

On January 3, 2014, **Ingrid K. Stamps** [#19025050], 53, of Arlington, received a three-year, active suspension, effective November 1, 2016. The 96th District Court of Tarrant County, found that Stamps committed professional misconduct by violating Rule 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], Rule 1.01(b)(2) [prohibiting a lawyer from frequently failing to carry out completely the obligations that the lawyer owes to a client], and Rule 3.04(d) [prohibiting a lawyer from knowingly disobeying a ruling by a tribunal].

Stamps was ordered to pay \$2,400.00 in restitution and \$4,417.43 in attorneys' fees and direct expenses.

096-256578-11 07

TURMAN, JOSHUA TODD: #24013661
12/26/2013-DISBARMENT

On December 26, 2013, **Joshua Todd Turman** [#24013661], 41, of Arlington, was disbarred. An evidentiary panel of the District 7 Grievance Committee found that Turman failed to abide by Complainant's decision whether to accept an offer of settlement in her personal injury claim; failed to keep Complainant reasonably informed about the status of her case; failed to promptly comply with reasonable requests for information from Complainant about her case; failed to explain the matter to the extent reasonably necessary to permit Complainant to make informed decisions regarding the representation; and failed to keep Complainant's settlement funds in a separate trust account. Upon receiving funds in which Complainant had an interest, Turman failed to promptly notify Complainant. Turman failed to promptly deliver to Complainant funds that Complainant was entitled to receive; failed to keep funds belonging to Turman separate until there was an accounting and severance of their interest; and failed to respond to the grievance. Turman engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Turman violated Rules 1.02(a)(2), 1.03(a), 1.03(b), 1.14(a), 1.14(b), 1.14(c), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$1,670.51 in attorneys' fees and direct expenses and \$18,750.00 in restitution.

DISTRICT 08:

ENDICOTT, JR., JAMES: #06613800
12/10/2013-RESIGNATION

On December 10, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **James A. Endicott, Jr.** [#06613800], 75, of Harker Heights. At the time of Endicott's resignation, three disciplinary matters were pending. In one matter, Endicott failed to promptly deliver funds to a client and in another matter he violated a disciplinary judgment. In two of the matters, Endicott neglected the legal matters entrusted to him and failed to return unearned fees. In all of the matters, Endicott failed to promptly comply with reasonable requests for information and further failed to furnish written responses to the complaints as directed.

Endicott violated 1.01(b)(1), 1.03(a), 1.14(b), 1.15(d), 8.04(a)(1), 8.04(a)(7) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct

STEINHEIMER, MICHAEL G.: #19135900
12/19/2013-FULLY PROBATED SUSPENSION
11/01/2014-12/31/2014

On December 19, 2013, **Michael G. Steinheimer** [#19135900], 67, of Temple, received a one-year, agreed judgment of fully probated suspension, effective January 1, 2014. An evidentiary panel of the District 8 Grievance Committee found that Complainant hired Steinheimer to represent her in a divorce proceeding. After the final hearing on February 15, 2012, Steinheimer failed to complete and file the income withholding documents necessary for Complainant to receive child support pursuant to the terms of the divorce decree. Additionally, Steinheimer did not prepare a power of attorney to allow Complainant to transfer title to a motor vehicle until January 7, 2013. Throughout the representation, Complainant attempted numerous times to contact Steinheimer by telephone, text and email to ascertain the status of her divorce but Steinheimer failed to respond.

Steinheimer violated Rules 1.01(b)(1), 1.03(a) and 8.04(a)(1). He was ordered to pay \$1,275.60 in attorneys' fees and costs.

DISTRICT 09:

ANDERSON, KEN: #01196500
11/19/2013-RESIGNATION

On November 19, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Ken Anderson** [#01196500], 61 of Georgetown. At the time of Anderson's resignation, Case No. 12-1093-C26, styled *Commission for Laywer Disicpline v. Ken Anderson* was pending in the 26th District Court of Williamson County, Texas, which alleged the following: In August of 1986, Christine Morton was murdered in Williamson County, Texas. Ken Anderson was the Williamson County District Attorney and lead prosecutor in the case against Michael Morton, who was charged with his wife's murder. The case against Michael Morton went to a jury trial in February of 1987. The defense theory at trial was that the murder was committed by an unknown intruder. The jury found Michael Morton guilty of murder, and he was sentenced to life in prison. In 2011, Michael Morton was exonerated of his wife's murder.

Before, during, and after the 1987 trial, Anderson knew of the existence of evidence that tended to negate the guilt of Michael Morton and failed to disclose that evidence to defense counsel. Further, during a pre-trial hearing on February 6, 1987, Anderson told the trial court that he had no evidence favorable to the accused. That statement was false.

Anderson violated Disciplinary Rules 1-102(a)(1), 1-102(a)(5), 7-102(a)(5) and 7-103(b).

**CRAMPTON, MARK WESLEY: #00789786
01/13/2014-PUBLIC REPRIMAND**

On January 13, 2014, **Mark Wesley Crampton** [#00789786], 60, of Austin, received a public reprimand. The 53rd District Court of Travis County found that Crampton violated Rule 5.03(a) which requires attorneys having direct supervisory authority over a non-lawyer to make reasonable efforts to ensure that their conduct is compatible with the professional obligations of the lawyer. Crampton was ordered to pay \$2,043.97 in attorneys' fees and costs.

**HOOD, III, LESTER L.: #09943410
12/20/2013-PARTIALLY PROBATED SUSPENSION
01/15/2014-01/14/2015: SUSPENSION
01/15/2015-01/14/2020: PROBATION**

On December 20, 2013, **Lester L. Hood, III** [#09943410], 49, of Austin, received a six-year, partially probated suspension, effective January 15, 2014, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Hood committed misconduct in four cases. Hood failed to take any meaningful action on clients' cases, failed to respond to attempts by clients to contact him, failed to return unearned fees and failed to return clients' files. Hood further failed to furnish written responses to the complaints as directed.

Hood violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(1), and 8.04(a)(8). He was ordered to pay \$6,238.32 in attorneys' fees and direct expenses and \$2,500.00 in restitution to one Complainant.

DISTRICT 10:

**BASKETTE, WILLIAM: #01871400
01/30/2014-PUBLIC REPRIMAND**

On January 30, 2014, **William Baskette** [#01871400], 58, of San Antonio, received a public reprimand. The District 10 Grievance Committee found that Baskette failed to communicate with his client and failed to return unearned fees and costs to his client.

Baskette violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$695.00 in restitution and \$1,562.50 in attorneys' fees and expenses.

**ESQUIVEL, PAUL A.: #00797917
01/27/2014-FULLY PROBATED SUSPENSION
01/15/2014-01/14/2020**

On January 27, 2014, **Paul A. Esquivel** [#00797917], 45, of San Antonio, accepted a six-year, fully probated suspension, effective January 15, 2014. The District 10 Grievance Committee found that Esquivel neglected a client's matter, failed to communicate with clients, failed to obtain prior consent from a client before entering into a fee arrangement for outside counsel to handle the representation, failed to refund unearned fees, failed to return a client's file and also failed to supervise non-lawyer staff in immigration matters.

Esquivel violated Rules 1.03(a) and (b), and 5.03(a) and (b). He was ordered to pay \$200.00 attorneys' fees and direct expenses.

201300315

ESQUIVEL, PAUL A.: #00797917
01/03/2014-FULLY PROBATED SUSPENSION
01/15/2014-01/14/2020

On January 03, 2014, **Paul A. Esquivel** [#00797917], 45, of San Antonio, accepted a six-year, fully probated suspension, effective January 15, 2014. The District 10 Grievance Committee found that Esquivel neglected a client's matter, failed to communicate with clients, failed to obtain prior consent from a client before entering into a fee arrangement for outside counsel to handle the representation, failed to refund unearned fees, failed to return a client's file and also failed to supervise non-lawyer staff in immigration matters.

Esquivel violated Rules 1.01(b)(2), 1.03(a) and (b), 1.04(g), 1.15(d), and 5.03(a) and (b). He was ordered to pay \$800.00 attorneys' fees and direct expenses.

201302204, 201302600, 201302975, & 201303230

GREEN, BRET CHRISTOPHER: #24027210
11/30/2013-ACTIVE SUSPENSION
01/29/2014-07/28/2014

On November 30, 2013, **Bret Christopher Green** [#24027210], 46, of San Antonio, agreed to a six-month, active suspension, effective January 29, 2014. The District 10 Grievance Committee found that in a real estate litigation matter, Green neglected the legal matter and falsely represented to his client that a settlement had been negotiated with the opposing party. After the grievance was filed, Green falsely stated he returned fees to his client when he had not and also failed to respond to a request for additional information.

Green violated Rules 1.01(b)(1), 1.03(a), 8.01(b) and 8.04(a)(3). He and was ordered to pay \$750.00 in restitution and \$1,000.00 in attorneys' fees and direct expenses.

HIGGINS, RONALD RAY: #00795784
02/07/2014-FULLY PROBATED SUSPENSION
02/01/2014-07/31/2014

On February 7, 2014, **Ronald Ray Higgins** [#00795784], 51, of San Antonio, received a six-month, fully probated suspension, effective February 1, 2014. The District 10 Grievance Committee found that Higgins neglected clients' matters, failed to communicate with clients, failed to surrender property to a client, failed to properly supervise his non-lawyer employee and knowingly assisted another in violating the disciplinary rules.

Higgins violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 5.03(b)(1), and 8.04(a)(1) and was ordered to pay \$1,000.00 in attorneys' fees and direct expenses.

S0120922987, S0031023401

JONES, CHARLES P.: #10866900
01/13/2014-ACTIVE SUSPENSION
02/17/2014-05/16/2014

On January 13, 2014, **Charles P. Jones** [#10866900], 66, of San Antonio, received a three-month, active suspension, effective February 17, 2014. The 285th District Court of Bexar County found that Jones committed professional misconduct by violating Rules 8.04(a)(1)&(11) [a lawyer shall not engage in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated].

Jones violated Rules 8.04(a)(1)&(11). He was ordered to pay \$1,500.00 in attorneys' fees and direct expenses.

2013-CI-02522, S0061227317

SAN ANTONIO ATTORNEY
11/27/2013-PRIVATE REPRIMAND

RULE 1.15(d)

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

SAN ANTONIO ATTORNEY
01/08/2014-PRIVATE REPRIMAND

RULE 1.01(b)(1)

for neglecting a legal matter entrusted to the lawyer

RULE 1.03(a)

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

PONCE, III, JOE JESSE: #24014329
11/25/2013-FULLY PROBATED SUSPENSION
12/01/2013-11/30/2018

On November 25, 2013, **Joe Jesse Ponce III** [#24014329], 55, of San Antonio, received a five-year, fully probated suspension, effective December 1, 2013. The District 10 Grievance Committee found that Ponce neglected the legal matter entrusted to him, failed to inform client he had received \$26,000.00 from the opposing party, failed to hold client's funds separate from his own property and also failed to return funds to his client.

Ponce violated Rules 1.01(b)(1), 1.03(b), 1.14(a), 1.15(d). He was ordered to pay \$26,000.00 in restitution and \$5,034.79 in attorneys' fees and direct expenses.

SCOTT, JEFFREY J.: #17900800
12/26/2013-FULLY PROBATED SUSPENSION
01/01/2014-12/31/2014

On December 26, 2013, Jeffrey J. Scott [#17900800], 61, of San Antonio, accepted a one-year, fully probated suspension, effective January 1, 2014. The District 10 Grievance Committee found that Scott neglected client's matters, failed keep clients reasonably informed, failed to refund unearned fees, and also failed to timely respond to the grievances.

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

DISTRICT 11:

SAN ANTONIO ATTORNEY
11/18/2013-PRIVATE REPRIMAND

RULE 1.03(a)

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

RULE 1.15(d)

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

LUCAS, JAMES: #2400040
12/12/2013-FULLY PROBATED SUSPENSION
01/01/2014-03/31/2014

On December 12, 2013, James Lucas [#24011140], 50, of Corpus Christi, accepted a three-month, fully probated suspension, effective January 1, 2014. The District 11th Grievance Committee found that Lucas neglected a client's matter.

Lucas violated Rules 1.01(b)(1) and was ordered to pay \$2,250.00 in restitution and \$800.00 attorneys' fees and direct expenses.

SAN ANTONIO ATTORNEY
01/31/2014-PRIVATE ATTORNEY

RULE 1.03(a)

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

RULE 1.03(b)

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

DISTRICT 12:

GARCIA, JR., FELIPE: #07633000
11/04/2013-FULLY PROBATED SUSPENSION
11/01/2013-10/31/2015

On November 4, 2013, **Felipe Garcia, Jr.** [#07633000], 58, of Edinburg, received a two-year, fully probated suspension, effective November 1, 2013. The 93rd District Court of Hidalgo County found that Garcia committed professional misconduct by violating Rules 1.04(d) [contingent fee agreement shall be in writing and shall state the method by which the fee is to be determined], 1.14(a) [failing to hold funds and other property belonging in whole or part to clients or third persons in a lawyer's possession separate from the lawyer's own property], 1.14(b) [failing, upon receiving funds or other property in which a client or third person has an interest, to promptly notify the client or third person and render a full accounting upon request]. Garcia was ordered to pay \$5,000.00 in attorneys' fees and direct expenses.

SAN ANTONIO ATTORNEY
11/21/2013-PRIVATE REPRIMAND

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

HIGGINS, RONALD RAY: #00795784
02/12/2014-FULLY PROBATED SUSPENSION
02/01/2014-01/31/2016

On February 12, 2014, **Ronald Ray Higgins** [#00795784], 51, of San Antonio, received a two-year, fully probated suspension, effective February 1, 2014. An evidentiary panel of the District 12 Grievance Committee found in connection with three grievances, Higgins employee improperly communicated with one represented by counsel and Higgins permitted a non-lawyer employee to initiate in-person contact with prospective clients to seek professional employment. Higgins failed to properly supervise his non-lawyer employees and assisted another in violating the disciplinary rules. Higgins also failed to respond to one grievance.

Higgins violated Rules 4.02(a), 5.03(b)(1), 7.03(a)&(b), 8.04(a)(1) and 8.04(a)(8) and was ordered to pay \$5,000.00 in attorney's fees and direct expenses.

H0031132733, H0031132734, H0041132807 and S0061125500

MCMASTER, DOUGLAS MATTHEW: #13786020
10/25/2013-FULLY PROBATED SUSPENSION
11/01/2013-10/31/2015

On October 25, 2013, **Douglas Matthew McMaster** [#13786020], 51, of Brownsville, received a two-year, fully probated suspension, effective November 1, 2013. An evidentiary panel of the District 12 Grievance Committee found that McMaster neglected a client's matter and also failed to respond to a client's request for information.

McMaster violated Rules 1.01(b) and 1.03(a) and was ordered to pay \$850.00 in restitution and \$3,325.00 in attorneys' fees and direct expenses.

MENDIOLA, JUAN L.: #24060276
12/10/2013-FULLY PROBATED SUSPENSION
10/18/2013-10/17/2014

On December 10, 2013, **Juan L. Mendiola** [#24060276], 32, of Brownsville, accepted a one-year, fully probated suspension, effective October 18, 2013. The District 12 Grievance Committee found that Mendiola, failed to carry out the obligations owed to a client and also failed to communicate with a client.

Mendiola violated Rules 1.01(b)(2), 1.03(b) and 1.03(b) and was ordered to pay \$800.00 attorneys' fees and direct expenses.

SAN ANTONIO ATTORNEY
02/10/2014-PRIVATE REPRIMAND

RULE 1.03(a)

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

WILLETTE, JR., CHARLES V.: #21509700
12/09/2013-FULLY PROBATED SUSPENSION
12/01/2013-11/30/2014

On December 9, 2013, **Charles V. Willette, Jr.** [#21509700], 68, of Cameron County, accepted a one-year, fully probated suspension, effective December 1, 2013. The District 12 Grievance Committee found that Willette engaged in an ex parte communication with a judge.

Willette violated Rule 3.05(b) and agreed to pay \$1,500.00 in attorneys' fees and direct expenses.

DISTRICT 14:

DALLAS ATTORNEY
12/13/2013-PRIVATE REPRIMAND

RULE 1.14(b)

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

SAN ANTONIO ATTORNEY
02/13/2014-PRIVATE REPRIMAND

RULE 1.03(a)

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

DISTRICT 15:

**DEHOYOS, ORLANDO FLORES: #05644080
01/24/2014-FULLY PROBATED SUSPENSION
01/15/2014-01/14/2015**

On January 24, 2014, **Orlando Flores DeHoyos** [#05644080], 54, of San Angelo, accepted a one-year, fully probated suspension, effective January 15, 2014. The District 15 Grievance Committee found that DeHoyos failed to communicate with a client, failed to return an unearned fee and engaged in the practice of law while his license was suspended.

DeHoyos violated Rules 1.03(a) & (b), 1.15(d), and 8.04(a)(11). He was ordered to pay \$500.00 attorneys' fees and direct expenses.

DISTRICT 16:

**CAREY, SEAN A.: #24074001
11/20/2013-FULLY PROBATED SUSPENSION
10/18/2013-10/17/2015**

On November 20, 2013, **Sean A. Carey** [#24074001], 29, of Lubbock, agreed to a two-year, fully probated suspension, effective October 18, 2013. The District 16 Grievance Committee found that Carey neglected three clients' legal matters, failed to communicate with clients, failed to refund unearned fees to two clients, failed to return a client's file and also failed to respond to the grievances.

Carey violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8) and was ordered to pay \$4,700.00 in restitution and \$400.00 in attorneys' fees and direct expenses.

**HERSHBERGER, JAMES STEVEN
11/26/2013-PUBLIC REPRIMAND**

On November 26, 2013, **James Steve Hershberger** [#09543950], 56, of Midland, accepted a public reprimand. The District 16 Grievance Committee found that Hershberger failed to withdraw from representation, when representation would result in violation of the Texas Rules of Professional Conduct.

Hershberger violated Rule 1.15(a) and was ordered to pay \$400.00 in attorneys' fees and direct expenses.

DISTRICT 17:

**DURAN, ROBERTO A.: #06272200
12/18/2013-PUBLIC REPRIMAN**

On December 18, 2013, **Roberto A. Duran** [#06272200], 59, of El Paso, accepted a public reprimand. The District 17 Grievance Committee found that Duran had direct supervisory authority over his non-lawyer staff and failed to make reasonable efforts to ensure that the person's conduct was compatible with the professional obligations of a lawyer.

Duran violated Rules 5.03(a) and (b). He agreed to pay \$500.00 in attorneys' fees and direct expenses.

FOSTER, JR., JOE ANTHONY: #07305300
12/10/2013-RESIGNATION

On December 10, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Joe Anthony Foster, Jr.** [#07305300], 63, of Fort Davis. At the time of Foster's resignation, there was one disciplinary matter pending alleging Foster violated his fiduciary duties by misapplying client funds, neglected legal matters of a client, represented a person when the representation of that person was adverse to his own interests, submitted false accountings to a tribunal and committed criminal and fraudulent acts.

Foster allegedly violated Rules 1.01(b)(2), 1.04(a), 1.06(b)(2), 3.03(a)(1),(2),(5), 3.04(b), and 8.04(a)(2),(3),(4).

GONZALEZ, SERGIO: #00784147
01/03/2014-FULLY PROBATED SUSPENSION
01/01/2014-12/31/2014

On January 3, 2014, **Sergio Gonzalez** [#00784147], 48, of El Paso, received a one-year, fully probated suspension, effective January 1, 2014. The 205th District Court of El Paso County found that Gonzalez committed professional misconduct by violating Rules 1.01(b)(1) [in representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer], 1.15(a)(3) [a lawyer shall decline to represent a client or, where representation has commenced, shall withdraw from the representation of a client, if the lawyer is discharged, with or without good cause], 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], 3.02 [in the course of litigation, a lawyer shall not take a position that unreasonably increases the costs or other burdens of the case or that unreasonably delays resolution of the matter], 3.03(a) [a lawyer shall not knowingly make a false statement of material fact or law to a tribunal], 3.04(d) [a lawyer shall not knowingly disobey, or advise the client to disobey, an obligation under the standing rules of or a ruling by a tribunal except for an open refusal based either on an assertion that no valid obligation exists or on the client's willingness to accept any sanctions arising from such disobedience], 5.03(b) [a lawyer shall be subject to discipline for the conduct of a non-lawyer employed or retained by the lawyer that would be a violation of these rules if engaged in by a lawyer if the lawyer with knowledge of such misconduct by the nonlawyer knowingly fails to take reasonable remedial action to avoid or mitigate the consequences of that person's misconduct], 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation].

Gonzalez violated Rules 1.01(b)(1), 1.15(a)(3), 1.15(d), 3.02, 3.03(a), 3.04(d), 5.03(b) and 8.04(a)(3). He was ordered to pay \$10,000.00 in attorneys' fees, \$3,631.00 in direct expenses and \$800.00 in restitution.

Board of Disciplinary Appeals:

GOODING, ALAN EDWARD: #24028488
02/03/2014-ACTIVE SUSPENSION
02/03/2014-02/04/2017

On February 3, 2014, the Board of Disciplinary Appeals signed a default judgment of suspension of Tucson, Arizona attorney, **Alan Edward Gooding**, 40, State Bar of Texas Card No. 24028488. Mr. Gooding was suspended from the practice of law for three years by the Supreme Court of Arizona on or about November 14, 2012 in *In the Matter of a Suspended Member of the State Bar of Arizona, Alan E. Gooding, Bar No. 023060, Respondent*, PDJ-2012-9070, for violating these Arizona Rules of Professional Conduct: Rule 1.2(a); Rule 1.3 (three counts); Rule 1.4(a)(1) (three counts); Rule 1.4(a)(3); Rule 1.4(a)(4) (two counts); Rule 1.8(a); Rule 1.15(a); Rule 3.2 (two counts); Rule 5.5(a); Rule 8.1(b) (eight counts); Rule 8.4(c); and Rule 8.4(d) Mr. Gooding is suspended from the practice of law in Texas for three years, beginning February 3, 2014.

SHOSS, ROGER LEE: #18304000
02/03/2014 DISBARMENT

On February 3, 2014, the Board of Disciplinary Appeals signed a final judgment of disbarment against Houston attorney **Roger Lee Shoss**, 69, State Bar of Texas Card No. 18304000. On or about August 9, 2012, Mr. Shoss was convicted conspiracy to commit wire fraud, an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, and sentenced to serve 18 months in prison followed by supervised release for three years (monitored home detention for three years) in *United States of America v. Roger Lee Shoss*, Case No. 8:11-CR-366-T-30TBM, United States District Court for the Middle District of Florida, Tampa Division. On February 4, 2013, the Board signed an interlocutory order of suspension against Mr. Shoss during the appeal of his criminal conviction. The U.S. Court of Appeals for the 11th Circuit affirmed his conviction August 26, 2013 and issued its mandate.

SIMON, PATRICK ROBERT: #24051341
02/03/2014-DISBARMENT

On February 3, 2014, the Board of Disciplinary Appeals signed a judgment of disbarment against Sachse attorney **Patrick Robert Simon**, 35, State Bar of Texas Card No. 24051341. On or about December 10, 2012, Simon pled guilty to money laundering in violation of 18 U.S.C. §1956(a)(3)(B), a first degree felony, an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in case 3-12CR-414-P, styled, *United States of America v. Patrick Robert Simon (1)*, in the United States District Court for the Northern District of Texas, Dallas Division. On September 26, 2013 a judgment was entered and Simon was sentenced to 24 months in federal prison, followed by supervised release for two years and ordered to pay an assessment of \$100.00.

WILLIAMS, ERIC LYLE: #24013851
02/03/2014-DISBARMENT

On February 3, 2014, the Board of Disciplinary Appeals signed a final judgment of disbarment against Kaufman attorney **Eric Lyle Williams**, 45, State Bar of Texas Card No. 240138510. On or about April 9, 2012, Williams was found guilty of one count of burglary of a building and one count of theft by a public servant over \$500.00 and less than \$1500.00, Intentional Crimes as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in case number 29823-422 styled, *The State of Texas v. Eric Lyle Williams* in the 422nd District Court of Kaufman County, Texas. Williams was sentenced to two years in Texas Department of Criminal Justice State Jail Division suspended for two years and ordered to perform 80 hours of community service. On October 10, 2012, the Board of Disciplinary Appeals signed an Agreed Interlocutory Suspension pending Williams' appeal of his criminal conviction. The Court of Appeals for the Fifth District of Texas affirmed his criminal conviction.