

COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS
ON
ATTORNEY DISCIPLINE

June 2022

Disciplinary Sanctions
3/1/2022 - 5/31/2022 (YTD)

DISBARMENTS	District	# of Complaints Resolved
Davison, Ward Brackett Bennett	6	2
Davison, Ward Brackett Bennett	6	3
Davison, Ward Brackett Bennett	6	1
Flores, Norberto	10	6
Mayo, Christopher Peter	10	13
Perez, Refugio Rafael	11	2

Board of Disciplinary Appeals:

Daniel, Lawrence "Larry" E.	BODA	1
Total:	7	28

RESIGNATIONS IN LIEU OF DISCIPLINE	District	# of Complaints Resolved
Hernandez, Lee R. R.	10	4
Mendoza, John Luna	4	5
Paternostro, Charles J.	1	1
Pursley, Eric J.	5	1
Thompson, Petrina Lucretia	14	1
Total:	5	12

SUSPENSIONS	District	# of Complaints Resolved
Cashin, Herschel P.	4	1
Eudy, Gary L.	4	1
Fleming, John Davidson II	14	2
Fleming, John Davidson II	14	1
Ford, Timothy Wade	14	1
Fuerst, Michael T.	4	1
Gjesvold, Jennifer K.	7	2
Gonzalez, Rebecca Anne	10	8
Gossett, Carl Camp	9	1
Guest, Kenneth Ray	6	1
Guinan, James L.	1	1
Hernandez, Jesus Gabriel	9	2
Hoffman, Sarah Gwynne	14	1
Hoffman, Sarah Gwynne	14	1
Hyder, Elton M. III	7	1
McCullough, Alfred Ronald Jr.	4	1

Mena, G. Danny	17	1
Reeves, John D.	2	1
Schlenker, Jeanette Villarreal	4	1
Shin, Jane Sunha	12	1
Southerland, James Alfred	4	1
Waddell, Matthew Carnes	9	1
Wilson, Sharon Lynn	14	1

Board of Disciplinary Appeals:

Jones, Jeffrey Thompson	BODA	1
Mason, James Robert	BODA	1
Total:		25
		35

PUBLIC REPRIMANDS

	District	# of Complaints Resolved
Ahmad, Sufi Nasim	4	1
Beling, Craig Thomas	6	1
Bohach, Kari LeAnn	6	1
Creevy, Ngoc-Anh Theresa Bui	1	1
Davis, Michael L.	3	2
Eureste, Arthur R.	4	1
Hem, Peov Linda	6	1
Henderson, Crystal Danielle	4	1
Long, Grady C.	1	1
Marsh, Richard M. Jr.	4	1
McKee, Darwin	9	1
McWilliams, Leslie Thomas	8	1
McWilliams, Paul R.	8	1
Moreno, Ruben Natal	10	1
Nichols, Matthew Carter	9	1
Saputo, Paul Nicholas Jr. - UPL0517	6	1
Spears, Edward Wayne	1	1

Board of Disciplinary Appeals:

Hume, Robert Theodore	BODA	1
Total:		18
		19

PRIVATE REPRIMANDS

Grievance Comm.	# of Sanctions	# of Complaints Resolved
1	3	3
2	1	1

4	3	3
6	6	6
9	1	1
10	4	4
13	1	1
16	1	1

Total:	20	20
Grievance Referral Program	42	42
Grand Total:	117	156

Disciplinary Actions - Current Bar Year (YTD)

BAR YEARS 2021-2022	Total Sanctions	Total Complaints Resolved
DISBARMENTS	21	56
RESIGNATIONS IN LIEU OF DISCIPLINE	27	102
SUSPENSIONS	120	164
PUBLIC REPRIMANDS	39	41
PRIVATE REPRIMANDS	94	97
GRIEVANCE REFERRAL PROGRAM	99	99
Total:	400	559

Disciplinary Actions - Previous Bar Year

BAR YEARS 2020-2021	Total Sanctions	Total Complaints Resolved
DISBARMENTS	18	64
RESIGNATIONS IN LIEU OF DISCIPLINE	15	33
SUSPENSIONS	125	159
PUBLIC REPRIMANDS	36	42
PRIVATE REPRIMANDS	100	102
GRIEVANCE REFERRAL PROGRAM	79	79
Total:	373	479

BAR YEARS 2019-2020	Total Sanctions	Total Complaints Resolved
DISBARMENTS	20	29
RESIGNATIONS IN LIEU OF DISCIPLINE	9	35
SUSPENSIONS	141	190
PUBLIC REPRIMANDS	39	41
PRIVATE REPRIMANDS	106	115
GRIEVANCE REFERRAL PROGRAM	87	89
Total:	402	499

BAR YEARS 2018-2019	Total Sanctions	Total Complaints Resolved
DISBARMENTS	14	40
RESIGNATIONS IN LIEU OF DISCIPLINE	17	88
SUSPENSIONS	155	212

PUBLIC REPRIMANDS	32	39
PRIVATE REPRIMANDS	124	138
GRIEVANCE REFERRAL PROGRAM	75	82
Total:	417	599

BAR YEARS 2017-2018	Total Sanctions	Total Complaints Resolved
DISBARMENTS	21	49
RESIGNATIONS IN LIEU OF DISCIPLINE	23	103
SUSPENSIONS	113	160
PUBLIC REPRIMANDS	25	29
PRIVATE REPRIMANDS	70	74
GRIEVANCE REFERRAL PROGRAM	79	80
Total:	331	495

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	147
SUSPENSIONS	132	205
PUBLIC REPRIMANDS	30	33
PRIVATE REPRIMANDS	67	72
GRIEVANCE REFERRAL PROGRAM	47	47
Total:	325	565

BAR YEARS 2014-2015	Total Sanctions	Total Complaints Resolved
------------------------	-----------------	------------------------------

DISBARMENTS	27	56
RESIGNATIONS IN LIEU OF DISCIPLINE	19	56
SUSPENSIONS	115	151
PUBLIC REPRIMANDS	32	36
PRIVATE REPRIMANDS	66	72
GRIEVANCE REFERRAL PROGRAM	63	71
Total:	322	442

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	Total Sanctions	Total Complaints
-----------	-----------------	------------------

2010-2011		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:

Dallas Attorney

5/31/2022-Agreed Private Reprimand

Rules violated:

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

3/14/2022-Agreed Private Reprimand

Rules violated:

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 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.

Dallas Attorney

3/14/2022-Agreed Private Reprimand

Rules violated:

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.

Creevy, Ngoc-Anh Theresa Bui: #24001152

3/3/2022-Agreed Public Reprimand

On March 3, 2022, **Ngoc-Anh Theresa Bui Creevy** [#24001152], 54, of Dallas, agreed to a public reprimand effective March 3, 2022. The 471st District Court of Collin County found Creevy committed

Professional Misconduct by violating 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].

Creevy was ordered to pay attorneys' fees and direct expenses in the sum of \$650.00.

Guinan, James L.: #08597800

3/9/2022-Agreed Fully Probated Suspension

04/01/2022-09/30/2022: PROBATED

On March 9, 2022, James L. Guinan [#08597800], 57, of Dallas, accepted a 6-month fully probated suspension effective April 1, 2022. An investigatory panel of the District 1 Grievance Committee found that Respondent was counsel of record in a matter and he failed to appear for a hearing and failed to withdraw prior to the hearing. In connection with the matter pending, Respondent knowingly disobeyed an order by the tribunal.

Guinan violated Rules 1.15(a)(3) and 3.04(d). He was ordered to pay \$250.00 in attorneys' fees and direct expenses.

Long, Grady C.: #12517450

4/22/2022-Default Public Reprimand

On April 22, 2022, Grady C. Long [#12517450], 64, of Sherman, received a Default Judgment of Public Reprimand. An evidentiary panel of the District 1 Grievance Committee found that Respondent failed to keep his client reasonably informed about the status of the client's misdemeanor criminal charge and failed to explain the criminal matter to the extent reasonably necessary to permit the client to make informed decisions about the representation. Respondent also failed to file a response to the grievance.

Long violated Rules 1.03(a), 1.03(b) and 8.04(a)(8). He was ordered to pay \$2,130 in attorneys' fees and \$970 in direct expenses.

Paternostro, Charles J.: #15569000

3/29/2022-Resignation in lieu of Discipline

On March 29, 2022, the Supreme Court of Texas accepted the resignation in lieu of discipline of Charles J. Paternostro [#15569000], 82, of Boca Raton, Florida.

At the time of Paternostro's resignation, there was one pending matter against him alleging professional misconduct. Respondent represented a client in a motor vehicle accident case that was dismissed because Respondent failed to serve the at-fault driver with the lawsuit. Instead of serving the lawsuit, Respondent sent a letter to the at-fault driver that contained material misrepresentations.

Alleged Rules Violated: 1.01(b)(1), 1.01(b)(2), 4.01(a), and 8.04(a)(3).

Spears, Edward Wayne: #24008569

3/4/2022-Agreed Public Reprimand

On March 3, 2022, **Edward Wayne Spears** [#24008569], 54, of Frisco, agreed to a public reprimand effective March 3, 2022. The 366th District Court of Collin County found Spears committed Professional Misconduct by violating 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].

Spears was ordered to pay attorneys' fees and direct expenses in the sum of \$2,500.00.

DISTRICT 2:

Dallas Attorney

3/17/2022-Agreed Private Reprimand

Rules violated:

RULE 1.01(b)(1)

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

Reeves, John D.: #16723000

4/28/2022-Agreed Fully Probated Suspension

05/01/2022-10/31/2023: PROBATED

On April 28, 2022, **John D. Reeves** [#16723000], 64, of Lufkin, agreed to an eighteen (18) month fully probated suspension, beginning May 1, 2022 and ending on October 31, 2023. An Investigatory Panel of the District 2 Grievance Committee found that on or about October 7, 2013, Respondent was court appointed to represent the Complainant in investigating whether there were grounds for conducting post-conviction DNA testing and, if so, Respondent was to advise the Court by written report whether a Motion for Forensic DNA Testing should be filed. Since September 23, 2017, in representing the Complainant, Respondent neglected the legal matter entrusted to him, by failing to investigate the matter and advise the Court on whether grounds existed for a Motion for Forensic DNA Testing.

Reeves violated Rule 1.01(b)1 and he was ordered to pay \$250.00 in attorneys' fees and direct expenses.

DISTRICT 3:

Davis, Michael L.: #05528760

2/1/2022-Public Reprimand

On February 1, 2022, Michael L. Davis [#05528760], 60, of Livingston, received a judgment of public reprimand. An Evidentiary Panel of the District 3 Grievance Committee 2 found that Davis failed 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.

Davis violated Rule 8.04(a)(8). He was ordered to pay \$3,850.00 in attorneys' fees and direct expenses.

DISTRICT 4:

Ahmad, Sufi Nasim: #24014186

5/3/2022-Agreed Public Reprimand

On May 3, 2022, **Sufi Nasim Ahmad** [#24014186], 52, of The Woodlands, accepted a public reprimand. An investigatory panel of the District 4 Grievance Committee found that Ahmad neglected a legal matter entrusted to him and failed to carry out completely the obligations he owed to his client. Ahmad also failed to keep his client reasonably informed about the status of his legal matter and promptly comply with reasonable requests for information about the case. Additionally, Ahmad failed upon request by his client to render a full accounting. Lastly, upon termination of representation, Ahmad failed to surrender papers and property to which his client was justly entitled and failed to refund any advance payments of fee that had not been earned.

Ahmad violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.14(b), and 1.15(d). He was ordered to pay \$54,500.00 in restitution and \$1,000 in attorneys' fees and direct expenses.

Cashin, Herschel P.: #03966650

5/23/2022-Agreed Fully Probated Suspension

06/01/2022-11/30/2023: PROBATED

On May 23, 2022, Herschel P. Cashin [#03966650], 66, of Houston, accepted an 18-month probated suspension, effective June 1, 2022. An evidentiary panel of the District 4 Grievance Committee found that Cashin failed to hold funds belonging in whole to Emergency Medical Physicians that was in Cashin's possession, in connection with the representation, separate from Cashin's own property, failed to keep the funds in a separate trust account, and failed to promptly deliver to Emergency Medical Physicians funds that they were entitled to receive.

Cashin violated Rules 1.14(a) and 1.14(b). He was ordered to pay \$500.00 in attorneys' fees.

Eudy, Gary L.: #24074187

2/28/2022-Agreed Fully Probated Suspension

03/01/2022-02/28/2025: PROBATED

On February 28, 2022, Gary L. Eudy [#24074187], 68, of Friendswood, accepted a three-year probated suspension, effective March 1, 2022. An evidentiary panel of the District 4 Grievance Committee found that, in representing his clients, Eudy neglected the legal matter entrusted to him, failed to keep his clients reasonably informed about the status of their legal matter and promptly comply with reasonable requests for information, and failed to explain a matter to the extent reasonably necessary to permit his clients to make informed decisions regarding the representation.

Eudy violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). He was ordered to pay \$300.00 in attorneys' fees.

Eureste, Arthur R.: #06702250

5/2/2022-Agreed Public Reprimand

On May 2, 2022, Arthur R. Eureste [#06702250], 68, of Houston, accepted a public reprimand. An Investigatory Panel of the District 4 Grievance Committee found that Eureste failed to timely respond to the grievance.

Eureste violated Rule 8.04(a)(8). He was ordered to pay \$500.00 in attorneys' fees.

Fuerst, Michael T.: #00784087

2/18/2022-Default Partially Probated Suspension

03/01/2022-02/28/2023: SUSPENSION

03/01/2023-03/01/2024: PROBATED

On Feb 18, 2022, Michael T. Fuerst [#00784087], 55, of Cypress, received a 2-year partially probated suspension effective March 1, 2022, with the first year actively served and the remainder probated. An Evidentiary panel of the District 4 Grievance Committee found that Fuerst neglected a legal matter entrusted to him, failed to carry out completely the obligations owed to his client and failed to abide by his client's decisions concerning the objectives and general methods of representation. Additionally, in the course of litigation, Fuerst took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter. Lastly, Fuerst failed to refund advance payments of fees that had not been earned and failed to timely respond to a grievance.

Fuerst violated Rules 1.01(b)(1), 1.01(b)(2), 1.02(a)(1), 1.03(a), 1.15(d), 3.02, and 8.04(a)(8). He was ordered to pay \$15,000.00 in restitution and \$2672.15 in attorneys' fees and direct expenses.

Henderson, Crystal Danielle: #24050742

2/11/2022-Public Reprimand

On February 11, 2022, Crystal Danielle Henderson [#24050742], 43, of Harris County, received a public reprimand. An Evidentiary Panel of the District 4 Grievance Committee found that Henderson was engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Henderson violated Rule 8.04(a)(3).

Henderson has filed a notice of appeal.

Marsh, Richard M. Jr.: #13019300

5/27/2022-Agreed Public Reprimand

On May 27, 2022, Richard M. Marsh, Jr. [#13019300], 71, of Houston, received an agreed judgment of public reprimand. An evidentiary panel of the District 4 Grievance Committee found that, in representing his client, Marsh neglected the legal matter entrusted to him, failed to keep his client reasonably informed about the status of their legal matter and failed to promptly comply with reasonable requests for information, failed to explain a legal matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation, and, upon termination of representation, he failed to take steps to the extent reasonably practicable to protect his client's interests.

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

McCullough, Alfred Ronald Jr.: #13500010

2/25/2022-Agreed Partially Probated Suspension

04/01/2022-10/01/2022: SUSPENSION

10/02/2022-04/01/2024: PROBATED

On February 25, 2022, **Alfred Ronald McCullough, Jr.** [#13500010], 65, of Harris County, accepted a 2-year partially probated suspension, with the first 6 months actively suspended, effective April 1, 2022. An Investigatory Panel of the District 4 Grievance Committee found that McCullough in representing his client neglected the matter, failed to carry out completely the obligations owed to his client, failed to keep his client reasonably informed about the status of her matter and failed to withdraw from representing the client when his physical or mental or psychological condition materially impaired his fitness to represent her.

McCullough violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a) and 1.15(a)(2). He was ordered to pay \$8,000 in restitution.

Mendoza, John Luna: #13937000

3/29/2022-Resignation in lieu of Discipline

On March 29, 2022, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of John Luna Mendoza [#13937000], 81, of Spring. At the time of Mendoza's resignation, there were five pending disciplinary actions alleging that he neglected legal matters entrusted to him, frequently failed to carry out completely the obligations he owed to his clients, failed to keep his clients reasonably informed about the status of their legal matters and failed to promptly comply with reasonable requests for information, and failed to explain legal matters to the extent reasonably necessary to permit his clients to make informed decisions regarding the representation. It is alleged that Mendoza also, upon termination of representation, failed to refund advanced 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 Rules.

Mendoza violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(8).

Schlenker, Jeanette Villarreal: #00795078

4/21/2022-Agreed Fully Probated Suspension

06/01/2022-11/30/2022: PROBATED

On April 21, 2022, Jeanette V. Schlenker [#00795078], 55, of Houston, accepted a six-month fully probated suspension, effective June 1, 2022. The 80th Judicial District Court of Harris County found that, upon termination of the representation, Schlenker failed to refund unearned fees to her client.

Schlenker violated Rule 1.15(d). She was ordered to pay \$5,000.00 in restitution and \$500.00 in attorneys' fees and direct expenses.

Southerland, James Alfred: #18860050

3/21/2022-Agreed Fully Probated Suspension

03/18/2022-03/17/2024: PROBATED

On March 21, 2022, James Alfred Southerland [#18860050], 60, of Houston, accepted a 2-year fully probated suspension, effective March 18, 2022. An Evidentiary Panel of the District 4 Grievance Committee found that Southerland in representing his client failed to carry out completely the obligations owed to his client, failed to keep his client reasonably informed about the status of her matter and failed to refund advance payment of fees.

Southerland violated Rules 1.01(b)(2), 1.03(a) and 1.15(d). He was ordered to pay \$5,000.00 in restitution and \$1,500.00 in attorneys' fees and costs.

Houston Attorney

3/7/2022-Agreed Private Reprimand

Rules violated:

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 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.

Houston Attorney

4/12/2022-Agreed Private Reprimand

Rules violated:

RULE 1.01(a)

A lawyer shall not accept or continue employment in a legal matter which the lawyer knows or should know is beyond the lawyer's competence.

RULE 8.04(a)(3)

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

Houston Attorney

5/12/2022-Agreed Private Reprimand

Rules violated:

RULE 1.01(b)(1)

Neglect of a legal matter entrusted to Respondent.

RULE 1.14(b)

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

RULE 1.15(d)

Upon termination of representation, failure to take steps to protect the client's interests and failure to give reasonable notice to the client allowing time for employment of other counsel.

RULE 8.04(a)(8)

Failed to timely furnish to the Chief Disclaimer Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure.

DISTRICT 5:

Pursley, Eric J.: #24077844

4/26/2022-Resignation in lieu of Discipline

On April 26, 2022, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of Eric J. Pursley [#24077844], 36, of Houston. At the time of Pursley's resignation, Pursley had no active cases; nor was he holding any client funds. Pursley had closed his practice and was not practicing law. Pursley voluntarily resigned.

Pursley violated Rules 1.01(b)(1), 1.03(a), and 1.03(b)(2).

DISTRICT 6:

Dallas Attorney

3/29/2022-Agreed Private Reprimand

Rules violated:

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(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 1.14(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 separate by the lawyer until the dispute is resolved, and the undisputed portion shall be distributed appropriately.

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

3/29/2022-Agreed Private Reprimand

Rules violated:

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(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 1.14(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 separate by the lawyer until the dispute is resolved, and the undisputed portion shall be distributed appropriately.

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.

Beling, Craig Thomas: #24069358

3/2/2022-Agreed Public Reprimand

On March 2nd, 2022, Craig Thomas Beling, [# 24069358] 65, of Dallas, agreed to a public reprimand. An investigatory panel of the District 6 Grievance Committee found that Beling was acting as an escrow agent for Executive Management Group (EMG). On May 10, 2021, Complainant filed a complaint against Beling relating to an investment she made with EMG. Beling failed to submit a response to the grievance.

Beling violated Rule 8.04(a)(8). He was ordered to pay attorneys' fees and direct expenses in the sum of \$675.00.

Bohach, Kari LeAnn: #24075662

5/19/2022-Agreed Public Reprimand

On May 16, 2022, Paul Nicholas Saputo Jr., [#24083792] 34, of Dallas, agreed to a public reprimand. An investigatory panel of the District 6 Grievance Committee found that Complainant retained Saputo for representation in a criminal matter. Saputo failed to hold funds belonging in whole or in part to Complainant that were in Saputo's possession in connection with the representation separate from Saputo's own property. Saputo failed to keep funds in which both he and Complainant claimed an interest separate until there was an accounting and severance of their interest. Upon termination of representation, Saputo failed to refund advance payments of fee that had not been earned.

Saputo violated Rules 1.14(a), 1.14(c), and 1.15(d). He was ordered to pay attorneys' fees and direct expenses in the sum of \$450.00.

Dallas Attorney

3/11/2022-Agreed Private Reprimand

Rules Violated:

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 1.04(c)

When the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, preferably in writing, before or within a reasonable time after commencing the representation.

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 1.15(a)(3)

A lawyer shall decline to represent a client or, where representation has commenced, shall withdraw, except as stated in paragraph (c). from the representation of a client, if: the lawyer is discharged, with or without good cause.

Davison, Ward Brackett Bennett: #24066787

3/1/2022-Default Disbarment

On February 24, 2022, Ward Brackett Bennett Davison [#24066787], 41, of Dallas, was disbarred. An evidentiary panel of the District 6 Grievance Committee found in the first case that in or around July 2018, Complainant retained Respondent for representation in a dispute with his landlord. Thereafter, Complainant attempted repeatedly to contact Respondent for a status update on his case. Respondent never responded to any of Complainant's requests for information. Respondent neglected Complainant's legal matter and failed to complete any legal work on Complainant's behalf. Respondent received notice of the grievance filed by Complainant but failed to file a response to the grievance.

In the second case, the evidentiary panel found that in or around February 2018 Complainant retained Respondent for representation in a dispute involving construction defects in her home. Complainant terminated Respondent's representation of her after mediation in or around July 24, 2019. Respondent still held approximately \$4,913 of funds Complainant paid that Respondent had not earned. Complainant requested her case file as well as the unearned portion of fees she had paid being held by Respondent. Respondent failed to refund the fees or provide Complainant's case file. Respondent received notice of the grievance filed by Complainant but failed to file a response to the grievance.

Davison violated Rules 1.01(b)(1), 1.03(a), 1.14(b), 1.15(d), and 8.04(a)(8). In the second case, he was ordered to pay \$4,934.90 in restitution and \$1,530.00 in attorneys' fees.

Davison, Ward Brackett Bennett: #24066787

3/1/2022-Default Disbarment

On February 24, 2022, Ward Brackett Bennett Davison [#24066787], 41, of Dallas, was disbarred. An evidentiary panel of the District 6 Grievance Committee found that in the first case on or about September 7, 2019, Complainant retained Respondent for a legal dispute with his landlord. Complainant paid Respondent an advance legal fee of \$950.00. Thereafter Respondent did no legal work on the behalf of Complainant. Respondent did not communicate with Complainant despite Complainant's multiple requests for an update on his legal matter. Respondent was actively suspended based on disciplinary judgment from December 1, 2019, to December 31, 2019. Respondent failed to notify Complainant of his suspension. On December 3, 2019, Complainant terminated Respondent's representation of him and requested a refund of the unearned fee. Respondent did not return the unearned fee to Complainant. Respondent was notified of the grievance filed by Complainant but failed to file a response to the grievance.

In the second case, in or around June 2018, Complainant retained Respondent to attempt to expunge her criminal record. Complainant paid Respondent an advance legal fee of \$1,500.00. Thereafter, in or around August 2018, Respondent informed Complainant that the expunction petition had been filed on her behalf in Scurry County, Texas. This was a misrepresentation by Respondent to Complainant

because no petition had been filed. After drafting the petition to expunge Complainant's criminal record, Respondent did not complete any more legal work for Complainant. Complainant repeatedly requested status updates from Respondent, but he did not communicate with her. Respondent was actively suspended from the practice of law based on a disciplinary judgment beginning on December 1, 2019, until December 31, 2019. Despite his representation of Complainant during this time, Respondent failed to notify her of his suspension. Respondent was notified of the grievance by Complainant but failed to file a response to the grievance.

In the third case, on or about August 22, 2019, Complainant retained Respondent for representation in a landlord and tenant dispute. Complainant paid Respondent an advance legal fee of \$950.00. Thereafter, Respondent failed to complete any legal work on behalf of Complainant. Complainant repeatedly asked for updates on her legal matter, but Respondent failed to communicate with her. Respondent was actively suspended from the practice of law beginning on December 1, 2019 and ending on December 31, 2019. Despite his representation of Complainant during this time, Respondent failed to notify Complainant of his suspension. In or around March 2020, Complainant terminated Respondent's representation and requested a refund of the unearned fee. Respondent failed to return the unearned fee to Complainant. Respondent was notified of the grievance by Complainant but failed to file a response to the grievance.

Davison violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(3), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(10). In the first case, he was ordered to pay \$950.00 in restitution, in the second case \$950.00 in restitution and \$1,185.00 in attorneys' fees.

Davison, Ward Brackett Bennett: #24066787

2/17/2022-Default Disbarment

On February 17, 2022, Ward Brackett Bennett Davison [#24066787], 41, of Dallas, was disbarred. An evidentiary panel of the District 6 Grievance Committee found that on or about July 9, 2019, Complainant and eleven other condominium owners retained Respondent for representation in a legal dispute with another condominium owner. The owners paid Respondent \$6,000 in advanced legal fees. The owners requested Respondent send a demand letter prior to initiating litigation against the potential defendant. The owners repeatedly asked Respondent if he had sent the letter, but Respondent failed to respond to the owners' reasonable request for information. Respondent neglected the legal matter and failed to send a demand letter. Thereafter, Respondent filed a petition on behalf of the owners on or about October 18, 2019. Respondent was actively suspended from the practice of law from December 1, 2019, until December 30, 2019. Respondent failed to inform the owners of his suspension and continued to represent them during his active suspension. Respondent became actively suspended again on November 6, 2020. On or about November 23, 2020, Respondent informed the owners of his second suspension, and that he had to withdraw from the case. Respondent informed the owners that he would return unearned fees and their file back to them. However, Respondent never filed a motion to withdraw from the case, and he never returned unearned fees or the file to the owners. Respondent received notice of the grievance filed by Complainant but failed to furnish a response.

Davison violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$6,000.00 in restitution and \$1,490.00 in attorneys' fees.

Dallas Attorney

2/7/2022-Private Reprimand

Rule violated:

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.

Guest, Kenneth Ray: #08587000

4/7/2022-Indefinite Disability Suspension

On April 4, 2022, Kenneth Ray Guest [#08587000], 88, of Duncanville, agreed to a judgment of indefinite disability suspension, effective immediately.

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

Hem, Peov Linda: #24065394

5/16/2022-Agreed Public Reprimand

On May 16, 2022, Linda Peov Hem, [#24065394] 41, of Dallas, agreed to a public reprimand. An investigatory panel of the District 6 Grievance Committee found that in or about July 24, 2020, Complainant retained Hem for representation in a probate matter. In representing Complainant, Hem neglected the probate matter entrusted to her by failing to perform any significant legal services on behalf of Complainant. Hem failed to keep Complainant reasonably informed about the status of Complainant 's legal matter.

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

Dallas Attorney

3/24/2022-Agreed Private Reprimand

Rules violated:

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 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.

Saputo, Paul Nicholas Jr. - UPL0517: #24083792

5/16/2022-Agreed Public Reprimand

On May 16, 2022, Paul Nicholas Saputo Jr., [#24083792] 34, of Dallas, agreed to a public reprimand. An investigatory panel of the District 6 Grievance Committee found that Complainant retained Saputo for representation in a criminal matter. Saputo failed to hold funds belonging in whole or in part to Complainant that were in Saputo's possession in connection with the representation separate from Saputo's own property. Saputo failed to keep funds in which both he and Complainant claimed an interest separate until there was an accounting and severance of their interest. Upon termination of representation, Saputo failed to refund advance payments of fee that had not been earned.

Saputo violated Rules 1.14(a), 1.14(c), and 1.15(d). He was ordered to pay attorneys' fees and direct expenses in the sum of \$450.00.

Dallas Attorney

3/29/2022-Agreed Private Reprimand

Rules violated:

RULE 1.01(a)

A lawyer shall not accept or continue employment in a legal matter which the lawyer knows or should know is beyond the lawyer's competence, unless: another lawyer who is competent to handle the matter is, with the prior informed consent of the client, associated in the matter.

RULE 1.01(b)(1)

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

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 separate by the lawyer until the dispute is resolved, and the undisputed portion shall be distributed appropriately.

RULE 3.03(a)(1)

A lawyer shall not knowingly make a false statement of material fact or law to a tribunal.

RULE 8.04(a)(3)

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

DISTRICT 7:

Gjesvold, Jennifer K.: #24076175

4/13/2022-Partially Probated Suspension

05/01/2022-04/30/2026: SUSPENSION

05/01/2026-04/30/2028: PROBATED

On April 13, 2022, **Jennifer K. Gjesvold** [#24076175], 46, of Southlake, received a partially probated

suspension. An Evidentiary panel of the District 7 Grievance Committee found that Gjesvold committed Professional Misconduct by violating Rules 1.01(b)(1), 1.03(a), 1.04(c), 1.14(a), and 1.15(a)(3). Gjesvold was hired to represent an incarcerated client in a death penalty case. Gjesvold was initially contacted to assist the client with a real property transaction, but Gjesvold led the client to believe that Gjesvold had substantial criminal defense experience and could offer better representation than the court-appointed public defenders. Unbeknownst to the client and contrary to Gjesvold's representations, at the time Gjesvold solicited the representation in the criminal matter, Gjesvold had never represented a defendant charged with capital murder and lacked the legal knowledge, skill, and/or training reasonably necessary to handle the case. Without the client's informed consent, Gjesvold associated another lawyer not from Gjesvold's firm on the client's death penalty case. Thereafter, Gjesvold did not procure an order supplanting herself as the client's attorney of record, nor did she attend any substantive hearings or visit the client in jail. Upon termination of the representation, Gjesvold failed to turn over the client's file.

Gjesvold was paid \$53,068.60 for the representation but failed to safeguard the funds. Gjesvold charged an unconscionable fee and billed the client, in an attempt to justify her unconscionable fee, for (1) consultations with criminal defense attorneys that never took place, (2) consultations with a home/office security company, (3) time spent searching her computer for the client's client file/documents, (4) consultations with an IT company regarding Gjesvold's computer issues, (5) attending continuing legal education or trials to gain legal knowledge, and (6) to withdraw from representing the client.

Gjesvold violated Rules 1.01(a)(1), 1.04(a), 1.04(f)(2), 1.14(a), 1.15(d), and 8.04(a)(3). She was ordered to pay \$50,000.00 restitution and \$26,342.75 in attorneys' fees.

Hyder, Elton M. III: #10375100

4/25/2022-Agreed Fully Probated Suspension

04/01/2022-09/30/2022: PROBATED

On April 6, 2022, Elton M. Hyder [#10375100], 68, of Fort Worth, agreed to a six (6) month fully probated suspension. Respondent will be actively suspended from April 1, 2022, to September 30, 2022. An Investigatory Panel of the District 7 Grievance Committee found that on or around November 2020, Respondent provided legal services to Complainant and attempted to arrange for, charge, or collect an improper fee from Complainant. Respondent did not regularly represent Complainant and failed to communicate to Complainant, in writing, the basis or rate of the fee of \$1,000 before or within a reasonable time after commencing the representation. Respondent engaged in the practice of law when he was on inactive status.

Hyder violated Rules 1.04(a), 1.04(c) and 8.04(a)(11). He was ordered to pay \$500 in attorneys' fees.

DISTRICT 8:

McWilliams, Leslie Thomas: #19857270

2/26/2021-Agreed Public Reprimand

On April 28, 2022, Leslie Thomas McWilliams [19857270], 59, of Salado, agreed to a judgment of public reprimand. The 169th District Court of Bell County found that McWilliams violated 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].

McWilliams was ordered to pay \$1,500 in attorneys' fees and costs.

McWilliams, Paul R.: #13877300

4/28/2022-Agreed Public Reprimand

On April 28, 2022, Paul R. McWilliams [13877300], 70, of Salado, agreed to a judgment of public reprimand. The 169th District Court of Bell County found that McWilliams violated 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].

McWilliams was ordered to pay \$1,500 in attorneys' fees and costs.

DISTRICT 9:

Gossett, Carl Camp: #24077759

3/2/2022-Agreed Fully Probated Suspension

03/01/2022-08/31/2022: PROBATED

On March 2, 2022, Carl Camp Gossett [#24077759], 45, of Austin, accepted a six-month probated suspension beginning on March 1, 2022. An evidentiary panel of the District 9 Grievance Committee found that Complainant hired Gossett on October 23, 2017, to represent her in a DWI case, and paid Gossett \$3,000.00 of an agreed \$3,500.00 fee. Although Gossett initially appeared with Complainant in court on three occasions, Gossett failed to request the video recording of Complainant's arrest or any other discovery from the prosecutor. Gossett also failed to discuss with Complainant any strategy or possible resolutions of her case and failed to appear for several scheduled court hearings causing a bond forfeiture and a warrant being issued for Complainant's arrest in December 2018.

After Complainant discovered the existence of the warrant, on or about February 26, 2019, she attempted to contact Gossett but Gossett failed to return her phone calls. Complainant subsequently notified Respondent that she hired another attorney and requested a return of any unearned fees. Gossett failed to withdraw from the case and failed return any unearned fees. Gossett further failed to respond to the complaint.

Gossett violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct. Gossett was ordered to pay \$1,000.00 in restitution and \$1,701.75 in attorneys' fees and expenses.

Austin Attorney

4/14/2022-Agreed Private Reprimand

Rule violations:

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.

Hernandez, Jesus Gabriel: #24054437

4/19/2022-Agreed Fully Probated Suspension

05/01/2022-04/30/2024: PROBATED

On April 19, 2022, Jesus Gabriel Hernandez [24054437], 42, of Austin, accepted a two-year fully probated suspension to begin on May 1, 2022. An evidentiary panel of the District 9 Committee found that Hernandez was hired to represent a co-defendant on a felony charge of Aggravated Robbery.

On July 17, 2020, Hernandez approached the presiding Judge and requested a personal bond for his client. Citing GA-13, an executive order stating that no authority should release on personal bond any person arrested for a crime involving physical violence or the threat of physical violence, the presiding judge determined that Hernandez's client was not eligible for a personal bond and denied the request. Nonetheless, on July 24, 2020, Hernandez approached a magistrate judge for the District Courts of Travis County, and again requested a personal bond for his client. Hernandez did not disclose to the magistrate judge the non-privileged information that the presiding judge had previously denied his client a personal bond, which was a fact that the magistrate judge should have been told in order to make an informed decision. Without such information, the magistrate judge granted the personal bond.

Hernandez violated Rules 3.03(a)(3), 3.05(a), and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct. Hernandez was ordered to pay \$1,497.55 in attorneys' fees and costs.

McKee, Darwin: #13695700

3/2/2022-Agreed Public Reprimand

On March 2, 2022, Darwin McKee [#13695700], 71, of Austin, accepted a Public Reprimand. An Investigatory Panel of the District 9 Grievance Committee found that after McKee was hired to initiate the administration of an estate, McKee failed to file any pleadings and keep the client and her family adequately informed about the status of the administration. The panel also found that after McKee was terminated, he failed to return unearned fees to the client.

McKee violated Rules 1.03(b), 1.14(b) and 1.15(d). McKee was ordered to pay \$250.00 in attorneys' fees, and \$1,371.00 in restitution.

Nichols, Matthew Carter: #24047490

4/4/2022-Agreed Public Reprimand

On April 4, 2022, Matthew Carter Nichols [24047490], 44, of Austin, accepted a Public Reprimand. An evidentiary panel of the District 9 Grievance Committee found that on August 17, 2018, Nichols was appointed to defend Complainant against a charge of Forgery in Travis County, Texas. After a month of being incarcerated without any contact from Nichols, Complainant wrote the Travis County District Attorney's Office stating that he did not commit the underlying crime because he had been incarcerated in Williamson County at the time the crime was committed. After verifying Complainant's claim, the Travis County District Attorney's Office dismissed Complainant's matter on September 14, 2018.

As a result, the panel determined that Nichols failed to adequately communicate with Complainant and neglected Complainant's case during the period he was appointed to represent Complainant. Nichols

further failed to furnish a written response to this complaint as required.

Nichols violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct, Nichols was ordered to pay \$1,811.91 in attorneys' fees and costs.

Waddell, Matthew Carnes: #00791861

2/2/2022-Default Active Suspension

02/01/2022-01/31/2023: SUSPENSION

On February 2, 2022, Matthew Carnes Waddell [#00791861], 55, of Austin, received a one-year active suspension beginning on February 1, 2022. An evidentiary panel of the District 9 Grievance Committee found that, in March of 2015, Complainant paid Waddell \$2,000 to file a motion to modify the child support she was receiving for her children and set up a mediation. Waddell failed to file any pleadings until September of 2015 and did not schedule mediation until October of 2016. Thereafter, Waddell failed to prepare an order reflecting the terms of the mediated settlement agreement and failed to respond to Complainant's numerous emails, text messages, and/or telephone calls. Waddell further failed to furnish a written response to this complaint as required.

Waddell violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct. Waddell was ordered to pay \$2,000 in restitution and \$1,000 in attorneys' fees and expenses.

DISTRICT 10:

San Antonio Attorney

4/20/2022-Agreed Private Reprimand

Rule violations:

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.

Flores, Norberto: #07164780

2/25/2022-Default Disbarment

On February 25, 2022, Norberto Flores [#07164780], 63, of San Antonio, was disbarred. An Evidentiary

Panel of the District 10 Grievance Committee found that in connection with four complaints, Flores failed to promptly notify clients and third parties of the receipt of settlement funds, failed to promptly deliver funds to parties entitled to receive funds, failed to hold clients funds in a trust account, failed to keep his clients reasonably informed, failed to decline or withdraw from representation, engaged in conduct involving fraud, deceit or misrepresentation and failed to respond to grievances.

Flores violated Rules 1.03(a)&(b), 1.14(a)&(b), 1.15(a)(1), 8.04(a)(2), 8.04(a)(3) and 8.04(a)(8), was ordered to pay \$78,150.00 in restitution and \$3,655.00 in attorneys' fees and direct expenses.

Gonzalez, Rebecca Anne: #00792786

5/18/2022-Agreed Fully Probated Suspension

06/01/2022-11/30/2022: PROBATED

On May 18, 2022, Rebecca Anne Gonzalez [#00792786], 54, of San Antonio, accepted a 6-months, fully probated suspension, effective June 1, 2022. The 45th Judicial District Court of Bexar County found that Gonzalez committed professional misconduct by violating Rules 1.03(a) [failure to communicate] and 5.03 [failure to supervise non-lawyer staff].

Gonzalez was ordered to pay \$3,500.00 in attorneys' fees and direct expenses.

Hernandez, Lee R. R.: #09518800

3/29/2022-Resignation in lieu of Discipline

On March 29, 2022, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Lee R. Hernandez** [#09518800], 64, of San Antonio. At the time of his resignation, Hernandez had five grievance pending alleging Hernandez neglected client matters, failed to keep clients reasonably informed, failed to promptly render a complete accounting of funds when requested, failed to return unearned fees, failed to respond to lawful demands for information from a disciplinary authority, failed to respond to grievances timely and failed to comply with cessation from the practice of law as required by Sec. 13.01 of the Texas Rules of Disciplinary Procedure.

Hernandez violated Rules 1.01(b)(1), 1.03(a)&(b), 1.14(b), 1.15(d), 8.01(b) & 8.04(a)(8) & (10).

San Antonio Attorney

3/22/2022-Agreed Private Reprimand

Rule violations:

RULE 1.08(b)

A lawyer shall not prepare an instrument giving the lawyer or a person related to the lawyer as a parent, child, sibling, or spouse any substantial gift from a client, including a testamentary gift, except where the client is related to the donee.

Mayo, Christopher Peter: #00798354

3/23/2022-Default Disbarment

On March 23, 2022, Christopher Peter Mayo [#00798354], 53, of San Antonio, was disbarred. An Evidentiary Panel of the District 10 Grievance Committee found that in connection with six complaints,

Mayo failed to communicate with clients, failed to return a client file, failed to hold funds in trust and separate from his own property, failed to promptly notify and deliver funds to parties entitled to receive funds and failed to respond to the grievances.

Mayo violated Rules 1.03(a), 1.14(a), 1.14(b), 1.14(c), 1.15(d) and 8.04(a)(8), was ordered to pay \$38,682.73 in restitution and \$3,505.00 in attorneys' fees and direct expenses.

Moreno, Ruben Natal: #24037142

2/22/2022-Agreed Public Reprimand

On February 22, 2022, **Ruben Natal Moreno** [#24037142], 48, of San Antonio, accepted a public reprimand. An Investigatory Panel of the District 10 Grievance Committee found Moreno failed to keep client reasonably informed and neglected client matters.

Moreno violated Rules 1.03(a) and 1.01(b)(1) and agreed to pay \$800.00 in attorneys' fees and direct expenses.

San Antonio Attorney

3/21/2022-Agreed Private Reprimand

Rule violations:

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 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.

San Antonio Attorney

2/17/2022-Agreed Private Reprimand

RULE 1.09.

Conflict of Interest: Former Client

(a) Without prior consent, a lawyer who personally has formerly represented a client in a matter shall not thereafter represent another person in a matter adverse to the former client:

(1) in which such other person questions the validity of the lawyer's services or work product for the former client; or

(3) if it is the same or a substantially related matter.

DISTRICT 11:

Perez, Refugio Rafael: #24051893

1/20/2022-Default Disbarment

On January 20, 2022, Refugio Rafael Perez [#24051893], 44, of Corpus Christi, was disbarred. An Evidentiary Panel of the District 11 Grievance Committee found Perez failed to refund unearned fees, failed to comply with the terms of a prior disciplinary judgment, failed to comply with cessation of

practice rules and practiced law while his license was suspended and failed to respond to a grievance timely.

Perez violated Rules 1.15(d) and 8.04(a)(7), (8) & (10), and is ordered to pay \$800.00 in restitution, and \$2,255.00 in attorneys' fees and direct expenses.

DISTRICT 12:

Shin, Jane Sunha: #24075475

3/24/2022-Agreed Active Suspension

10/26/2022-04/25/2023: SUSPENSION

On March 24, 2022, Jane Sunha Shin [#24075475], 41, of McAllen, accepted a six-month, active suspension, effective October 26, 2022. An Investigatory Panel of the District 12 Grievance Committee found Shin neglected client matters, failed to keep client reasonably informed, failed to formally withdraw from representation, failed to return a client file.

Shin violated Rules 1.01(b)(1), 1.03(a)&(b) and 1.15(a)(3)&(d), and agreed to pay \$3,000.00 in restitution, and \$800.00 in attorneys' fees and direct expenses.

DISTRICT 13:

Dallas Attorney

3/18/2022-Agreed Private Reprimand

Rule violations:

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 14:

Fleming, John Davidson II: #24027249

2/20/2022-Default Partially Probated Suspension

02/21/2022-02/20/2024: SUSPENSION

02/21/2024-02/21/2029: PROBATED

On February 20, 2022, John Davidson Fleming [#24027249], 50, of Wichita Falls, received a seven (7) year partially probated suspension. Respondent will be actively suspended from February 21, 2022 to February 20, 2024 and on a probated suspension beginning February 21, 2024 and ending on February 21, 2029. An Evidentiary Panel of the District 14 Grievance Committee found in the first case that in or around January 2019, Complainant retained Respondent for representation in his divorce. Respondent failed to file a notice of appearance into the divorce case and failed to complete any legal work on behalf of the Complainant. Respondent failed to appear at the final trial for Complainant divorce on or about July 21, 2020. Respondent failed to communicate with Complainant. Respondent failed to refund unearned fees and failed to return the file. Respondent failed to file a response to the grievance.

In the second case, Respondent was hired to represent Complainant's daughter in a criminal case and failed to file a notice of appearance, or to complete any other legal work. Respondent failed to communicate with Complainant and her daughter. Respondent failed to turn over the file, refund

unearned fees, or provide an accounting upon termination in the case. Respondent failed to file a response to the grievance.

Fleming violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.14(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$6,000.00 restitution in the first case, \$4,000.00 restitution in the second case and was ordered to pay \$1,490.00 in attorneys' fees.

Fleming, John Davidson II: #24027249

2/20/2022-Default Partially Probated Suspension

02/21/2022-02/20/2024: SUSPENSION

02/21/2024-02/21/2029: PROBATED

On February 20, 2022, John Davidson Fleming [#24027249], 50, of Wichita Falls, received a seven (7) year partially probated suspension. Respondent will be actively suspended from February 21, 2022 to February 20, 2024 and on a probated suspension beginning February 21, 2024 and ending on February 21, 2029. An Evidentiary Panel of the District 14 Grievance Committee found on July 27, 2020, Respondent was hired to represent Complainant's son in a criminal matter. Respondent neglected Complainant's case by failing to perform any legal work on behalf of Complainant's son. Respondent failed to respond to requests for information about the status of the case from Complainant and his son. Respondent failed to return the unearned portion of the \$3,000.00 fee paid in advance by Complainant. Respondent failed to file a response to the grievance.

Fleming violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$3,000.00 restitution and \$1,490.00 in attorneys' fees.

Ford, Timothy Wade: #00798185

5/17/2022-Agreed Fully Probated Suspension

04/01/2022-12/31/2022: PROBATED

On May 17, 2022, Timothy Wade Ford [#00798185], 58, of Palo Pinto, agreed to a nine (9) month fully probated suspension. Respondent will be actively suspended from April 1, 2022, to December 31, 2022. An Evidentiary Panel of the District 14 Grievance Committee found that Respondent failed to safeguard funds belonging to Complainant that were in Respondent's possession and failed to promptly deliver to Complainant the funds that Complainant was entitled to receive. Respondent failed to respond to the grievance.

Ford violated Rules 1.14(a) and 1.14(b). He was ordered to pay \$1,000 in attorneys' fees.

Hoffman, Sarah Gwynne: #24075146

3/31/2022-Agreed Partially Probated Suspension

04/01/2022-09/30/2022: SUSPENSION

10/01/2022-03/31/2024: PROBATED

On March 31, 2022, Sarah Gwynne Hoffman [#24075146], 38, of Dallas, agreed to a twenty-four (24) month partially probated suspension, beginning April 1, 2022 and ending on March 31, 2024 with the active suspension beginning April 1, 2022 to September 30, 2022 and the probated suspension to begin on October 1, 2022 and ending on March 31, 2024. An Evidentiary Panel of the District 14 Grievance Committee found that in August of 2018, Respondent was hired by a client to handle a probate matter.

Respondent was paid \$2,000 for the legal representation. In representing the client, Respondent neglected the legal matter entrusted to her by failing to perform work on the case. Respondent failed to keep the client reasonably informed about the status of the probate matter and failed to promptly comply with the client's reasonable requests for case information. Upon termination of representation, Respondent failed to refund unearned fees. Respondent also failed to file a response to the grievance.

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

Hoffman, Sarah Gwynne: #24075146

3/31/2022-Agreed Partially Probated Suspension

04/01/2022-06/30/2022: SUSPENSION

07/01/2022-03/31/2023: PROBATED

On March 31, 2022, Sarah Gwynne Hoffman [#24075146], 38, of Dallas, agreed to a twelve-month (12) partially probated suspension, beginning April 1, 2022 and ending March 31, 2023, with the active suspension to begin April 1, 2022 and end on June 30, 2022, and the probated suspension to begin July 1, 2022 and end on March 31, 2023. An Evidentiary Panel of the District 14 Grievance Committee found that on March 24, 2021, the Complainant filed a grievance against Respondent. Notice and copy of the complaint were served upon Respondent, but Respondent failed to file a response to the complaint.

Hoffman violated Rule 8.04(a)(8). She was ordered to pay \$600.00 in attorneys' fees and direct expenses.

Thompson, Petrina Lucretia: #24059100

3/29/2022-Resignation in lieu of Discipline

On March 29, 2022, the Supreme Court of Texas accepted the resignation in lieu of discipline of Petrina Lucretia Thompson [#24059100], 55, of Denton.

On or about November 15, 2019, Respondent did knowingly and intentionally threaten three individuals with imminent bodily injury by pointing a firearm at or in the direction of each individual or discharging a firearm at an individual and did then and there during the commission of said assault use or exhibit a deadly weapon, to-wit: a firearm. On or about July 8, 2021, Respondent was convicted of three counts of Aggravated Assault with a Deadly Weapon and sentenced to serve 4 years in prison.

Alleged Rules Violated: 8.04(a)(2)

Wilson, Sharon Lynn: #24070862

3/25/2022-Agreed Fully Probated Suspension

04/01/2022-03/31/2023: PROBATED

On March 25, 2022, **Sharon Lynn Wilson** [#24070862], 43, of Denton, agreed to a twelve (12) month fully probated suspension. Respondent will have a probated suspension from April 1, 2022 to March 31, 2023. An Evidentiary Panel of the District 14 Grievance Committee found that on or about July 26, 2019, Complainant hired Wilson to pursue the modification of a court order in Denton County, Texas. During the representation, Wilson neglected the legal matter entrusted to her by failing to complete legal work on the case. Wilson failed to keep the Complainant reasonably informed about the status of the

family law matter and failed to promptly comply with reasonable requests from Complainant for information about the case. Upon termination of representation, Wilson failed to refund unearned fees. She also failed to timely respond to the grievance.

Wilson violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She was ordered to pay \$1,500 in restitution and \$1,100 in attorneys' fees and direct expenses.

DISTRICT 16:

San Antonio Attorney

3/23/2022-Agreed Private Reprimand

Rule violations:

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:

Mena, G. Danny: #13929900

3/24/2022-Agreed Fully Probated Suspension

05/01/2022-08/31/2022: PROBATED

On March 24, 2022, G. Danny Mena [#13929900], 66, of El Paso, accepted a four-month, fully probated suspension, effective May 1, 2022. An Investigatory Panel of the District 17 Grievance Committee found Mena neglected client matters and failed to keep client reasonably informed.

Mena violated Rules 1.01(b)(1) and 1.03(a), and agreed to pay \$2,200.00 in restitution, and \$800.00 in attorneys' fees and direct expenses.

BODA:

Daniel, Lawrence "Larry" E.: #05359900

8/17/2021-Disbarment

On August 17, 2021, the Board of Disciplinary Appeals entered a Judgment of Disbarment against Austin, TX attorney Lawrence E. Daniel, 61, State Bar of Texas Card No. 05359900. On July 21, 2020, a Sentence, Judgment, and Commitment was entered in Cause No. 171500332 FS, styled State of Utah Attorney General v. Lawrence Earl Daniel, in the Fifth District Court - Cedar, Iron County, State of Utah, wherein Daniel was found guilty and convicted of Securities Fraud - 2nd Degree Felony and Securities Fraud - 3rd Degree Felony. Daniel was sentenced to prison for a term of one to fifteen years with the sentence probated for three years. BODA Case No. 65307

Hume, Robert Theodore: #10269600

3/23/2022-Agreed Public Reprimand

On March 23, 2022, the Board of Disciplinary Appeals entered an Agreed Judgment of Public Reprimand against 1033 North Hollywood, CA attorney 9 **Robert Theodore Hume**, 75, State Bar of

Texas Card No. 10269600. On December 1, 2020, an Informal Admonition was entered by the District of Columbia Office of Disciplinary Counsel in a matter styled, In re Robert T. Hume, Esquire, D.C. Bar Membership No. 114132, Disciplinary Docket No. 2018-D346 in which Hume received an informal admonishment. BODA Case No. 65567

Jones, Jeffrey Thompson: #00794048

4/14/2022-Indefinite Disability Suspension

On April 14, 2022, **Jeffrey Thompson Jones** [#00794048], 51, of Pampa, agreed to a judgment of indefinite disability suspension, effective immediately.

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

Mason, James Robert: #24094822

2/1/2022-Active Suspension

02/01/2022-07/31/2022: SUSPENSION

On February 1, 2022, the Board of Disciplinary Appeals entered a Default Judgment of Suspension against Willow Springs, IL attorney James Robert Mason, 33, State Bar of Texas Card No. 24094822. On November 16, 2021, the Supreme Court of Illinois issued a judgment in a matter styled In re: James Robert Mason, M.R. 030993, Attorney Registration and Disciplinary Commission No. 2021PR00045, in which Mason agreed to a five month suspension from the practice of law. BODA Case No. 66185