

COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS
ON
ATTORNEY DISCIPLINE

APRIL 2012

Disciplinary Sanctions
December 1, 2011 through February 29, 2012

DISBARMENTS	DISTRICT	Number of Complaints Resolved
Harrison, William B.	4	1
Jackson, Carol Bowling	7	1
McGaha, Jr., Kelley Swindle	10	1
Board of Disciplinary Appeals Actions:		
McKinney, R. Leonadis	BODA	1
Roberts, Ted H.	BODA	1
Total	5	5

RESIGNATIONS IN LIEU of DISCIPLINE	DISTRICT	Number of Complaints Resolved
Bearman, Steven A.	4	1
Jones, Gerald L.	4	1
Kopacz, Grace Diane	4	1
Rozan, Steven Jay	4	10
Simmons, Dan Dewitt	4	1
Nunn, Timothy Edward	6	8
Burnett, Jr., John M.	9	1
Merritt, John M.	9	1
O'Neill, Sean F.	10	1
Jabbour, Stephen J.	11	1
Total	10	26

SUSPENSIONS	DISTRICT	Number of Complaints Resolved
Buss, Robert Paul	1	1
Gent, Kelly C.	1	1
Guillotte, Paul	1	1
Collins, Mitchell D.	2	1
Collins, Mitchell D.	2	1
Collins, Mitchell D.	2	1
Barry, Jeffrey S.	4	1
Chase, Jr., John S.	4	1
Chukwurah, Cyril O.	4	1
Eureste, Arthur	4	1
Fisher, Raymond Lamar	4	1
Foote, Kennitra M.	4	1
Gerringer, Robert C.	4	1
Mintz, Richard Alan	4	1
Nweze, Ikechukwu	4	1
Nellis, William G.	6	1

Shavers, Jr., Charles	6	3
Chidgey, John Paul	7	1
Hill, Ray W.	7	2
Jackson, Carol Bowling	7	1
Smith, Donald T.	7	1
Staton, Gerald G.	7	3
Dolin, Scott Matthew	9	2
Septowski, Charles Dee	9	1
Vega, Juan Antonio	10	1
Vega, Juan Antonio	10	1
Maldonado, Michael	11	1
Segundo, Rene	12	1
Segundo, Rene	12	1
Kozura, Keith Brian	14	1
MacPhail, Donald G.	14	1
Roberts, Kirby J.	14	1
Trahan, Thomas E.	14	1
Trahan, Thomas E.	14	1
Wylie, Barbara	14	1

Board of Disciplinary Appeals Actions:

Cordero, Jr., Patrick H.	BODA	1
Derkunt, Mustafa Engin	BODA	1
Jones, Luther	BODA	1
Tidwell, Scott M.	BODA	1
Total		45

PUBLIC REPRIMANDS	DISTRICT	Number of Complaints Resolved
Escalante, Caesar	4	1
Cundiff, Paula R.	5	1
Erwin, Veronica F.	5	1
Hunsicker, Jana L.	8	1
Bernard, Brian Yusef	9	1
Wilburn, Randall B.	9	1
Castillo, David	10	1
Pettit, Christopher	10	1
Segundo-Moreno, Melissa	10	1
Fisher, Billy L.	14	1
Total		10

PRIVATE REPRIMANDS		
GRIEVANCE COMM.		Number of Complaints Resolved
4	3	4
5	2	2
6	2	2
7	1	2
8	1	1
9	1	1
10	3	3
11	1	2
12	3	3
13	1	1
14	1	1
17	2	2
Total		24
Grievance Referral Program		10
GRAND TOTAL:		120

DISCIPLINARY ACTIONS - CURRENT BAR YEAR

BAR YEARS		Total Sanctions	Total Complaints Resolved	
*2011-2012	DISBARMENTS	26	33	
	RESIGNATIONS	23	76	
	SUSPENSIONS	102	129	
	PUBLIC REPRIMANDS	30	31	
	PRIVATE REPRIMANDS	67	73	
	GRIEVANCE REFERRAL PROGRAM	32	32	374

*does not reflect year end figures

DISCIPLINARY ACTIONS - PREVIOUS BAR YEARS

BAR YEARS		Total Sanctions	Total Complaints Resolved	
2010-2011	DISBARMENTS	28	52	
	RESIGNATIONS	23	101	
	SUSPENSIONS	157	254	
	PUBLIC REPRIMANDS	40	50	
	PRIVATE REPRIMANDS	77	82	
	GRIEVANCE REFERRAL PROGRAM	46	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	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				
2004-2005	DISBARMENTS	34			
	RESIGNATIONS	10			
	SUSPENSIONS	130			
	PUBLIC REPRIMANDS	52			
	PRIVATE REPRIMANDS	170			
	ORDER FOR REHABILITATION	18	414		
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
2001-2002	DISBARMENTS	50	
	RESIGNATIONS	20	
	SUSPENSIONS	161	
	PUBLIC REPRIMANDS	70	
	PRIVATE REPRIMANDS	142	
	ORDER FOR REHABILITATION	39	482

COMMISSION FOR LAWYER DISCIPLINE
REPORT TO THE BOARD OF DIRECTORS
April 2012

DISTRICT 01:

BUSS, ROBERT PAUL: #03507550
12/30/2011-ACTIVE SUSPENSION
12/21/2011-12/20/2016

On December 30, 2011, **Robert Paul Buss** [#03507550], 65, of Plano, received a five-year, active suspension, effective December 21, 2011.

The District 1 Grievance Committee found that Buss engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees or assessments. Buss also failed to respond to the grievance with the Office of the Chief Disciplinary Counsel.

Buss violated Rules 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$1,531.99 in attorneys' fees and costs.

GENT, KELLY C.: #24038916
12/05/2011- PARTIALLY PROBATED SUSPENSION
05/26/2012-11/26/2012: SUSPENSION
11/27/2012-05/26/2013: PROBATION

On December 5, 2011, **Kelly C. Gent** [#24038916], 34, of Dallas, received a one-year, partially probated suspension, effective May 26, 2012, with the first six months actively served and the remainder probated.

The District 1 Grievance Committee found that in representing Complainant in her civil matter, Gent neglected the legal matter and failed to keep Complainant reasonably informed about the status of her case. Gent also failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure.

Gent violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,250.00 in restitution and \$831.00 in attorneys' fees.

GUILLOTTE, PAUL: #08597100
12/07/2011-FULLY PROBATED SUSPENSION
01/01/2012-12/31/2013

On December 7, 2011, **Paul Guillotte** [#08597100], 48, of Athens accepted a two-year, fully probated suspension, effective January 1, 2012.

The District 1 Grievance Committee found that Guillotte accepted employment in Complainant's medical malpractice matter which Guillotte knew was beyond his competence level. In representing Complainant, Guillotte neglected the medical malpractice matter entrusted to him, by failing to file suit in this matter. Upon termination of representation, Guillotte failed to take steps to the extent reasonably practicable to protect Complainant's interests, by allowing the statute of limitations on her claim to expire. Guillotte practiced law in a jurisdiction where doing so violated the regulation of the legal profession in that jurisdiction.

Guillotte violated Rules 1.01(a), 1.01(b)(1), 1.15(d), and 5.05(a). He was ordered to pay \$1,372.58 in attorneys' fees and costs.

DISTRICT 02:

COLLINS, MITCHELL D.: #24025301
10/24/2011-FULLY PROBATED SUSPENSION

11/01/2011-04/30/2014

On October 24, 2011, **Mitchell D. Collins** [#24025301], 42, of Tyler, received a 30-month, fully probated suspension, effective November 1, 2011.

Collins neglected Complainant's legal matter and failed to adequately communicate with her during the course of the representation. Collins also failed to respond to Complainant's grievance.

Collins violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,500.00 in attorneys' fees and \$5,000.00 in restitution.

D0111041676

COLLINS, MITCHELL D.: #24025301
10/24/2011-FULLY PROBATED SUSPENSION
11/01/2011-04/30/2014

On October 24, 2011, **Mitchell D. Collins** [#24025301], 42, of Tyler, received a 30-month, fully probated suspension, effective November 1, 2011.

Collins neglected Complainant's legal matter and failed to adequately communicate with her during the course of the representation. In addition, Collins failed to return the unearned fee to Complainant once the representation ended.

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

D0091041302

COLLINS, MITCHELL D.: #24025301
01/23/2012-PARTIALLY PROBATED SUSPENSION
02/01/2012-01/31/2014-SUSPENSION
02/01/2014-01/31/2016: PROBATION

On January 23, 2012, **Mitchell D. Collins** [#24025301], 42, of Tyler, received a four-year, partially probated suspension, effective February 1, 2012, with the first twenty four months actively served and the remainder probated.

The District 2 Grievance Committee found that during the course of his representation of Complainant, Collins failed to adequately communicate with her. In addition, upon the conclusion of Complainant's contingent fee matter, Collins failed to provide Complainant with a settlement disbursement sheet. Collins also failed to safeguard Complainant's funds.

Collins violated Rules 1.03(a), 1.04(d), and 1.14(a). He was ordered to pay \$3,679.25 in restitution and \$1,500.00 in attorneys' fees and costs.

D0040937196

DISTRICT 04:

BARRY, JEFFREY S.: #24036193
01/19/2012-PARTIALLY PROBATED SUSPENSION
02/01/2012-04/30/2012: SUSPENSION
05/01/2012-01/31/2014: PROBATION

On January 19, 2012, **Jeffrey S. Barry** [#24036193], 38, of Houston, accepted a two-year, partially probated suspension, effective February 1, 2012, with the first three months actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that Barry failed to timely respond to a Motion for Summary Judgment, resulting in a dismissal of his client's civil case, failed to file a brief resulting in the dismissal of his client's appeal, and failed to return his client's phone calls and keep him informed of the status of his case.

Barry violated Rules 1.01(b)(1), and 1.03(a). He agreed to pay \$1,000.00 in attorneys' fees and expenses.

BEARMAN, STEVEN A.: #90000546
12/13/2011-RESIGNATION

On December 13, 2011, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Steven A. Bearman** [#90000546], 48, presently incarcerated in Rusk.

Bearman represented a client in a personal injury case, settled the case without the client's permission and converted the settlement funds.

CHASE, JR., JOHN S.: #04149100
01/27/2012-PARTIALLY PROBATED SUSPENSION
01/31/2012-07/31/2012: SUSPENSION
08/01/2012-01/31/215: PROBATION

On January 27, 2012, **John S. Chase, Jr.** [#04149100], 59, of Houston, accepted a 36-month, partially probated suspension, effective January 31, 2012, with the first six months actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that in representing a client, Chase failed to maintain communication with the client. Upon Chase's settlement of the client's matter Chase failed to notify the client of his receipt of settlement funds and failed to promptly forward any funds to the client. Chase converted the funds to his own use, but repaid the funds prior to a scheduled disciplinary hearing. Chase commingled his own funds with the client's settlement funds. Upon the conclusion of a contingent fee matter, Chase also failed to provide the client with a written statement describing the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination.

Chase violated Rules 1.03(a), 1.04(c), 1.14(a), and 1.14(b). He agreed to pay \$1,384.04 in attorneys' fees and costs.

CHUKWURAH, CYRIL O.: #24048394
11/21/2011-PARTIALLY PROBATED SUSPENSION
11/10/2011-11/09/2014: SUSPENSION
11/09/2014-11/09/2016: PROBATION

On November 21, 2011, **Cyril O. Chukwurah** [#24048394], 55, of Houston, received a 60-month, partially probated suspension, effective November 10, 2011, with the first thirty-six months actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that Chukwurah accepted employment in a legal matter which he knew or should have known was beyond his competence. Chukwurah failed to give his client straightforward advice, expressing the lawyer's honest assessment of the case. Chukwurah brought a proceeding, or asserted or controverted an issue that he knew to be frivolous. Chukwurah engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Chukwurah violated Rules 1.01(a), 2.01, 3.01, and 8.03(a)(3). He was ordered to pay \$3,016.40 in attorneys' fees and costs.

Chukwurah has appealed the judgment of partially probated suspension.

ESCALANTE, CAESAR: #06662090
12/05/2011-PUBLIC REPRIMAND

On December 5, 2011, **Caesar Escalante** [#06662090], 60, of Houston, accepted a public reprimand.

The 127th District Court of Harris County found that Escalante settled his client's case, but thereafter failed to keep his client updated regarding the status of the payment of the settlement monies.

Escalante violated Rule 1.03(a). He agreed to pay \$2,000.00 in attorneys' fees and expenses.

EURESTE, ARTHUR: #06702250
12/14/2011-FULLY PROBATED SUSPENSION
11/15/2011-11/14/2012

On December 14, 2011, **Arthur Eureste** [#06702250], 57, of Houston, accepted a one-year, fully probated suspension, effective November 15, 2011.

The Evidentiary Panel of the District 4 Grievance Committee found that Eureste was hired for representation in a bankruptcy case. During the course of the representation, the client made numerous attempts to contact Eureste to ascertain the status of her case, however, Eureste failed to respond.

Eureste violated Rule 1.03(a).

FISHER, RAYMOND LAMAR: #07057700
02/07/2012-FULLY PROBATED SUSPENSION
02/15/2012-08/14/2012

On February 7, 2012, **Raymond Lamar Fisher** [#07057700], 60, of Houston, accepted a six-month, fully probated suspension, effective February 15, 2012.

The 55th District Court of Harris County found that Fisher permitted a non-lawyer associate to make numerous telephone calls from Fisher's office to patient rooms at Memorial Hermann Hospital during a three month period for the purpose of soliciting business on behalf of Fisher.

Fisher violated Rule 5.03(b)(1). He was ordered to pay attorneys' fees and expenses in the amount of \$6,377.00.

FOOTE, KENNITRA M.: #24029552
12/15/2011-PARTIALLY PROBATED SUSPENSION
12/15/2011-03/15/2012: SUSPENSION
03/16/2012-12/14/2013: PROBATION

On December 15, 2011, **Kennitra M. Foote** [#24029552], 39, of Houston, accepted a two-year, partially probated suspension, effective December 15, 2011, with the first three months actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that in her representation of a client in a personal injury matter, Foote failed to explain an offer of settlement to the extent reasonably necessary to permit the client to make an informed decision regarding the offer of settlement, and failed to abide by the client's decision of whether to accept the settlement offer. Upon receiving settlement funds in which the client had an interest, Foote failed to promptly notify the client of her receipt of the funds, and failed to promptly deliver settlement funds the client was entitled to receive. Also, Foote failed to withdraw from representing the client after she had been discharged.

Foote violated Rules 1.02(a)(2), 1.03(a), 1.03(b), 1.14(b), and 1.15(a)(3). She agreed to pay \$1,100.00 in attorneys' fees and expenses.

**HOUSTON ATTORNEY
12/12/2011-PRIVATE REPRIMAND**

RULE 8.04(a)(11)

for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

**GERRINGER, ROBERT C.: #07826200
11/19/2011-PARTIALLY PROBATED SUSPENSION
01/01/2012-12/31/2012: SUSPENSION
01/01/2013-12/31/2014: PROBATION**

On November 19, 2011, **Robert C. Gerringer** [#07826200], 56, of Houston, received a three-year, partially probated suspension, effective January 1, 2012, with the first year actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that Gerringer failed to keep his client reasonably informed about the status of her legal matter, failed to promptly comply with reasonable requests for information, failed to promptly deliver funds that third parties were entitled to receive, and, upon termination of representation, failed to surrender property to which the client was entitled. Gerringer also failed to timely furnish to the Office of the Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure.

Gerringer violated Rules 1.03(a), 1.14(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,865.00 in attorneys' fees and expenses.

**HOUSTON ATTORNEY
11/07/2011-PRIVATE REPRIMAND**

RULE 1.01(b)(1)

for neglecting a legal matter entrusted to the lawyer

**HARRISON, WILLIAM B.: #09125100
12/19/2011-DISBARMENT**

On December 19, 2011, **William B. Harrison** [#09125100], 57, of Houston, was disbarred.

The District 4 Evidentiary Panel found that Harrison was hired to represent a minor in a case arising from the death of the minor's mother in an automobile accident. Pursuant to the terms of the judgment, the minor's grandparents each received a settlement, however, the grandparents only received one-half of their monies from Harrison. The minor was also awarded a settlement which was to be paid into the registry of the Court in an interest bearing account for the minor as a trust fund until he turned eighteen (18) years of age. Harrison failed to ensure that the minor's settlement funds were properly deposited into the registry of the Court.

Harrison has filed a notice of appeal.

JONES, GERALD L.: #10889300
11/15/2011-RESIGNATION

On November 15, 2011, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Gerald L. Jones** [#10889300], 67, of Katy.

At the time Jones submitted his resignation, there was one grievance pending against him alleging neglect and failure to communicate. Jones was hired for representation in a breach of contract lawsuit filed by his client's business partner. Jones failed to notify his client of the trial setting, but did appear himself. Jones further failed to inform his client of the entry of the judgment against him. The client learned of the judgment from a third party, however by that time, the deadlines for a motion for new trial and appeal had passed.

Jones violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). He was ordered to pay \$505.54 in attorneys' fees and expenses.

KOPACZ, GRACE DIANE: #24044123
11/15/2011-RESIGNATION

On November 15, 2011, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Grace Diane Kopacz** [#24044123], 41, of Houston.

At the time Kopacz submitted her resignation, there was one grievance pending against her. The Court found that Kopacz agreed to launder money, provided by a DEA informant through her trust account in return for 15% of the funds as her fee. Kopacz also asked the informant to take her car and abandon it in Mexico. Upon receiving word from the informant that he had completed this task, Kopacz filed a false insurance claim. Kopacz was indicted and sentenced to ten years deferred adjudication for felony money laundering. Kopacz was also indicted and sentenced to five years deferred adjudication for insurance fraud.

MINTZ, RICHARD ALAN: #14198800
12/14/2011-FULLY PROBATED SUSPENSION
11/15/2011-11/14/2012

On December 14, 2011, **Richard Alan Mintz** [#14198800], 59, of Houston, accepted a one-year, fully probated suspension, effective November 15, 2011.

An Evidentiary Panel of the District 4 Grievance Committee found that upon termination of his representation, Mintz failed to surrender papers to which his client was entitled and failed to refund an advance payment of fee that had not been earned.

Mintz violated Rule 1.15(d). He agreed to pay \$3,620.00 in restitution and \$525.00 in attorneys' fees.

HOUSTON ATTORNEY
01/18/2012-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

RULE 8.04(a)(3)

for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation

NWEZE, IKECHUKWU: #00792725
01/12/2012-PARTIALLY PROBATED SUSPENSION
03/01/2012-02/28/2013: SUSPENSION
03/01/2013-02/28/2014: PROBATION

On January 12, 2012, **Ikechukwu Nweze** [#00792725], 59, of Houston, received a two-year, partially probated suspension, effective March 1, 2012, with the first year actively served and the remainder probated.

An Evidentiary Panel of the District 4 Grievance Committee found that Nweze neglected the legal matter entrusted to him, failed to keep his client reasonably informed about the status of her legal matter, failed to promptly comply with reasonable requests for information, failed to hold in a trust account funds belonging to his client that were in his possession in connection with his representation of her, and failed to promptly deliver to his client the funds that she was entitled to receive.

Nweze violated Rules 1.01(b)(1), 1.03(a), 1.14(a), and 1.14(b). He was ordered to pay \$1,725.00 in attorneys' fees.

ROZAN, STEVEN JAY: #17357000
12/12/2011-RESIGNATION

On December 12, 2011, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Steven Jay Rozan** [#17357000], 68, of Houston.

At the time of Rozan's resignation, there were ten disciplinary matters pending against him. In six of those matters, Rozan neglected the legal matters entrusted to him.

In eight matters, Rozan failed to keep his clients reasonably informed about the status of their legal matters and failed to promptly comply with reasonable requests for information.

In seven matters, Rozan failed to refund advance fee payments, and in three of the matters he failed to surrender papers and property in which his clients were entitled. Also in four matters, Rozan violated a disciplinary judgment and failed to comply with section 13.01 of the Texas Rules of Disciplinary Procedure relating to the notification of an attorney's cessation of practice.

Rozan violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(7), and 8.04(a)(10). He was ordered to pay \$61,925.00 in restitution and \$12,692.53 in attorneys' fees and expenses as a condition precedent to reinstatement.

SIMMONDS, DAN DEWITT: #24027980
12/12/2011-RESIGNATION

On December 12, 2011, The Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Dan Dewitt Simmonds** [#24027980], 39, of Katy.

The Court found that in connection with the settlement of two personal injury matters, Simmonds failed to hold funds belonging in part to the clients separate from his own property, failed to keep the funds in a separate trust account, disbursed the funds to persons who were not entitled to receive them, failed to promptly deliver all the funds that the client was entitled to receive, and also engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Simmonds violated Rules 1.14(a), 1.14(b), 1.14(c), and 8.04(a)(3). He was ordered to pay \$8,377.94 in attorneys' fees and costs.

DISTRICT 05:

**HOUSTON ATTORNEY
01/11/2012-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

**CUNDIFF, PAULA R.: #24010350
01/23/2012-PUBLIC REPRIMAND**

On January 23, 2012, **Paula R. Cundiff** [#24010350], 38, of League City, accepted a public reprimand.

An Evidentiary Panel of the District 5 Grievance Committee found that Cundiff practiced law while administratively suspended from the practice of law for non-compliance with her Minimum Continuing Legal Education requirements.

Cundiff violated Rule 8.04(a)(11). She agreed to and was ordered to pay attorneys' fees and costs in the amount of \$350.00.

**ERWIN, VERONICA F.: #06817220
01/27/2012-PUBLIC REPRIMAND**

On January 27, 2012, **Veronica F. Erwin** [#06817220], 49, of Brownsville, accepted a public reprimand.

The 357th District Court found that Erwin failed to return a client's file.

Erwin violated Rule 1.15(d) and was ordered to pay \$700.00 in attorneys' fees and expenses.

**HOUSTON ATTORNEY
01/26/2012-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 1.03(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 06:

**DALLAS ATTORNEY
12/08/2011-PRIVATE REPRIMAND**

RULE 1.03(a)

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

RULE 8.04(a)(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

**NELLIS, WILLIAM G.: #90001643
11/14/2011-PARTIALLY PROBATED SUSPENSION
11/30/2011-11/29/2012: SUSPENSION
11/30/2012-11/30/2013: PROBATION**

On November 14, 2011, **William G. Nellis** [#90001643], 42, of Frisco, received a two-year, partially probated suspension, effective November 30, 2011, with the first year actively served and the remainder probated.

The District 6 Grievance Committee found that while representing Complainant in her divorce matter, Nellis neglected the legal matters entrusted to him, failed to hold funds paid to him in advance by Complainant in connection with the representation separate from Nellis' own funds in a trust or escrow account. Upon request by Complainant, Nellis failed to promptly render a full accounting regarding funds paid to him in advance by Complainant.

Upon termination of the representation of Complainant, Nellis failed to refund advance payments of fees that had not been earned, failed to timely furnish to the Chief Disciplinary Counsel's office a response to the complaint filed by Complainant as required by the Texas Rules of Disciplinary Procedure. Also, Nellis did not, in good faith timely assert a privilege or other legal ground for failure to do so.

Nellis violated Rules 1.01(b)(1), 1.14(a), 1.14(b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,200.00 in restitution and \$3,863.89 in attorneys' fees and direct expenses.

NUNN, TIMOTHY EDWARD: #00795562
12/12/2011-RESIGNATION

On December 12, 2011, The Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Timothy Edward Nunn** [#00795562], 42, of Dallas.

At the time of Nunn's resignation, there were eight matters pending against him alleging neglecting legal matters, failing to advise a client of a plea offer and entering a plea without the client's authorization, failing to keep clients reasonably informed, failing to respond to reasonable requests for information from clients, failing to explain a matter to clients, failing to safe keep client property, failed to deliver funds to a third party, failing to disburse funds only to those persons entitled to receive the funds, violating the Texas Disciplinary Rules of Professional Misconduct, committing a serious crime, engaging in conduct involving fraud, dishonesty, deceit or misrepresentation, and also failing to respond to grievances.

Nunn violated Rules 1.01(b)(1), 1.02(a)(3), 1.03(a), 1.03(b), 1.14(a), 1.14(b), 1.14(c), 8.04(a)(1), 8.04(a)(2), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$350,440.00 in restitution.

DALLAS ATTORNEY
01/30/2012-PRIVATE REPRIMAND

RULE 8.04(a)(11)

for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

SHAVERS, JR., CHARLES: #18138000
02/15/2012-ACTIVE SUSPENSION
02/29/2012-02/28/2016

On February 15, 2012, **Charles Shavers, Jr.** [#18138000], 71, of Dallas, received a four-year, active suspension, effective February 29, 2012.

The 162nd District Court of Dallas County found that while representing a client in a civil matter, Shavers failed to make reasonable efforts to ensure that the conduct of his non-lawyer employee was compatible with Shavers' professional obligations as a lawyer.

Shavers violated Rule 5.03(a). He was ordered to pay \$7,992.45 in attorneys' fees and \$8,300.00 in restitution.

Shavers filed an appeal on February 23, 2012.

DISTRICT 07:

CHIDGEY, JOHN PAUL: #24035419
02/16/2012-FULLY PROBATED SUSPENSION
02/15/2012-02/14/2014

On February 16, 2012, **John Paul Chidgey** [#24035419], 38, of Fort Worth, received a two-year, fully probated suspension, effective February 15, 2012.

An Evidentiary Panel of the District 7 Grievance Committee found that Chidgey neglected a client's legal matter entrusted to him by failing to appear at a pretrial conference and at the final hearing, and failing to keep the client reasonably informed about the status of her family law matter. Chidgey also failed to timely furnish a response to the complaint or other information as required by the Texas Rules of Disciplinary Procedure or assert any grounds for such failure.

Chidgey violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,034.53 in attorneys' fees and costs and \$1,500.00 in restitution.

HILL, RAY W.: #09667000
01/23/2012-FULLY PROBATED SUSPENSION
02/01/2012-01/31/2013

On January 23, 2012, **Ray W. Hill** [#09667000], 71, of Crowley, accepted a one-year, fully probated suspension, effective February 1, 2012.

An Evidentiary Panel of the District 7 Grievance Committee found that Hill engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees.

Hill violated Rule 8.04(a)(11). He was ordered to pay \$872.36 in attorneys' fees and costs.

JACKSON, CAROL BOWLING: #00794934
11/28/2011-FULLY PROBATED SUSPENSION
12/01/2011-11/30/2013

On November 28, 2011, **Carol Bowling Jackson** [#00794934], 62, of Bedford, received a two-year, fully probated suspension, effective December 1, 2011.

An Evidentiary Panel of the District 7 Grievance Committee found that Jackson neglected a client's legal matter, failed to keep the client reasonably informed about the status of her wrongful termination matter, and failed to promptly comply with reasonable requests for information. Jackson failed to reduce the contingent fee agreement entered into with the client to writing, and upon termination of the representation, and failed to surrender papers and property belonging to her client. Jackson also failed to furnish a response to the complaint.

Jackson violated Rules 1.01(b)(1), 1.03(a), 1.04(d), 1.15(d), and 8.04(a)(8). She was ordered to pay \$1,655.98 in attorneys' fees and costs.

JACKSON, CAROL BOWLING: #00794934
01/26/2012-DISBARMENT

On January 26, 2012, **Carol Bowling Jackson** [#00794934], 62, of Bedford, was disbarred.

An Evidentiary Panel of the District 7 Grievance Committee found that Jackson failed to abide by a client's decisions concerning the objectives and general methods of representation in a divorce matter, failed to keep the client reasonably informed about the status of the matter, and failed to return the file to the client upon request. In addition, Jackson failed to file a response with the Office of the Chief Disciplinary Counsel.

Jackson violated Rules 1.02(a)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She was ordered to pay \$1,556.12 in attorneys' fees and costs.

SMITH, DONALD T.: #18568600
11/28/2011-PARTIALLY PROBATED SUSPENSION
12/01/2011-11/30/2014: SUSPENSION
12/01/2014-11/30/2016: PROBATION

On November 28, 2011, **Donald T. Smith** [#18568600], 52, of Fort Worth, received a five-year, partially probated suspension, effective December 1, 2011, with the first three years actively served and the remainder probated.

An Evidentiary Panel of the District 7 Grievance Committee found that Smith neglected a client's probate matter, failed to carry out completely the obligations owed to the client, failed to keep the client reasonably informed about the status of the matter, and failed to promptly comply with reasonable requests for information. Smith also failed to furnish a response to the complaint.

Smith violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,807.94 in attorneys' fees and costs.

DALLAS ATTORNEY
01/26/2012-PRIVATE REPRIMAND

RULE 8.04(a)(8)

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

RULE 8.04(a)(11)

for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

STATON, GERALD G.: #24000064
01/10/2012-PARTIALLY PROBATED SUSPENSION
01/10/2012-07/09/2012: SUSPENSION
07/10/2012-01/09/2015: PROBATION

On January 10, 2012, **Gerald G. Staton** [#24000064], 42, of Fort Worth, received a three-year, partially probated suspension, effective January 10, 2012, with the first six months actively served and the remainder probated.

An Evidentiary Panel of the District 7 Grievance Committee found that in one matter, Staton failed to keep his clients reasonably informed about the status of their civil matter.

In a second matter, upon termination of representation, Staton failed to refund advance payments of fees to his client that had not been earned.

In a third matter, Staton failed to keep his client reasonably informed about the status of the civil matter. Upon termination of representation, Staton failed to surrender papers and property to which the client was entitled, and failed to refund advance payments of fees that had not been earned. In addition, Staton also failed to timely furnish a response in all three matters with the Office of the Chief Disciplinary Counsel.

Staton violated Rules 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$6,435.70 in attorneys' fees and costs.

DISTRICT 08:

HUNSICKER, JANA L.: #24000244
11/22/2011-PUBLIC REPRIMAND

On November 22, 2011, **Jana L. Hunsicker** [#24000244], 46, of Georgetown, accepted a public reprimand.

The 26th District Court of Williamson County found that Hunsicker revealed a client's confidential information.

Hunsicker violated Rule 1.05. She was ordered to pay \$7,743.00 in attorneys' fees and direct expenses.

AUSTIN ATTORNEY
01/17/2012-PRIVATE REPRIMAND

RULE 8.04(a)(1)

for violating these Rules, knowingly assisting or inducing another to do so, or doing so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship

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

DISTRICT 09:

**AUSTIN ATTORNEY
12/15/2011-PRIVATE REPRIMAND**

RULE 8.04(a)(11)

for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

**BERNARD, BRIAN YUSEF: #24001728
01/5/2012-PUBLIC REPRIMAND**

On January 5, 2012, **Brian Yusef Bernard** [#24001728], 40, of Austin, accepted a public reprimand.

The District 9 Evidentiary Panel found that Complainant hired Bernard to represent her in a divorce matter. On September 23, 2010, Complainant requested that Bernard provide her with an accounting and to return her file. On November 15, 2010, Bernard provided Complainant with an incomplete copy of her file. Additionally, Bernard never provided Complainant with an accounting. Bernard had received a \$2,000.00 advanced fee from Complainant but did not deposit the check into his trust account. Further, Bernard failed to maintain trust account records for those funds for five years.

Bernard violated Rules 1.14(a), 1.14(b), 1.14(c), 1.15(d), and 8.04(a)(1). He was ordered to complete continuing legal education in Law Practice Management and to pay \$3,242.47 in attorney's fees and costs.

**BURNETT, JR., JOHN M.: #03436000
12/13/2011-RESIGNATION**

On December 13, 2011, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **John M. Burnett, Jr.** [#03436000], 64, of Rogers, Arkansas.

The Court found that on or about April 4, 2011, an Order was entered in the Supreme Court of the State of New Mexico granting the petition for resignation in lieu of discipline in Case No. 32,883, *In the Matter of John M. Burnett, Jr., an Attorney Suspended from the Practice of Law Before the Courts of the State of New Mexico.*

This resignation in lieu of discipline would subject him to reciprocal discipline.

DOLIN, SCOTT MATTHEW: #24029523
12/15/2011-ACTIVE SUSPENSION
11/01/2011-10/31/2012

On December 15, 2011, **Scott Matthew Dolin** [#24029523], 37, of Huntington, West Virginia, accepted a one-year, active suspension, effective November 1, 2011.

The District 9 Evidentiary Panel found that Dolin was suspended from the practice of law on June 1, 2009, pursuant to a disciplinary judgment. In two matters, while suspended from the practice of law, Dolin appeared before a sitting magistrate and represented that he was attorney of record for clients in order to obtain their release on personal bonds. Dolin signed bond forms for his clients stating that he was attorney of record.

Dolin violated Rules 8.04(a)(7), 8.04(a)(11), and 8.04(a)(1). He was ordered to pay \$551.89 in attorneys' fees and expenses.

MERRITT, JOHN M.: #13967425
02/15/2012-RESIGNATION

On February 15, 2012, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **John M. Merritt** [#13967425], 73, of Oklahoma City, Oklahoma.

The Supreme Court found that on June 27, 2011, an Order Approving Resignation from the Oklahoma Bar Association Pending Disciplinary Proceedings was entered in the Supreme Court of Oklahoma in a matter styled: SCBD #5755, *State of Oklahoma ex rel, Oklahoma Bar Association, Complainant, v. John M. Merritt, Respondent*.

This resignation in lieu of discipline would subject Merritt to reciprocal discipline.

SEPTOWSKI, CHARLES DEE: #18032325
11/23/2011-PARTIALLY PROBATED SUSPENSION
12/01/2011-12/31/2011: SUSPENSION
01/01/2012-11/30/2012: PROBATION

On November 23, 2011, **Charles Dee Septowski** [#18032325], 57, of St. Louis, Missouri, received a one-year, partially probated suspension, effective December 1, 2011, with the first 30 days actively served and the remainder probated.

The 126th District Court of Travis County, Texas, found that Septowski was suspended from the practice of law from September 1, 2009, to January 7, 2010, for failure to pay State Bar dues and that on or about October 23, 2009, while suspended, Septowski filed a divorce decree on behalf of his client in Williamson County, Texas. The Court further found that on or about November 2, 2009, while suspended, Septowski appeared in court in an attempt to finalize the divorce.

Septowski violated Rules 8.04(a)(1), and 8.04(a)(11). He was ordered to pay \$11,000.00 in attorneys' fees and costs.

WILBURN, RANDALL B.: #24033342
02/22/2012-PUBLIC REPRIMAND

On February 22, 2012, **Randall B. Wilburn** [#24033342], 50, of Austin, accepted a public reprimand.

The District 9 Evidentiary Panel found that Wilburn was employed as an associate by Clark, Thomas and Winters from June 1, 2004, to February 2006. While employed at Clark, Thomas and Winters, Wilburn represented Sonterra Development, LLC ("Sonterra") regarding a proposed land development in Jarrell, Texas. During the representation, Wilburn joined a limited partnership which provided him with a financial interest in Sonterra's development project.

Wilburn violated Rule 1.08(h). Wilburn was ordered to pay \$4,500.00 in attorneys' fees and costs.

DISTRICT 10:

SAN ANTONIO ATTORNEY
01/05/2012-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
11/21/2011-PRIVATE REPRIMAND

RULE 1.15(a)(3)

for failing to decline or withdraw from representation of a client if the lawyer is discharged, with or without good cause

CASTILLO, DAVID: #03984700
12/01/2011-PUBLIC REPRIMAND

On December 1, 2011, **David Castillo** [#03984700], 51, of San Antonio, accepted a public reprimand.

The District 10 Grievance Committee found that Castillo failed to respond to his client's requests for information about the status of the representation.

Castillo violated Rule 1.03(a). He agreed to pay \$800.00 in attorneys' fees and direct expenses.

SAN ANTONIO ATTORNEY
01/25/2012-PRIVATE REPRIMAND

RULE 1.01(b)(1)

for neglecting a legal matter entrusted to the lawyer

RULE 1.02(a)(1)

for failing to abide by a client's decisions concerning the objectives and general methods of representation

MCGAHA, JR., KELLEY SWINDLE: #24025522
10/25/2011-DISBARMENT

On October 25, 2011, **Kelley Swindle McGaha, Jr.** [#24025522], 44, of San Antonio, was disbarred.

The District 10 Grievance Committee found that McGaha failed to return unearned fees, practiced law while his law license was suspended, and failed to respond to the grievance.

McGaha violated Rules 1.15(d), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$4,000.00 in restitution and \$1,738.00 in attorneys' fees and costs.

O'NEILL, SEAN F.: #15288150
11/15/2011-RESIGNATION

On November 15, 2011, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Sean F. O'Neill** [#15288150], 55, of Plano.

At the time of O'Neill's resignation, there was one disciplinary matter pending against him. In which O'Neill also failed to disburse settlement money to third parties.

O'Neill violated Rules 1.14(a), (b), and (c), and 8.04(a)(2) and was ordered to pay \$8,020.69 in restitution.

PETTIT, CHRISTOPHER J.: #15861150
02/14/2012-PUBLIC REPRIMAND

On February 14, 2012, **Christopher J. Pettit** [#15861150], 44, of San Antonio, accepted a public reprimand.

The District 10 Grievance Committee found that Pettit failed to ensure that his non-lawyer associate's conduct was compatible with the professional obligations of a lawyer.

Pettit violated Rules 5.03(a) and (b)(1). He agreed to pay \$850.00 in attorneys' fees and direct expenses.

SEGUNDO-MORENO, MELISSA: #24033173
01/05/2012-PUBLIC REPRIMAND

On January 5, 2012, **Melissa Segundo-Moreno** [#24033173], 41, of San Antonio, accepted a public reprimand.

The District 10 Grievance Committee found that Segundo-Moreno neglected a client's representation, failed to respond to a client's requests for information, failed to return the unearned portion of the fee, and failed to respond to the grievance.

Segundo-Moreno violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She agreed to pay \$1,200.00 in restitution, and \$500.00 in attorneys' fees and expenses.

VEGA, JUAN ANTONIO: #00795697
01/11/2012-FULLY PROBATED SUSPENSION
03/01/2013-06/30/2014

On January 11, 2012, **Juan Antonio Vega** [#00795697], 43, of San Antonio, accepted a 15-month, fully probated suspension, effective March 1, 2013.

The District 10 Grievance Committee found that Vega failed to return a client's file and failed to respond to the grievance.

Vega violated Rules 1.15(d), and 8.04(a)(8). He was ordered to pay \$800.00 in attorneys' fees and expenses.

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VEGA, JUAN ANTONIO: #00795697
01/11/2012-FULLY PROBATED SUSPENSION
03/01/2013-06/30/2014

On January 11, 2012, **Juan Antonio Vega** [#00795697], 43, of San Antonio, accepted a 15-month, fully probated suspension, effective March 1, 2013.

The District 10 Grievance Committee found that Vega neglected a client's representation and failed to respond to the grievance.

Vega violated Rules 1.01(b)(1) and 8.04(a)(8). He was ordered to pay \$1,000.00 in restitution and \$800.00 in attorneys' fees and expenses.

S0031125017

DISTRICT 11:

SAN ANTONIO ATTORNEY
01/23/2012-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 1.02(a)(1)
for failing to abide by a client's decisions concerning the objectives and general methods of representation

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

JABBOUR, STEPHEN J.: #10444700
01/24/2012-RESIGNATION

On January 24, 2012, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Stephen J. Jabbour** [#10444700], 58, of Big Spring.

The Supreme Court found that on June 9, 2011, a Judgment in a Criminal Case was entered in Case No. 6:10CR00090-S-001, styled *United States of America v. Stephen Jabbour*, in the United States District Court for the Southern District of Texas, Victoria Division, wherein Respondent pled guilty to Receipt of Child Pornography and Possession of Child Pornography. Jabbour was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of one hundred seventy (170) months and ordered, upon release from imprisonment, to be on supervised release for life, ordered to comply with special conditions of supervision in connection with sex offender registration, restrictions and treatment, ordered to pay an assessment of \$200.00 and a fine of \$25,000.00.

This conviction would subject Jabbour to compulsory discipline.

MALDONADO, MICHAEL: #12855260
01/30/2012-FULLY PROBATED SUSPENSION
02/01/2012-01/31/2014

On January 30, 2012, **Michael Maldonado** [#12855260], 52, of Corpus Christi, accepted a two-year, fully probated suspension, effective February 1, 2012.

The District 11 Grievance Committee found that in connection with a personal injury case settled in 2008, Maldonado failed to supervise his non-lawyer staff, failed to promptly pay settlement funds to medical providers, failed to maintain client's funds in a trust account separate from his own property and also failed to communicate with his client.

Maldonado violated Rules 1.03(b), 1.14(a), and (b), and 5.03(a). He was ordered to pay \$8,625.00 in restitution and \$1,200.00 in attorneys' fees and expenses.

DISTRICT 12:

SAN ANTONIO ATTORNEY
11/23/2011-PRIVATE REPRIMAND

RULE 1.06(b)(1)

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

SAN ANTONIO ATTORNEY
01/09/2012-PRIVATE REPRIMAND

RULE 1.01(b)(1)

for neglecting a legal matter entrusted to the lawyer

**SAN ANTONIO ATTORNEY
02/13/2012-PRIVATE REPRIMAND**

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

RULE 8.04(a)(11)
for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

**SEGUNDO, RENE: #17996999
11/28/2011-FULLY PROBATED SUSPENSION
04/29/2015-07/28/2017**

On November 28, 2011, **Rene Segundo** [#17996999], 49, of Mission, accepted a two-year, three-months, fully probated suspension, effective April 29, 2015.

The District 12 Grievance Committee found that Segundo violated the terms of a disciplinary judgment and failed to respond to a grievance.

Segundo violated Rules 8.04(a)(7), and 8.04(a)(8). He was ordered to pay \$3,730.00 in restitution to the State Bar of Texas.

S0101024352

**SEGUNDO, RENE: #17996999
11/28/2011-FULLY PROBATED SUSPENSION
04/29/2015-07/28/2017**

On November 28, 2011, **Rene Segundo** [#17996999], 49, of Mission, accepted a two-year, three-months, fully probated suspension, effective April 29, 2015.

The District 12 Grievance Committee found that Segundo neglected a client's representation, failed to communicate with a client, and failed to respond to the grievance.

Segundo violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay in \$1,810.40 in attorneys' fees and expenses.

S0081024102

DISTRICT 13:

**DALLAS ATTORNEY
02/27/2012-PRIVATE REPRIMAND**

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

DISTRICT 14:

**DALLAS ATTORNEY
12/31/2011-PRIVATE REPRIMAND**

RULE 8.04(a)(11)

for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the STATE BAR RULES relating to Mandatory Continuing Legal Education

**FISHER, BILLY L.: #07049200
12/09/2011-PUBLIC REPRIMAND**

On December 9, 2011, **Billy L. Fisher** [#07049200], 68, of Abilene, agreed to a public reprimand.

The District 14 Grievance Committee found that Fisher 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.

Fisher violated Rule 8.04(a)(11). He was ordered to pay \$1,144.06 in attorneys' fees and costs.

**KOZURA, KEITH BRIAN: #24015150
01/30/2012-FULLY PROBATED SUSPENSION
02/01/2012-01/31/2014**

On January 30, 2012, **Keith Brian Kozura** [#24015150], 40, of Denton, accepted a two-year, fully probated suspension, effective February 1, 2012.

An Evidentiary Panel of the District 14 Grievance Committee found that Kozura failed to fully comply with the terms of a judgment of partially probated suspension, a judgment of active suspension, and a default judgment of public reprimand.

Kozura violated Rules 8.04(7). He was ordered to pay \$1,260.00 in attorneys' fees and costs.

MACPHAIL, DONALD G.: #00788757
08/09/2011-ACTIVE SUSPENSION
08/03/2011-08/02/2018

On August 9, 2011, **Donald G. MacPhail** [#00788757], 44, of Abilene, received a seven-year, active suspension, effective August 3, 2011.

The District 14 Panel of the Grievance Committee found that MacPhail failed to keep Complainant reasonably informed about the status of his wrongful termination matter and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

MacPhail violated Rules 1.03(a), and 8.04(a)(3). He was ordered to pay \$4,272.59 in attorneys' fees, and \$750.00 in restitution.

MacPhail filed an appeal on November 7, 2011.

ROBERTS, KIRBY J.: #17012900
12/15/2011-ACTIVE SUSPENSION
07/01/2012-07/31/2012

On December 15, 2011, **Kirby J. Roberts** [#17012900], 55, of Port Aransas, received a 30-day, active suspension, effective July 1, 2012.

An Evidentiary Panel of the District 14 Grievance Committee found that Roberts neglected the client's legal matter, failed to keep the client reasonably informed regarding the status of the matter, and failed to promptly comply with reasonable requests for information. Roberts also failed to furnish a response to the complaint.

Roberts violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$3,168.24 in attorneys' fees and costs.

TRAHAN, THOMAS E.: #20183250
11/03/2011-PARTIALLY PROBATED SUSPENSION
11/15/2011-11/14/2012: SUSPENSION
11/15/2012-11/14/2013: PROBATION

On November 3, 2011, **Thomas E. Trahan** [#20183250], 49, of Lewisville, received a two-year, partially probated suspension, effective November 15, 2011, with the first year actively served and the remainder probated.

An Evidentiary Panel of the District 14 Grievance Committee found that Trahan neglected a client's legal matter, failed to keep the client reasonably informed about the status of the matter, and failed to promptly comply with reasonable requests for information. Trahan also failed to furnish a response to the complaint.

Trahan violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,376.25 in attorneys' fees and \$434.15 in costs.

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TRAHAN, THOMAS E.: #20183250
11/03/2011-PARTIALLY PROBATED SUSPENSION
11/15/2011-11/14/2012: SUSPENSION
11/15/2012-11/14/2013: PROBATION

On November 3, 2011, **Thomas E. Trahan** [#20183250], 49, of Lewisville, received a two-year, partially probated suspension, effective November 15, 2011, with the first year actively served and the remainder probated.

An Evidentiary Panel of the District 14 Grievance Committee found that Trahan neglected the client's legal matter, failed to keep the client reasonably informed about the status of the matter, and failed to promptly comply with reasonable requests for information. Upon termination of the representation, Trahan failed to surrender papers, property and unearned fees to the client. Trahan also failed to furnish a response to the complaint.

Trahan violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,547.37 in attorneys' fees and costs, and \$5,000.00 in restitution.

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WYLIE, BARBARA: #22096500
01/25/2012-PARTIALLY PROBATED SUSPENSION
01/18/2012-07/17/2012: SUSPENSION
07/18/2012-01/17/2013: PROBATION

On January 25, 2012, **Barbara Wylie** [#22096500], 60, of Weatherford, received a one-year, partially probated suspension, effective January 18, 2012, with the first six months actively served and the remainder probated.

The District 14 Grievance Committee found that in representing Complainant, Wylie neglected the legal matter entrusted to her, frequently failed to carry out completely the obligations owed to Complainant, failed to keep Complainant reasonably informed about the status of his civil matter, and failed to promptly comply with reasonable requests for information from Complainant about his matter. Wylie also failed to respond to the grievance with the Office of the Chief Disciplinary Counsel.

Wylie violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), and 8.04(a)(8). She was ordered to pay \$3,655.34 in attorneys' fees and costs and \$2,500.00 in restitution.

DISTRICT 17:

SAN ANTONIO ATTORNEY
12/09/2011-PRIVATE REPRIMAND

RULE 1.02(a)(1)

for failing to abide by a client's decisions concerning the objectives and general methods of representation

RULE 1.15(d)

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

**SAN ANTONIO ATTORNEY
01/16/2012-PRIVATE REPRIMAND**

RULE 1.01(b)(2)
for failing to carry out completely the obligations owed to a client

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

RULE 1.03(b)
for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation

BOARD OF DISCIPLINARY APPEALS:

**CORDERO, JR., PATRICK H.: #00787286
01/30/2012-ACTIVE SUSPENSION
01/30/2012-07/14/2016**

On January 30, 2012, the Board of Disciplinary Appeals signed a final judgment suspending Midland attorney **Patrick H. Cordero Jr.**, 43, State Bar of Texas Card No. 00787286, from the practice of law for the term of his criminal probation.

On or about July 15, 2011, Cordero was placed on probation for five years, including home confinement with electronic monitoring for one year. Cordero was ordered to complete 300 hours of community service and ordered to pay an assessment of \$100.00, a fine of \$10,000.00, and restitution of \$170,101.80, and was ordered to forfeit to the United States a money judgment in the amount of \$245,718.75 in Cause Number 7:11-CR-060-02 RAJ styled, *United States of America v. Patrick Cordero*, in the United States District Court for the Western District of Texas, Midland Division, after Cordero pled guilty to aiding and abetting wire fraud in violation of 18 U.S.C. §1343 and 18 U.S.C. §2, an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE. The criminal judgment is final.

DERKUNT, MUSTAFA ENGIN: #00785818
11/07/2011-ACTIVE SUSPENSION [PARTIALLY AFFIRMING, PARTIALLY REVERSING
JUDGMENT OF DISBARMENT AND RENDERING SUSPENSION]
11/09/2009-08/05/2010 and
03/22/2011-11/07/2011

On November 7, 2011, the Board of Disciplinary Appeals affirmed the findings of misconduct and reversed the sanction of disbarment of Austin attorney **Mustafa Engin Derkunt**, 58, State Bar of Texas Card No. 00785818, signed by the District 09 Evidentiary Panel of the State Bar of Texas.

On August 6, 2010, the Board of Disciplinary Appeals affirmed in part and reversed in part the judgment of active suspension, signed by the Evidentiary Panel for the State Bar of Texas District 09 Grievance Committee in Case No. A0050811711 on November 26, 2009. The Board reversed that part of the judgment that concluded that Derkunt violated TDRP 7.03(d) and reversed the three years active suspension sanction along with the award of attorneys' fees and direct expenses to the State Bar of Texas. The Board affirmed the conclusions of law that Derkunt violated TDRPC 1.01(b)(1), 3.01, 5.04(a), 7.03(e) and 8.04(a)(1). The matter was remanded to the District 09 grievance committee for a new hearing on the sanctions.

On March 17, 2011, after a new sanctions hearing, the same Evidentiary Panel, disbarred Dekunt from the practice of law. Derkunt appealed the judgment of disbarment. Finding that the record and the Judgment of Disbarment did not support disbarment, the Board reversed the disbarment and payment of fees and costs and suspended Derkunt from the practice of law from November 9, 2009, and ending August 5, 2010, and from March 22, 2011 and ending November 7, 2011. The Board affirmed again the conclusions of law that Derkunt violated TDRPC 1.01(b)(1), 3.01, 5.04(a), 7.03(e) and 8.04(a)(1).

JONES, LUTHER: #10928000
01/26/2012-INTERLOCUTORY SUSPENSION
01/26/2012-UNTIL FURTHER ORDER

On January 26, 2012, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against El Paso attorney **Luther Jones**, 65, State Bar of Texas Card No. 10928000.

The Board of Disciplinary Appeals found that on or about August 22, 2011, Jones was found guilty of conspiracy to commit wire fraud and deprivation of honest services and conspiracy to commit mail fraud and deprivation of honest services, Intentional Crimes as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in case number EP-09-CR-1567-FM(1), styled, *The United States of America v. Luther Jones*, in the United States District Court for the Western District of Texas, El Paso Division. Jones was sentenced to 72 months in the custody of the United States Bureau of Prisons for each count, with the sentences to run concurrently. Jones was also ordered to pay a fine in the amount of \$50,000.00 and an assessment in the amount of \$200.00. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final.

MCKINNEY, R. LEONADIS: #13723400
01/31/2012-DISBARMENT

On January 31, 2012, the Board of Disciplinary Appeals signed a final judgment disbaring Houston attorney **Robert Leonadis "Pete" McKinney**, 61, State Bar of Texas Card No. 13723400.

On or about May 12, 2011, McKinney was sentenced to prison for four months followed by supervised release for three years and ordered to pay a fine of \$250,000.00 and an assessment of \$100.00 in cause number 1:11CR00059-001 styled, *United States of America v. Robert L. McKinney*, in the United States District Court for the Northern District of Ohio, Eastern Division, after McKinney pled guilty to conspiracy to commit bribery in federally funded programs in violation of 18 U.S.C. §371 (18 U.S.C. §666), an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE. The criminal judgment is final.

ROBERTS, TED H.: #17019705
01/31/2012-DISBARMENT

On January 31, 2012, the Board of Disciplinary Appeals signed a final judgment of disbarment against San Antonio attorney **Ted H. Roberts**, 55, State Bar of Texas Card No. 17019705.

On October 2, 2007, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Roberts because on or about June 12, 2007, he was found guilty by a jury of three counts of theft under Texas Penal Code 31.03, an Intentional Crime as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in Cause number 2006CR6404B styled, *The State of Texas v. Ted H. Roberts*, in the 226th District Court of Bexar County, Texas. He was sentenced to five years in the Institutional Division of the Texas Department of Criminal Justice. Roberts appealed the conviction and on December 18, 2010, the Court of Appeals for the Fourth District of Texas issued its mandate affirming the conviction.

TIDWELL, SCOTT M.: #20020730
01/30/2012-INTERLOCUTORY SUSPENSION
01/03/2012-UNTIL FURTHER ORDER

On January 30, 2012, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Odessa attorney **Scott M. Tidwell**, 51, State Bar of Texas Card No. 20020730.

On or about October 13, 2011, Tidwell was found guilty by a jury of two counts of misuse of official information and two counts of retaliation, third degree felonies and Intentional Crimes as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, in case number 5191, styled, *The State of Texas v. Scott Tidwell*, in the 109th District Court of Winkler County, Texas. Tidwell was sentenced to 10 years in the custody of the Institutional Division of the Texas Department of Criminal Justice. The court suspended the confinement and placed Tidwell on community supervision for ten years. Tidwell was also ordered to pay a fine in the amount of \$4,000.00 and court costs of \$305.00. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final.