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# DISCIPLINARY ACTIONS

eneral questions regarding attorney discipline should be directed to the Chief Disciplinary Counsel's Office, toll-free (877) 953-5535 or (512) 453-5535. The Board of Disciplinary Appeals may be reached at (512) 475-1578. Information and copies of actual orders are available at **txboda.org**. The State Commission on Judicial Conduct may be contacted toll-free, (877) 228-5750 or (512) 463-5533. Please note that persons disciplined by the Commission on Judicial Conduct are not necessarily licensed attorneys.

#### REINSTATEMENTS

Elsa Escobar Rodriguez [#06665560], 49, of Pharr, has filed a petition in the 275th District Court of Hidalgo County for reinstatement as a member of the State Bar of Texas.

**Steven Layne Woolard** [#21983900], 57, of San Angelo, has filed a petition in the 51st District Court of Tom Green County for reinstatement as a member of the State Bar of Texas.

#### DISBARMENT

On Dec. 19, William B. Harrison [#09125100], 58, of Edinburg, was disbarred. An evidentiary panel of the District 4-A Grievance Committee 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 18 years old. Harrison failed to ensure that the minor's settlement funds were properly deposited into the registry of the Court.

Harrison violated Rules 1.01(b)(1) and 1.14(b). He was ordered to pay \$2,575 in attorney's fees and expenses.

Harrison has filed an appeal.

#### **RESIGNATIONS**

On Dec. 12, 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 pending matters against him alleging neglecting legal matters; failure to advise a client of a plea offer and entering a plea without the client's authorization, to keep clients reasonably informed, to respond to reasonable requests for information from clients, to explain a matter to clients, to safe keep client property, to deliver funds to a third party, to disburse funds only to those persons entitled to receive the funds, and to respond to grievances; violating the Disciplinary Rules; committing a serious crime; and engaging in conduct involving fraud, dishonesty, deceit, or misrepresentation.

Nunn violated Rules 1.01(b)(1); 1.02(a)(3); 1.03(a) and (b); 1.14(a), (b), and (c); and 8.04(a)(1), (a)(2), (a)(3), and (a)(8). He was ordered to pay \$350,440 in restitution.

On Dec. 13, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Steven A. Bearman** [#90000546], 48, of Houston. Bearman represented a client in a personal injury case, settled the case without the client's permission, and converted the settlement funds.

Bearman violated Rules 1.02(a)(2) and 1.14(b).

On Nov. 15, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Sean F. O'Neill** [#15288150], 56, of Plano. At the time of O'Neill's resignation, there was one disciplinary matter pending against him. O'Neill failed to disburse settlement money to third parties.



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

On Dec. 13, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of John M. Burnett, Jr., [#03436000], 64, of Rogers, Ark. The Court found that on 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 Law Before the Courts of the State of New Mexico.

The resignation subjects him to reciprocal discipline.

On Dec. 12, 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, to keep the funds in a separate trust account, and to promptly deliver all the funds that the client was entitled to receive; disbursed the funds to persons who were not entitled to receive them; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

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

On Dec. 12, 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 10 disciplinary matters pending against him. In six of those matters, Rozan neglected the legal matters entrusted to him. In eight matters, he failed to keep his clients reasonably informed about the

status of their legal matters and to promptly comply with reasonable requests for information. In seven matters, he failed to refund advance fee payments. In three of the matters, he failed to surrender papers and property to which his clients were entitled. In four matters, he 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), and 8.04(a)(7) and (a)(10). He was ordered to pay \$12,692.53 in attorney's fees and expenses and \$61,925 in restitution.

#### **SUSPENSIONS**

On Nov. 28, Rene Segundo [#17996999], 49, of Mission, accepted a 27-month, fully probated suspension effective April 29, 2015. An evidentiary panel of the District 12 Grievance Committee found that Segundo neglected a client representation and failed to communicate with a client and to respond to the grievance.

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

On Nov. 28, Segundo accepted a 27month, fully probated suspension effective April 29, 2015. An evidentiary panel of 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 (a)(8). He was ordered to pay \$3,730 in restitution.

On Dec. 7, Paul Guillotte [#08597100], 49, of Athens, agreed to a two-year, fully probated suspension effective Jan. 1. An evidentiary panel of the District 1-3 Grievance Committee found that Guillotte accepted employment in the complainant's medical malpractice matter. In representing the complainant, Guillotte neglected the medical malpractice matter

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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 the 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) and (b)(1), 1.15(d), and 5.05(a). He was ordered to pay \$1,372.58 in attorney's fees and costs.

On Dec. 14, **Richard Alan Mintz** [#14198800], 60, of Houston, accepted a one-year, fully probated suspension effective Nov. 15. An evidentiary panel of the District 4-F Grievance Committee found that Mintz, upon termination of his representation, 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 \$525 in attorney's fees and \$3.620 in restitution.

On Dec. 15, **Scott Matthew Dolin** [#24029523], 37, of Austin, agreed to a one-year active suspension effective Nov. 1. An evidentiary panel of the District 9 Grievance Committee 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 the 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)(1), (a)(7), and (a)(11). He was ordered to pay \$551.89 in attorney's fees and expenses.

On Nov. 19, **Robert C. Gerringer** [#07826200], 56, of Houston, received a

three-year, partially probated suspension effective Jan. 1, with the first year actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found that Gerringer failed to keep his client reasonably informed about the status of her legal matter, to promptly comply with reasonable requests for information, 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 in attorney's fees and expenses.

On Dec. 14, **Arthur Eureste** [#06702250], 57, of Houston, accepted a one-year, fully probated suspension effective Nov. 15. An evidentiary panel of the District 4-B 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).

On Nov. 28, Carol Bowling Jackson [#00794934], 62, of Bedford, received a two-year, fully probated suspension effective Dec. 1. An evidentiary panel of the District 7 Grievance Committee found that Jackson neglected a client's legal matter and failed to keep the client reasonably informed about the status of her wrongful termination matter and 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, 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 attorney's fees and costs.

On Nov. 28, Donald T. Smith [#18568600], 52, of Fort Worth, received a five-year, partially probated suspension effective Dec. 1, 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 and failed to carry out completely the obligations owed to the client, to keep the client reasonably informed about the status of the matter, and 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) and (b)(2), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,807.94 in attorney's fees and costs.

#### **PUBLIC REPRIMANDS**

On Dec. 9, Billy L. Fisher [#07049200], 68, of Abilene, agreed to a public reprimand. An evidentiary panel of the District 14-5 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 attorney's fees and costs.

Dec. 5, 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 as to the status of the payment of the settlement monies.

Escalante violated Rule 1.03(a). He agreed to pay \$2,000 in attorney's fees and expenses. ②



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