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COMMISSION FOR LAWYER DISCIPLINE

REPORT

TO THE BOARD OF DIRECTORS  
ON  
ATTORNEY DISCIPLINE

JANUARY 2018

**Disciplinary Sanctions**  
**09/01/2017 - 11/30/2017**

DISBARMENTS	District	# of Complaints Resolved
Ellis, Chad Patrick	5	4
Graham, Christopher L.	6	3
Honsaker, Mark Llewellyn	4	1
Parker, Randall Dale	6	6
Phifer, Gregory L.	13	1
Phifer, Gregory L.	13	1
Wilkinson, Kristin Diane	3	1

**Board of Disciplinary Appeals:**

Barnes, Carolyn	BODA	1
Fritz, Richard Reed	BODA	1
Nweze, Ikechukwu	BODA	1
Walker, James N.	BODA	1
Total:	11	21

RESIGNATIONS IN LIEU OF DISCIPLINE	District	# of Complaints Resolved
Dugas, Evin G.	10	12
Helms, Robert Allen	9	1
Jonas, W. James James III	9	3
Knight, David W.	14	5
McCarty, Denver G.	14	1
Schiller, David A.	1	3
Storts, Brian Edward	4	1
Tipton, Francisco Steven	12	33

**Board of Disciplinary Appeals:**

Lyle, Randall R.	BODA	1
Mullins, Royal	BODA	1
O'Briant, James Michael	BODA	1
Total:	11	62

SUSPENSIONS	District	# of Complaints Resolved
Allen, Scottie	6	1
Bennett, Robert S.	4	1
Brown, Lauren Janelle	4	1
Byrd, Larry G.	2	1
Eudy, Gary L.	5	2
Fiegel, Beauregard Driller	10	2
Fiegel, Beauregard Driller	10	1
Gonzales, Jose	12	1
Graham, Christopher L.	6	1
Guzman, Francisco Javier	17	2
Henslee, Donald G.	9	2
Houlette, Jacqueline M.	4	4
Jefferson Smith, Deanna Marie	7	1
Kelly, Rosalind A.	6	1
Krenek, Julie Lynn Bulthuis	1	1
Norman, Marcus Donnell	6	1
Phifer, Gregory L.	13	1
Phifer, Gregory L.	13	1
Pruit, Brett A.	9	1
Rodriguez, Brigida	6	3
Rust, Jay Mac	14	1
Rust, Jay Mac	14	1
Saegert, Michael	4	1
Sanchez, Zenaida	11	1
Sandoval, Daniel Armando	10	4
Schiller, David A.	1	1
Simiskey, Stanley Allen	5	1
Watson, Eraka	5	1
Yetiv, Jack Zeev	4	1

**Board of Disciplinary Appeals:**

Adamson, Bryan Todd	BODA	1
Best, Cynthia L.	BODA	1
Dalton, Richard Collins	BODA	1
Perez, Refugio Rafael	BODA	1
Total:		33
		45

PUBLIC REPRIMANDS	District	# of Complaints Resolved
Caggins, Don R. Sr.	4	1
Graham, Christopher L.	7	1
Hooper, Michael Ronald	1	1
Perry, Deborah Suzanne Dick	10	2
Ward, Lloyd Eugene	6	1
Weyand, Dale	10	1
Zavaletta, Peter Michael	11	1
Total:		7
		8

PRIVATE REPRIMANDS	Grievance Comm.	# of Sanctions	# of Complaints Resolved
	4	2	2
	5	1	1
	6	3	4
	7	3	3
	10	4	4
	12	2	2
	17	2	2
Total:		17	18

Grievance Referral Program	21	21
Grand Total:		101
		176

Contempt Orders		
Meachum, H. Wayne	1	

\*orders of enforcement are not included in the total sanction counts

### **Disciplinary Actions - Current Bar Year**

<b>BAR YEARS</b>	<b>Total Sanctions</b>	<b>Total Complaints Resolved</b>
2017-2018		
DISBARMENTS	13	23
RESIGNATIONS IN LIEU OF DISCIPLINE	14	72
SUSPENSIONS	56	77
PUBLIC REPRIMANDS	7	8
PRIVATE REPRIMANDS	35	37
GRIEVANCE REFERRAL PROGRAM	39	39
Total:	164	256

\*does not reflect year-end figures

### **Disciplinary Actions - Previous Bar Year**

<b>BAR YEARS</b>	<b>Total Sanctions</b>	<b>Total Complaints Resolved</b>
2016-2017		
DISBARMENTS	20	59
RESIGNATIONS IN LIEU OF DISCIPLINE	28	122
SUSPENSIONS	126	182
PUBLIC REPRIMANDS	30	37
PRIVATE REPRIMANDS	89	97
GRIEVANCE REFERRAL PROGRAM	50	50
Total:	343	547

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

BAR YEARS 2014-2015	Total Sanctions	Total Complaints Resolved
DISBARMENTS	27	50
RESIGNATIONS IN LIEU OF DISCIPLINE	19	56
SUSPENSIONS	113	147
PUBLIC REPRIMANDS	32	36
PRIVATE REPRIMANDS	66	72
GRIEVANCE REFERRAL PROGRAM	64	72
Total:	321	433

BAR YEARS 2013-2014	Total Sanctions	Total Complaints Resolved
DISBARMENTS	22	41
RESIGNATIONS IN LIEU OF DISCIPLINE	17	58
SUSPENSIONS	130	169
PUBLIC REPRIMANDS	31	35
PRIVATE REPRIMANDS	63	70
GRIEVANCE REFERRAL PROGRAM	57	57
Total:	320	430

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

BAR YEARS  
2011-2012

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

BAR YEARS  
2010-2011

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

BAR YEARS  
2009-2010

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



BAR YEARS  
2008-2009

Total Sanctions      Total Complaints  
Resolved

DISBARMENTS	32	43
RESIGNATIONS	26	104
SUSPENSIONS	127	189
PUBLIC REPRIMANDS	46	54
PRIVATE REPRIMANDS	68	73
GRIEVANCE REFERRAL PROGRAM	36	36
Total:	335	499

BAR YEARS  
2007-2008

Total Sanctions      Total Complaints  
Resolved

DISBARMENTS	24	63
RESIGNATIONS	24	90
SUSPENSIONS	121	224
PUBLIC REPRIMANDS	28	35
PRIVATE REPRIMANDS	69	73
GRIEVANCE REFERRAL PROGRAM	33	33
Total:	299	518

BAR YEARS  
2006-2007

Total Sanctions

DISBARMENTS	30
RESIGNATIONS	31
SUSPENSIONS	110
PUBLIC REPRIMANDS	62
PRIVATE REPRIMANDS	87
Total:	320

DISTRICT 1:

**Hooper, Michael Ronald: #24037849**  
**11/14/2017-Agreed Public Reprimand**

On November 14, 2017, **Michael Ronald Hooper** [#24037849], 47, of Frisco, agreed to a public reprimand. The District 1 Grievance Committee found that Hooper was retained and paid a \$200,000 retainer. Hooper failed to keep his client's property separate from his own property until there could be an accounting and severance of their interest. Hooper failed to disburse funds only to those persons entitled to receive them by virtue of the representation or by law. Hooper violated Rule 1.14(c). He was ordered to pay attorneys' fees and direct expenses in the sum of \$1500.00.

**Krenek, Julie Lynn Bulthuis: #24065574**  
**12/05/2017-Agreed Active Suspension**  
**11/15/2017-11/14/2018: SUSPENSION**

On December 5, 2017, **Julie Lynn Bulthuis Krenek** [#24065574], 49, of McKinney, agreed to 12-month, active suspension, effective November 15, 2017. The District 1 Grievance Committee found that on July 6, 2015, Complainant hired Krenek to represent her in a divorce case. In representing Complainant, Krenek neglected the legal matter entrusted to her by failing to provide any legal services after filing the initial paperwork and by failing to file extensions required by the court for Complainant's case. Krenek failed to keep Complainant reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information from Complainant. Krenek violated Rules 1.01(b)(1), and 1.03(a). She was ordered to pay \$500.00 in attorneys' fees and direct expenses.

**Schiller, David A.: #00794601**  
**10/05/2017-Agreed Partially Probated Suspension**  
**06/20/2016-06/19/2018: SUSPENSION**  
**06/20/2018-06/19/2020: PROBATED**

On October 5, 2017, **David A. Schiller** [#00794601], 54, of Plano, received a 45-month, partially probated suspension, effective June 20, 2016, with the first 24 months actively served and the remainder probated. The District 1 Grievance Committee found that in representing Complainant in a civil matter, Schiller failed to keep Complainant reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information from Complainant about her legal matter. In representing Complainant, Schiller neglected the legal matter entrusted to him. Schiller violated Rules 1.03(a), and 1.01(b)(1). He was ordered to pay \$4,149.10 in attorneys' fees and direct expenses.

**Schiller, David A.: #00794601**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **David A. Schiller** [#00794601], 54, of Plano. At the time of Schiller's resignation, there were three pending matters against him alleging Schiller neglected cases, failed to communicate, failed to return unearned fees, and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation. Schiller also failed to file responses to Complainants' grievances with the State Bar of Texas. Alleged Rules Violated: 1.01(b)(1), 1.03(a), 1.03(b), 1.14(a), 1.14(b), 8.04(a)(3), and 8.04(a)(8).

DISTRICT 2:

**Byrd, Larry G.: #03561000**  
**08/30/2017-Agreed Fully Probated Suspension**  
**09/01/2017-08/31/2018: PROBATED**

On August 30, 2017, **Larry G. Byrd** [#03561000], 75, of Lufkin, agreed to a 12-month, fully probated suspension, effective September 1, 2017. The District 2 Grievance Committee found that in representing Complainant in her civil matter, Byrd failed to keep Complainant reasonably informed about the status of her civil matter. Byrd failed to hold funds belonging to clients that were in Byrd's possession in connection with the representation separate from Byrd's own property. Non-lawyers employed by Byrd were ordered to engage in conduct that would be a violation of the rules of professional conduct if engaged in by a lawyer. Byrd engaged conduct involving dishonesty, fraud, deceit or misrepresentation. Byrd violated Rules 1.03(a), 1.14(a), 5.03(b)(1), and 8.04(a)(3). He was ordered to pay \$750.00 in attorneys' fees and direct expenses.

DISTRICT 3:

**Wilkinson, Kristin Diane: #24037708**  
**08/14/2017-Disbarment**

On August 14, 2017, **Kristin Diane Wilkinson** [#24037708], 54, of Conroe, was disbarred. The 284th Judicial District Court of Montgomery County found that Wilkinson committed a serious crime or committed any other criminal act that reflected adversely on her honesty, trustworthiness, or fitness as a lawyer in other respects; engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; and violated a disciplinary judgment. Wilkinson violated Rules 8.04(a)(2), 8.04(a)(3), and 8.04(a)(7). She was ordered to pay \$25,170.08 in attorneys' fees. Wilkinson has filed a notice of appeal.

DISTRICT 4:

**Bennett, Robert S.: #02150500**  
**06/01/2017-Partially Probated Suspension**  
**07/01/2017-12/31/2017: PROBATED**

On June 1, 2017, **Robert S. Bennett** [#02150500], 69, of Houston, received a partially probated suspension, consisting of two years and three days active suspension (with credit given for the two years and three days Bennett was not allowed to practice while appealing the prior judgment against him in the case) and six months probated (probation effective July 1, 2017). The 334th Judicial District Court, Harris County, found that Bennett committed professional misconduct by violating Rule 3.02 [a lawyer shall not take a position that unreasonably increases the costs or other burdens of the case or that unreasonably delays resolution of the matter]. Bennett has filed a Notice of Appeal.

**Brown, Lauren Janelle: #24064019**  
**12/04/2017-Agreed Partially Probated Suspension**  
**12/01/2017-02/28/2018: SUSPENSION**  
**03/01/2018-11/30/2018: PROBATED**

On December 4, 2017, **Lauren Janelle Brown** [#24064019], 32, of Houston, accepted a one-year, partially probated suspension, effective December 1, 2017, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that, in representing her client, Brown neglected the legal matter entrusted to her, frequently failed to carry out completely the obligations she owed to her client, failed to keep her client reasonably informed about the status of her legal matter and to promptly comply with reasonable requests for information, and failed to explain a legal matter to the extent reasonably necessary to permit her client to make informed decisions regarding the representation. Brown violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), and 1.03(b). She was ordered to pay \$775.00 in attorneys' fees.

**Caggins, Don R. Sr.: #03591700**  
**11/08/2017-Agreed Public Reprimand**

On November 8, 2017, **Don R. Caggins, Sr.** [#03591700], 67, of Houston, accepted a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Caggins failed to keep his clients reasonably informed about the status of their civil lawsuit. Caggins violated Rule 1.03(a). He was ordered to pay \$750.00 in attorneys' fees and direct expenses.

**Honsaker, Mark Llewellyn: #00795425**  
**09/19/2016-Disbarment**

On September 19, 2016, **Mark Llewellyn Honsaker** [#00795425], 50, of Houston, was disbarred. An evidentiary panel of the District 4 Grievance Committee found that Honsaker failed to keep his client's funds in a separate trust account and failed to promptly deliver to his client the funds that she was entitled to receive. Honsaker violated Rules 1.14(a), and 1.14(b). He was ordered to pay \$12,000.00 in restitution and \$2,675.00 in attorneys' fees and direct expenses. Honsaker has filed a notice of appeal.

**Houlette, Jacqueline M.: #00787718**  
**09/20/2017-Agreed Fully Probated Suspension**  
**09/01/2017-10/31/2018: PROBATED**

On September 20, 2017, **Jacqueline M. Houlette** [#00787718], 53, of Houston, accepted a 14-month, fully probated suspension, effective September 1, 2017. An evidentiary panel of the District 4 Grievance Committee found that Houlette neglected legal matters entrusted to her as a lawyer, failed to keep her clients reasonably informed about the status of their matters, and failed to respond to the grievances. Houlette violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She agreed to pay attorneys' fees and costs in the amount of 1,500.00.

**Houston Attorney**  
**09/26/2017-Agreed 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

**Houston Attorney**  
**11/30/2017-Agreed Private Reprimand**

Rule 1.14(a)  
for failing to hold funds and other property belonging in whole or part to clients or third persons in a lawyer's possession separate from the lawyer's own property

**Saegert, Michael: #24000555**  
**11/27/2017-Agreed Fully Probated Suspension**  
**01/01/2018-12/31/2018: PROBATED**

On November 27, 2017, **Michael Saegert** [#24000555], 50, of Houston, accepted a one-year, fully probated suspension, effective January 1, 2018. An evidentiary panel of the District 4 Grievance Committee found that, in representing his client, Saegert neglected the legal matters entrusted to him, frequently failed to carry out completely the obligations he owed to his client, failed to keep his client reasonably informed about the status of its legal matters and to promptly comply with reasonable requests for information, and failed to timely furnish to the Office of the Chief Disciplinary Counsel a response or other information as required by the Rules. Saegert violated Rules 1.01(b)(1), 1.01 (b)(2), 1.03(a), and 8.04(a)(8). He was ordered to pay \$925.00 in attorneys' fees and \$150.00 in direct expenses.

**Storts, Brian Edward: #00785066**  
**08/25/2017-Resignation in lieu of Discipline**

On August 25, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Brian Edward Storts** [#00785066], 50, of Houston. At the time of his resignation, there was one disciplinary action pending alleging Storts committed a criminal act that reflected adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Storts violated Rules 8.04(a)(2), and 8.04(a)(3). He agreed to pay attorneys' fees in the amount of \$1,000.00.

**Yetiv, Jack Zeev: #24029918**  
**05/16/2017-Fully Probated Suspension**  
**07/10/2017-11/09/2017: PROBATED**

On May 16, 2017, **Jack Zeev Yetiv** [#24029918], 61, of Houston, received a four-month, fully probated suspension, effective July 10, 2017. The 152nd District Court found that Yetiv threatened to present disciplinary charges solely to gain an advantage in a civil matter. Yetiv violated Rule 4.04(b)(1). He was ordered to pay \$4,500.00 in attorneys' fees. Yetiv has filed a notice of appeal.

DISTRICT 5:

**Houston Attorney**  
**09/21/2017-Agreed Private Reprimand**

Rule 4.02(a)

In representing a client, a lawyer shall not communicate or cause or encourage another to communicate about the subject of the representation with a person, organization or entity of government the lawyer knows to be represented by another lawyer regarding that subject, unless the lawyer has the consent of the other lawyer or is authorized by law to do so.

**Ellis, Chad Patrick: #24003278**  
**11/10/2016-Default Disbarment**

On November 10, 2016, **Chad Patrick Ellis** [#24003278], 53, of Richmond, was disbarred. An evidentiary panel of the District 4 Grievance Committee found that Ellis neglected a legal matter entrusted to him, failed to keep his clients reasonably informed about the status of their legal matter and failed to comply with reasonable requests for information, and, upon termination of representation, failed to refund an advance payment of fee that had not been earned. Ellis also failed to timely furnish to the Chief Disciplinary Counsel's office responses or other information as required by the Rules. Ellis violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$8,200.00 in restitution and \$1,750.00 in attorneys' fees and expenses.

**Eudy, Gary L.: #24074187**  
**09/20/2017-Agreed Fully Probated Suspension**  
**10/01/2017-09/30/2018: PROBATED**

On September 20, 2017, **Gary L. Eudy** [#24074187], 64, of Friendswood, received a one-year, fully probated suspension, effective October 1, 2017. An evidentiary panel of the District 5 Grievance Committee found that in representing two clients, Eudy neglected the legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their legal matters and to promptly comply with reasonable requests for information, upon termination of representation, failed to refund advance payments of fee that had not been earned, and failed to respond to a grievance. Eudy violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,300.00 in restitution and \$1,200.00 in attorneys' fees and direct expenses.

**Simiskey, Stanley Allen: #24058240**  
**09/26/2017-Agreed Fully Probated Suspension**  
**10/01/2017-03/31/2019: PROBATED**

On September 26, 2017, **Stanley Allen Simiskey** [#24058240], 50, of Lake Jackson, received an 18-month, fully probated suspension, effective October 1, 2017. An evidentiary panel of the District 5 Grievance Committee found that Simiskey continued representation of two clients after the representation of those persons became adversely limited by his own interests. Simiskey violated Rule 1.06(b)(2). He was ordered to pay \$300.00 in attorneys' fees.

**Watson, Eraka: #24001879**  
**08/25/2017-Fully Probated Suspension**  
**09/01/2017-08/31/2019: PROBATED**

On August 25, 2017, **Eraka Watson** [#24001879], 45, of Pearland, received a 24-month, fully probated suspension, effective September 1, 2017. An evidentiary panel of the District 5 Grievance Committee found that Watson accepted representation of two clients when Watson's physical condition materially impaired her fitness to represent them and that Watson failed to explain a matter to the extent reasonable necessary to permit the clients to make informed decisions regarding the representation. Watson violated Rules 1.03(b) and 1.15(a)(2). She was ordered to pay \$1,750.00 in attorneys' fees and direct expenses.

DISTRICT 6:

**Allen, Scottie: #01058020**  
**05/18/2017-Fully Probated Suspension**  
**05/04/2017-11/03/2018: PROBATED**

On May 18, 2017, **Scottie Allen** [#01058020], 57, of Dallas, received an 18-month, fully probated suspension, effective May 4, 2017. An evidentiary panel of the District 6 Grievance Committee found Allen neglected a legal matter entrusted to him and failed to timely furnish to the Chief Disciplinary Counsel's Office a response or other information as required by the Texas Rules of Disciplinary Procedure. Allen violated Rules 1.01(b)(1), and 8.04(a)(8). He was ordered to pay \$1,465.00 in attorneys' fees and \$434.50 in direct expenses.

**Dallas Attorney**  
**11/09/2017-Agreed Private Reprimand**

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.

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.

**Graham, Christopher L.: #24047549**  
**10/19/2016-Fully Probated Suspension**  
**10/10/2016-10/09/2018: PROBATED**

On October 19, 2016, **Christopher L. Graham** [#24047549], 35, of Dallas, received a two-year, fully probated suspension. An evidentiary panel of the District 6 Grievance Committee found that Graham neglected a criminal law matter entrusted to him, frequently failed to carry out completely the obligations he owed to his client, failed to keep his client reasonably informed about the status of the criminal law matter, and failed to promptly comply with reasonable requests for information from his client. The panel also found that upon termination of representation, Graham failed to surrender papers and property to which his client was entitled, and failed to refund advanced payments of the fee that had not been earned. Graham violated Rule 1.01(b)(1), 1.01(b)(2), 1.03(a), and 1.15(d). He was ordered to pay \$4,320.00 in attorneys' fees and \$200.00 in direct expenses. Graham was ordered to pay restitution in the amount of \$2,250.00.

**Graham, Christopher L.: #24047549**  
**11/29/2017-Disbarment**

On November 29, 2017, **Christopher L. Graham** [#24047549], 36, of Dallas, was disbarred. The 193rd Judicial District Court of Dallas County, Texas, found that Graham committed professional misconduct by violating Rules 3.03(a)(1) [A lawyer shall not knowingly make a false statement of material fact or law to a tribunal], 8.02(a) [A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory official or public legal officer, or of a candidate for election or appointment to judicial or legal office], and 8.04(a)(3) [A lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation]. Graham was ordered to pay \$9,916.93 in attorneys' fees and direct expenses.

**Dallas Attorney**  
**09/05/2017-Agreed Private Reprimand**

Rule 1.01(b)(1)

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

Rule 1.01(b)(2)

In representing a client, a lawyer shall not frequently fail to carry out completely the obligations that the lawyer owes to a client or clients.

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.



**Kelly, Rosalind A.: #11237580**  
**08/21/2017-Partially Probated Suspension**  
**08/07/2017-02/06/2018: SUSPENSION**  
**02/07/2018-08/06/2021: PROBATED**

On August 21, 2017, **Rosalind A. Kelly** [#11237580], 54, of Highland Village, received a 48-month, partially probated suspension, effective August 7, 2017, with the first six months actively served and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that in April 2015, Complainant, hired Kelly to represent her in a divorce proceeding and immigration matter. In representing Complainant, Kelly neglected the legal matters entrusted to her by failing to provide legal services. Kelly failed to keep Complainant reasonably informed about the status of her legal matters. Kelly failed to promptly comply with reasonable requests for information from Complainant about her divorce proceeding and immigration matter. Upon termination of representation, Kelly failed to surrender papers and property to which Complainant was entitled and failed to refund advance payments of the fee that had not been earned. Kelly violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). She was ordered to pay restitution in the amount of \$2,250.00 and \$1,980.00 in attorneys' fees and direct expenses. Kelly filed an appeal on October 27, 2017.

**Norman, Marcus Donnell: #24007759**  
**08/03/2017-Partially Probated Suspension**  
**11/01/2017-04/30/2018: SUSPENSION**  
**05/01/2018-10/31/2019: PROBATED**

On August 3, 2017, **Marcus D. Norman** [#24007759], 46, of McKinney, received a two-year, partially probated suspension, effective November 1, 2017, with the first six months actively suspended and the remainder probated. The 401st District Court of Collin County, Texas found that Norman, in representing a client, neglected the legal matter entrusted to him and failed to keep the client reasonably informed about the status of a matter and promptly comply with the client's reasonable requests for information. Norman violated Rules 1.01(b)(1), and 1.03(a). He was ordered to pay \$2,000.00 in attorneys' fees and direct expenses.

**Parker, Randall Dale: #24025583**  
**09/11/2017-Default Disbarment**

On September 11, 2017, **Randall Dale Parker** [#24025583], 46, of Dallas, was disbarred. The District 6 Grievance Committee found that in October of 2010, Parker was hired by a client to prepare and file an appeal which pertained to a criminal law matter. Parker neglected the legal matter entrusted to him by failing to perform work on the appeal, failing to keep the client reasonably informed about the status of the appellate matter, and failing to promptly comply with reasonable requests for information from the client about the case. Upon termination of representation, Parker failed to refund advance payments of unearned fees. On June 29, 2015, and October 7, 2015, Parker was actively suspended from the practice of law in Texas and failed to inform the client of the active suspensions. Parker also failed to respond to the grievance. Parker violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(7), and 8.04(a)(8). He was ordered to pay \$10,000.00 in restitution to Complainant, and \$2,750.00 in attorneys' fees and direct expenses.

**Rodriguez, Brigida: #24046743**  
**10/17/2017-Fully Probated Suspension**  
**11/01/2017-10/31/2018: PROBATED**

On October 17, 2017, **Brigida Rodriguez** [#24046743], 62, of Dallas, received a 12-month, fully probated suspension. An evidentiary panel of the District 6 Grievance Committee found that Rodriguez failed to keep two clients reasonably informed about the status of their cases and failed to promptly comply with their reasonable requests for information. Upon termination of representation, Rodriguez failed to refund to one client advance payments of the fee that had not been earned. Rodriguez also failed to respond to two of the grievances. Rodriguez violated Rules 1.03(a), 1.15(d) and 8.04(a)(8). She was ordered to pay \$5,000.00 in restitution and a total of \$3,719.50 in attorneys' fees and direct expenses.

**Dallas Attorney**  
**08/31/2017-Agreed Private Reprimand**

Rules 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.

**Ward, Lloyd Eugene: #20845100**  
**08/17/2017-Public Reprimand**

On August 17, 2017, **Lloyd Eugene Ward** [#20845100], 56, of Dallas, received a judgment of public reprimand. An evidentiary panel of the District 6 Grievance Committee found that Ward engaged in conduct involving dishonesty, fraud, deceit and/or misrepresentation in the course of handling various debt settlement matters for clients.

Ward violated Rule 8.04(a)(3). He was ordered to pay \$2,325.00 in attorneys' fees and \$1,306.78 in direct expenses. Ward filed an appeal on September 7, 2017.

DISTRICT 7:

**Graham, Christopher L.: #24047549**  
**11/09/2016-Public Reprimand**

On November 9, 2016, **Christopher L. Graham** [#24047549], 35, of Dallas, received a judgment of public reprimand. An evidentiary panel of the District 6 Grievance Committee found that upon termination of representation of Complainant in a criminal law matter, Graham failed to refund advance payments of fees that had not been earned. Graham violated Rule 1.15(d). He was ordered to pay \$5,797.75 in attorneys' fees and direct expenses.

**Dallas Attorney**  
**11/28/2017-Agreed Private Reprimand**

Rule 4.02(a)

In representing a client, a lawyer shall not communicate or cause or encourage another to communicate about the subject of the representation with a person, organization or entity of government the lawyer knows to be represented by another lawyer regarding that subject, unless the lawyer has the consent of the other lawyer or is authorized by law to do so.

**Dallas Attorney**  
**06/26/2017-Agreed Private Reprimand**

Rule 1.01(b)(1)

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

**Jefferson Smith, Deanna Marie: #24046152**  
**10/18/2017-Fully Probated Suspension**  
**11/01/2017-10/31/2018: PROBATED**

On October 18, 2017, **Deanna Marie Jefferson Smith** [#24046152], 49, of Grand Prairie, received a 12-month, fully probated suspension, effective November 1, 2017. The District 7 Grievance Committee found that beginning in 2013, Complainant and her husband, retained Jefferson Smith to represent them on various matters. Jefferson Smith received funds from Complainant and other clients for legal fees paid in advance of the completion of legal services. Jefferson Smith did not hold the clients' funds in an account separate from her property. Jefferson Smith commingled clients' funds by depositing advance legal fees into her personal bank account. In or around June 2014, Jefferson Smith borrowed \$3,800.00 from Complainant. Jefferson Smith failed to advise and provide reasonable opportunity for Complainant to seek the advice of independent counsel before loaning the money to Jefferson Smith. Further, Jefferson Smith did not obtain written consent from Complainant before entering into the business transaction with Jefferson Smith. Jefferson Smith violated Rules 1.08(a), and 1.14(a). She was ordered to pay \$6,581.25 in attorneys' fees and \$2,757.90 in direct expenses.

**Dallas Attorney**  
**09/20/2017-Agreed Private Reprimand**

Rule 1.14(a)

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

DISTRICT 9:

**Helms, Robert Allen: #00792136**  
**09/19/2017-Resignation in lieu of Discipline**

On September 19, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Robert Allen Helms** [#00792136], 52, of Austin. At the time of Helms's resignation, one disciplinary matter was pending for conduct involving dishonesty, fraud, deceit or misrepresentation; Helms was also the subject of criminal proceedings in Cause No. 1:16-CR-23-LY, styled United States of America, Plaintiff, v. Robert Allen Helms (1), Defendant, for securities fraud, wire fraud, and conspiracy. On April 10, 2017, Helms pled guilty to Conspiracy to Commit Wire Fraud and Securities Fraud as charged in the Indictment, and Securities Fraud as charged in the Felony Information, serious crimes or criminal acts that reflect adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer. These convictions would subject Helms to compulsory discipline.

**Henslee, Donald G.: #09488500**  
**11/29/2017-Agreed Fully Probated Suspension**  
**12/01/2017-02/28/2018: PROBATED**

On November 29, 2017, **Donald G. Henslee** [#09488500], 70, of Austin, received a three-month, fully probated suspension. An evidentiary panel of the District 9 Grievance Committee found that in one matter in March of 2015, Complainant hired Henslee to advise her regarding a 504 (American with Disabilities Act) meeting for her grandsons and to attend the 504 meeting if necessary. Complainant paid Henslee an advanced fee of \$2,500.00. After the initial consultation, Henslee failed to respond to any of Complainant's communication attempts, provided no advice to Complainant and did not attend the 504 meeting. On June 23, 2015, Henslee finally responded to Complainant stating that he would return the "remaining deposit" on June 25. However, Henslee failed to return any money or respond to Complainant's attempts to contact him. Thereafter, on three separate dates, Henslee represented to Complainant that he would return her file and at least a portion of the advanced fee. In April of 2016, after the grievance was filed, Henslee refunded the advanced fee but did not return Complainant's file. In another matter, on or about July 9, 2015, Complainant hired Henslee to prepare a complaint to the Texas Education Agency and to represent her during the complaint process. Complainant paid Henslee an advanced fee of \$1,500.00. When Henslee failed to prepare the complaint, Complainant hired new counsel and requested a refund of unearned fees. Receiving no response from Henslee, Complainant sent a certified letter on November 3, 2015, and an email on December 12, 2015, again requesting the return of unearned fees. Complainant received no response from Henslee. On or about April 20, 2016, after the grievance was filed, Henslee refunded Complainant's advanced fee. Henslee violated Rules: 1.01(b)(1), 1.03(a), and 1.15(d) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Henslee was ordered to pay \$4,945.65 in attorneys' fees and expenses.

**Jonas, W. James III: #10857050**  
**09/19/2017-Resignation in lieu of Discipline**

On September 19, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **W. James Jonas, III** [#10857050], 55, of West Lake Hills. At the time of Jonas's resignation, one disciplinary matter was pending in which he engaged in conduct involving dishonesty, fraud, deceit or misrepresentation; Jonas was also the subject of criminal proceedings in Cause No. CR-16-CR-135-AM, United States of America v. William James Jonas, III, for bribery, wire fraud, and conspiracy. On June 26, 2017, Jonas was convicted by jury of one count of Conspiracy to Commit Federal Programs Bribery, two counts of Federal Programs Bribery, one count of Aiding and Abetting Federal Programs Bribery, one count of Conspiracy to Commit Wire Fraud, five counts of Uses of the Wires to Commit Fraud, that is Deprivation of Honest Service, and four counts of Wire Fraud. The convictions involve serious crimes or criminal acts that reflect adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer, and further involve conduct to improperly influence a government agency or official. These convictions would subject Jonas to compulsory discipline.

**Pruit, Brett A.: #16367800**  
**09/06/2017-Agreed Partially Probated Suspension**  
**11/01/2017-01/31/2018: SUSPENSION**  
**02/01/2018-04/30/2020: PROBATED**

On September 6, 2017, **Brett A. Pruit** [#16367800], 60, of San Antonio, accepted a 30-month, partially probated suspension, effective November 1, 2017, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Pruit represented a client in two related matters. As the parties neared a jury trial setting, Pruit represented to opposing counsel that all matters in both cases had settled. Pruit signed a Rule 11 settlement agreement, and the setting for jury trial was cancelled. Weeks later, Pruit acknowledged to opposing counsel that he did not have his client's consent to settle. Pruit failed to abide by his client's decisions concerning whether to accept an offer of settlement, and took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter. The Office of Chief Disciplinary Counsel gave Pruit notice of the disciplinary complaint, and Pruit failed to timely furnish a response or other information required by the Texas Rules of Disciplinary Procedure. Pruit violated Rules 1.02(a)(2), 3.02, and 8.04(a)(8). He was ordered to pay \$3,833.00 in attorneys' fees and direct expenses.

DISTRICT 10:

**Dugas, Evin G.: #06172950**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Evin G. Dugas** [#06172950], 57, of San Antonio. At the time of his resignation, Dugas had 11 grievance pending alleging Dugas neglected clients' matters, failed to keep clients reasonably informed, failed to obtain his client's consent to share fees with another attorney, made an agreement prospectively limiting his liability, failed to hold clients' funds separate from his own property, failed to refund an unearned fee, failed to return a client's files, engaged in communication with someone represented by counsel, engaged in conduct involving misrepresentation, asserted a frivolous claim and failed to respond to a grievance timely. Dugas violated Rules 1.01(b)(1)&(2), 1.03(a)&(b), 1.04(f), 1.08(g), 1.14(a)&(b), 1.15(d), 3.01,

4.02(a), & 8.04(a)(1),(3),(8).

**San Antonio Attorney**  
**11/16/2017-Agreed 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.

**Fiegel, Beauregard Driller: #24086782**  
**11/09/2017-Agreed Fully Probated Suspension**  
**11/15/2017-11/14/2020: PROBATED**

On November 9, 2017, **Beauregard Driller Fiegel** [#24086782], 32, of San Antonio, accepted a three-year, fully probated suspension, effective November 15, 2017. The District 10 Grievance Committee found that Fiegel failed to keep clients reasonably informed, failed to carry out completely the obligations owed to a client, failed to refund an unearned fee, and failed to respond to grievances timely. Fiegel violated Rules 1.01(b)(2), 1.03(a), 1.15(d), and 8.04(a)(8), and agreed to pay \$2,100.00 in restitution, and \$800.00 in attorneys' fees and direct expenses.

**Fiegel, Beauregard Driller: #24086782**  
**08/22/2017-Agreed Fully Probated Suspension**  
**10/01/2017-03/31/2018: PROBATED**

On August 22, 2017, **Beauregard Driller Fiegel** [#24086782], 32, of San Antonio, accepted a six-month, fully probated suspension, effective October 1, 2017. The District 10 Grievance Committee found that Fiegel neglected a client's matter, failed to keep a client reasonably informed, failed to refund the unearned portion of fee and failed to respond to the grievance timely. Fiegel violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8), was ordered to pay \$3,000.00 in restitution and \$1,100.00 in attorneys' fees and direct expenses.

**San Antonio Attorney**  
**09/13/2017-Agreed Private Reprimand**

Rule 1.02(a)(1)

A lawyer shall abide by clients decision concerning the objectives and general methods of representation.

**Perry, Deborah Suzanne Dick: #24046617**  
**11/16/2017-Agreed Public Reprimand**

On November 16, 2017, **Deborah Suzanne Dick Perry** [#24046617], 63, of San Antonio, accepted a public reprimand. The 285th Judicial District Court of Bexar County found that Perry committed professional misconduct by violating Rule 1.15(d) [failing to reasonably protect a client's interests]. Perry was ordered to pay \$3,883.87 in attorneys' fees and direct expenses.

**Sandoval, Daniel Armando: #24075521**  
**10/11/2017-Agreed Active Suspension**  
**05/01/2018-01/31/2019: SUSPENSION**

On October 11, 2017, **Daniel Armando Sandoval** [#24075521], 36, of San Antonio, accepted a nine-month, active suspension, effective May 1, 2018. The District 10 Grievance Committee found that Sandoval failed to abide a client's decisions concerning the general method of representation, failed to communicate with clients, violated terms of a prior disciplinary judgment and practiced law while his law license was suspended. Sandoval violated Rules 1.02(a)(1), 1.03(a)&(b), and 8.04(a)(7),(10)&(11), and agreed to pay \$1,176.90 in attorneys' fees and direct expenses.

**San Antonio Attorney**  
**09/05/2017-Agreed Private Reprimand**

Rule 1.03(a)

A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

**San Antonio Attorney**  
**11/28/2017-Agreed Private Reprimand**

Rule 1.03(a)

A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

**Weyand, Dale: #21236900**  
**09/06/2017-Agreed Public Reprimand**

On September 6, 2017, **Dale Weyand** [#21236900], 57, of San Antonio, accepted a public reprimand. The District 10 Grievance Committee found that Weyand failed to keep a client reasonably informed. Weyand violated Rule 1.03(a) and was ordered to pay \$800.00 in attorneys' fees and direct expenses.

DISTRICT 11:

**Sanchez, Zenaida: #17573800**  
**08/31/2017-Agreed Fully Probated Suspension**  
**09/15/2017-03/14/2018: PROBATED**

On August 31, 2017, **Zenaida Sanchez** [#17573800], 57, of Jim Wells, accepted a six-month, fully probated suspension, effective September 15, 2017. The District 11 Grievance Committee found that Sanchez failed to hold client's funds separate from her own property and failed to promptly deliver client funds. Sanchez violated Rules 1.14(a)&(b), and agreed to pay \$800.00 in attorneys' fees and direct expenses.

**Zavaletta, Peter Michael: #22251600**  
**10/25/2017-Agreed Public Reprimand**

On October 25, 2017, **Peter Michael Zavaletta** [#22251600], 57, of Corpus Christi, accepted a public reprimand. The District 11 Grievance Committee found that Zavaletta neglected a client's matter and failed to keep a client informed. Zavaletta violated Rule 1.01(b)(1), and 1.03(a), was ordered to pay \$1,387.00 in attorneys' fees and direct expenses.

DISTRICT 12:

**San Antonio Attorney**  
**10/10/2017-Agreed Private Reprimand**

Rule 1.08(a)

A lawyer shall not enter into a business transaction with a client unless: (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed in a manner which can be reasonably understood by the client; (2) the client is given a reasonable opportunity to seek the advice of independent counsel in the transaction; and (3) the client consents in writing thereto.

**Gonzales, Jose: #24010061**  
**10/24/2017-Agreed Fully Probated Suspension**  
**09/01/2017-02/28/2018: PROBATED**

On October 24, 2017, **Jose Gonzales** [#24010061], 48, of Harlingen, accepted a six-month, fully probated suspension. The District 12 Grievance Committee found that Gonzales failed to communicate with a client and failed to respond to the grievance. Gonzales violated Rules 1.03(a), and 8.04(a)(8), was ordered to pay \$1,000.00 in restitution and \$900.00 in attorneys' fees and direct expenses.



**Tipton, Francisco Steven: #24088756**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Francisco Steven Tipton** [#24088756], 42, of McAllen. At the time of the resignation, there were grievances pending alleging Tipton neglected clients' matters, failed to communicate with clients, failed to hold clients' funds in a trust account, failed to return unearned fees, failed to supervise his non-lawyer staff, misrepresentation and failed to respond to grievances.

Tipton violated Rules 1.01(b)(1), 1.03(a)(b), 1.14(a)(b), 1.15(d), 5.03(a)(b), and 8.04(a)(3).

**San Antonio Attorney**  
**09/07/2017-Agreed Private Reprimand**

Rule 1.07(a)

for entering into a business transaction with a client unless; (1) the lawyer consults with each client concerning the implications of the common representation, including the advantages and risks involved, and the effect on the attorney-client privileges, and obtains each client's written consent to the common representation.

Rule 1.07(c)

a lawyer shall withdraw as intermediary if any of the clients so requests, or if any of the conditions stated in paragraph (a) is no longer satisfied. Upon withdrawal, the lawyer shall not continue to represent any of the clients in the matter that was the subject of the intermediation.

DISTRICT 13:

**Phifer, Gregory L.: #15908580**  
**08/23/2017-Active Suspension**  
**12/09/2017-12/08/2020: SUSPENSION**

On August 23, 2017, **Gregory L. Phifer** [#15908580], 53, of Amarillo, received a three-year, active suspension, effective December 9, 2017. The District 13 Grievance Committee found that on November 25, 2013, Complainant hired Phifer to represent a client at a parole hearing. In representing the client, Phifer neglected the legal matter entrusted to him by failing to provide legal services to the client. Phifer also failed to respond to the grievance. Phifer violated Rules 1.01(b)(1) and 8.04(a)(8). He was ordered to pay \$2,500.00 in restitution and \$2,102.75 in attorneys' fees and direct expenses.

**Phifer, Gregory L.: #15908580**  
**08/23/2017-Default Disbarment**

On August 23, 2017, **Gregory L. Phifer** [#15908580], 53, of Amarillo, was disbarred. The District 13 Grievance Committee found that in April of 2013, Complainant hired Phifer to represent him in connection with a criminal law matter. In representing Complainant, Phifer neglected the legal matter entrusted to him by failing to provide legal services. Phifer failed to keep Complainant reasonably informed about the status of the criminal matter and failed to promptly comply with Complainant's reasonable requests for information. Upon termination of representation, Phifer failed to refund advance

payments of unearned fees. Phifer also failed to respond to the grievance. Phifer violated Rules 1.01(b)(1), 1.03(a), 1.15(d) and 8.04(a)(8). He was ordered to pay \$12,000.00 in restitution to Complainant, and \$3,232.25 in attorneys' fees and direct expenses.

**Phifer, Gregory L.: #15908580**  
**08/10/2017-Default Disbarment**

On August 10, 2017, **Gregory L. Phifer** [#15908580], 53, of Amarillo, was disbarred. The District 13 Grievance Committee found that in February of 2011, Complainant hired Phifer to represent him in connection with a criminal law matter. In representing Complainant, Phifer neglected the legal matter entrusted to him by failing to provide legal services. Phifer failed to keep Complainant reasonably informed about the status of the criminal matter, failed to promptly comply with Complainant's reasonable requests for information, and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation. Upon termination of representation, Phifer failed to refund advance payments of unearned fees. Phifer also failed to respond to the grievance. Phifer violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$20,700.00 in restitution to Complainant, and \$2,900.00 in attorneys' fees and direct expenses.

**Phifer, Gregory L.: #15908580**  
**8/23/2017-Default Active Suspension**  
**12/09/2017-12/08/2020: SUSPENSION**

On August 23, 2017, **Gregory L. Phifer** [#15908580], 53, of Amarillo, received a three-year, active suspension, effective December 9, 2017. The District 13 Grievance Committee found that in March of 2013, Phifer was court appointed to represent a client in a criminal law matter. Phifer neglected the legal matter entrusted to him by failing to provide legal services to the client. Phifer failed to keep the client reasonably informed about the status of the criminal matter, and failed to promptly comply with the client's reasonable requests for information. Phifer also failed to respond to the grievance. Phifer violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$2,686.00 in attorneys' fees and direct expenses.

DISTRICT 14:

**Knight, David W.: #11597325**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **David W. Knight** [#11597325], 63, of Wichita Falls. At the time of Knight's resignation, there were five pending matters against him alleging Knight neglected cases, failed to communicate and failed to return unearned fees. On June 1, 2016, Knight was actively suspended from the practice of law for one year. Knight violated the disciplinary judgment that imposed the one year active suspension by, among other things, failing to notify Complainants in writing about his suspension and engaging in the practice of law while he was actively suspended. Knight eventually closed his practice, however he failed to notify Complainants about the closure. Finally, Knight failed to file responses to Complainants' grievances with the State Bar of Texas Alleged Rules Violated: 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(7), 8.04(a)(8), 8.04(a)(10) and 8.04(a)(11).

**McCarty, Denver G.: #13376570**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, The Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Denver G. McCarty** [#13376570], 71, of Corinth. At the time of McCarty's resignation in or about April 2015, Complainant retained McCarty to represent him in connection with a criminal defense matter. The fee paid was \$2,500.00. Thereafter, McCarty failed to promptly comply with reasonable requests for information from Complainant about his case and failed to keep Complainant reasonably informed about the status of his legal matter. Complainant terminated McCarty and demanded the return of any unearned fees. McCarty did not return any portion of the unearned fee. On September 1, 2016, McCarty began a period of active suspension from practicing law. McCarty engaged in the practice of law during this period of suspension. McCarty did not notify Complainant of his suspension from the practice of law as required.

**Rust, Jay Mac: #24009061**  
**8/30/2017-Agreed Partially Probated Suspension**  
**08/15/2017-08/14/2018: SUSPENSION**  
**08/15/2018-08/14/2020: PROBATED**

On August 30, 2017, **Jay Mac Rust** [#24009061], 43, of Stephenville, agreed to a 36-month, partially probated suspension, effective August 15, 2017, with the first 12 months actively served and the remainder probated. An evidentiary panel of the District 14 Grievance Committee found that Rust, acting as an escrow attorney, continued representation of the client after Rust's representation became adversely limited by Rust's responsibilities to another client or to a third party or by Rust's own interest. Rust, acting as an escrow attorney, failed to hold escrow funds belonging to the client, that were in Rust's possession in connection with the representation separate from Rust's own property. Rust failed to promptly deliver to the client, funds that the client, was entitled to receive. Rust failed to disburse funds in his account only to those persons entitled to receive the funds by virtue of the representation or by law. Rust violated Rules 1.06(b)(2), 1.14(a), and 1.14(c). He was ordered to pay \$3,750.00 in attorneys' fees and direct expenses.

**Rust, Jay Mac: #24009061**  
**09/05/2017-Agreed Partially Probated Suspension**  
**08/15/2017-08/14/2018: SUSPENSION**  
**08/15/2018-08/14/2020: PROBATED**

On September 5, 2017, **Jay Mac Rust** [#24009061], 43, of Stephenville, agreed to a 36-month, partially probated suspension, effective August 15, 2017, with the first 12 months actively served and the remainder probated. An evidentiary panel of the District 14 Grievance Committee found that Rust, acting as an escrow attorney, continued representation of the client after Rust's representation became adversely limited by Rust's responsibilities to another client or to a third party or by Rust's own interest. Rust, acting as an escrow attorney, failed to hold escrow funds belonging to the client, that were in Rust's possession in connection with the representation separate from Rust's own property. Rust failed to disburse funds in his account only to those persons entitled to receive the funds by virtue of the representation or by law. Rust violated Rules 1.06(b)(2), 1.14(a), and 1.14(c). He was ordered to pay \$3,750.00 in attorneys' fees and direct expenses.

DISTRICT 17:

**Guzman, Francisco Javier: #00787610**  
**10/5/2017-Agreed Fully Probated Suspension**  
**06/01/2017-05/31/2018: PROBATED**

On October 5, 2017, **Francisco Javier Guzman** [#00787610], 51, of El Paso, accepted a one year, fully probated suspension. The District 17 Grievance Committee found that Guzman, failed to keep clients reasonably informed. Guzman violated Rule 1.03(a) and was ordered to pay \$1,500.00 in restitution and \$800.00 in attorneys' fees and direct expenses.

**San Antonio Attorney**  
**09/05/2017-Agreed Private Reprimand**

Rule 5.05(a)

A lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.

**San Antonio Attorney**  
**09/55/2017-Agreed Private Reprimand**

Rule 1.03(b)

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

BODA:

**Adamson, Bryan Todd: #24004522**  
**10/18/2017-Default Active Suspension**  
**10/18/2017-10/17/2018: SUSPENSION**

On October 18, 2017, the Board of Disciplinary Appeals signed a default judgment of suspension against Ivins, UT attorney, **Bryan Todd Adamson**, 48, State Bar of Texas Card No. 24004522. On March 29, 2016, Mr. Adamson was suspended from the practice of law by the Fifth Judicial District Court of Washington County, State of Utah in a matter styled, In the Matter of the Discipline of: Bryan T. Adamson, #11982, Adamson for violations of the following Utah Rules of Professional Conduct: 1.1 (failure to provide competent representation to a client); 1.15(d) (failure to promptly notify the client or third person upon receipt of funds or other property in which a client or third person has an interest); 1.16(d) (failure to protect a client's interests upon termination of representation); 1.2(a) (failure to abide by a client's decisions concerning the objectives of representation); 1.4(b) (failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); and 1.5(a) (making an agreement for, charging, or collecting an unreasonable fee or an unreasonable amount for expenses).<sup>9</sup> Although properly served and noticed, Adamson did not answer or appear. He is suspended from the practice of law for one year, beginning October 18, 2017, and ending October 17, 2018.

**Barnes, Carolyn: #01761550**  
**05/02/2017-Disbarment**

On May 2, 2017, the Board of Disciplinary Appeals signed a judgment of disbarment against Cedar Park attorney **Carolyn Barnes**, 60, State Bar of Texas Card No. 01761550. On or about June 11, 2013, Ms. Barnes was convicted aggravated assault with a deadly weapon while using or exhibiting a firearm, a second degree felony, an Intentional Crime as defined in the \Texas Rules of Disciplinary Procedure, and sentenced to serve three years in prison in \The State of Texas v. Carolyn Barnes\ Case No. 10-63-K368, in the 368th Judicial District Court of Williamson County, Texas. Barnes appealed her criminal conviction. On August 28, 2013, the Board of Disciplinary Appeals signed an interlocutory order of suspension pending the appeal of her criminal conviction. Barnes appealed BODA's interlocutory order to the Supreme Court of Texas and it was affirmed on June 20, 2014, (Tex. Sup. Ct. No. 13-0753; rehearing denied August 15, 2014). The Third Court of Appeals for the State of Texas affirmed her criminal conviction on February 9, 2017, and issued its mandate (Cause no. 03-13-00434-CR). Her conviction is final and she is disbarred.

**Best, Cynthia L.: #24014755**  
**10/09/2017-Agreed Active Suspension**  
**10/10/2017-12/09/2017: SUSPENSION**

On October 9, 2017, the Board of Disciplinary Appeals signed an agreed judgment of suspension of Phoenix, AZ attorney, **Cynthia L. Best**, 63, State Bar of Texas Card No. 24014755. Ms. Best was suspended from the practice of law by the Supreme Court of the State of Arizona in a matter styled, In the Matter of a Member of the State Bar of Arizona, Cynthia L. Best, Bar No. 014731, Respondent, PDJ 2016-9122 for violations of Arizona Rules 42, ERs 3.1 (meritorious claims and contentions); 3.4(c) (fairness to opposing party and counsel); 4.4(a) (respect for the rights of others; and 8.4(d) (conduct prejudicial to the administration of justice). By agreement and in accordance with the Texas Rules of Disciplinary Procedure, Ms. Best will be suspended from the practice of law for 60 days beginning Oct. 10, 2017 and ending December 9, 2017.

**Dalton, Richard Collins: #24033539**  
**11/17/2017-Agreed Fully Probated Suspension**  
**11/17/2017-11/16/2019: PROBATED**

On November 17, 2017, the Board of Disciplinary Appeals signed an agreed judgment of fully probated suspension of Mandeville, LA attorney **Richard Collins Dalton**, 48, State Bar of Texas Card No. 024033539. On June 16, 2017 the Supreme Court of the State of Louisiana entered by agreement an Order Per Curium suspending Dalton from the practice of law for six months and deferring the suspension for two years, contingent upon the successful completion of a two-year probation. Dalton violated LA Rules of Professional Conduct by failing to safeguard client's funds held in trust. Dalton is on a probated suspension from the practice of law in Texas beginning November 17, 2017, and ending November 16, 2019.

**Fritz, Richard Reed: #00793760**  
**10/18/2017-Default Disbarment**

On October 18, 2017, the Board of Disciplinary Appeals signed a default judgment of disbarment against Prairie Village, KS attorney, **Richard Reed Fritz**, 50, State Bar of Texas Card No. 00793760. On March 25, 2014, Mr. Fritz was disbarred from the practice of law by the Supreme Court of Missouri in a matter styled, In Re: Richard R. Fritz, Respondent, Supreme Court No. SC94083, MBE #53606 for violations of the following Missouri Rules of Professional Conduct: 4-1.3(failure to act with reasonable diligence and promptness); 4-1.4 (failure to keep his client reasonably informed about the status of the matter and failure to promptly comply with reasonable requests for information); 4-1.15(e) (failure to maintain the client's property separate from his own, failure to return the property to the client promptly, and failure to properly safeguard the client's property); 4-1.16 (failure to surrender property to the client upon termination of the representation); and 4-8.1(c) (failure to respond to a lawful demand for information from the Office of Chief Disciplinary Counsel). Although properly served and noticed, Fritz did not answer or appear.

**Lyle, Randall R.: #12719500**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Randall R. Lyle** [#12719500], 55, of Dallas. At the time of Lyle's resignation, Lyle was the subject of criminal proceedings for Theft of Property \$20,000 - \$100,000, in Cause No. 1239400D, State of Texas v. Randall Ray Lyle, in the 371st District Court of Tarrant County. On September 7, 2016, Lyle was placed on community supervision for 10 years and ordered to pay restitution in the amount of \$34,297.62. Thereafter, on July 6, 2017, Lyle was adjudicated guilty and sentenced to four years confinement in the Institutional Division of the Texas Department of Criminal Justice. The criminal matter would subject Lyle to compulsory discipline. In addition, at the time of resignation, Lyle was the subject of two pending disciplinary matters. The disciplinary matters asserted violations for neglect of a matter; failure to carry out obligations owed to a client; engaging in a prohibited business transaction with a client; engaging in representation using means that have no substantial purpose other than to embarrass, delay, or burden a third person; engaging in conduct involving dishonesty, fraud, deceit and misrepresentation; and failing to timely furnish a response or information required by the Texas Rules of Disciplinary Procedure. The disciplinary matters involved misconduct under Rules 1.01(b)(1), 1.01(b)(2), 1.08(a), 4.04(a), 8.04(a)(3) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

**Mullins, Royal: #14657750**  
**11/30/2017-Resignation in lieu of Discipline**

On November 30, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Royal Mullins** [#14657750], 64, of Greenville. At the time of Mullins's resignation, a Judgment of Conviction by Jury had been entered in the 196th Judicial District Court of Hunt County, Texas, wherein Mullins was found guilty of murder, and sentenced to sixty years in the Institutional Division of the Texas Department of Criminal Justice, ordered to pay a fine in the amount of \$10,000.00 and courts costs of \$266.25. This conviction would subject Mullins to compulsory discipline.

**Nweze, Ikechukwu: #00792725**  
**05/03/2017-Disbarment**

On May 3, 2017, the Board of Disciplinary Appeals signed a judgment of disbarment against Houston attorney **Ikechukwu Nweze**, 64, State Bar of Texas Card No. 00792725. On July 7, 2016, Nweze pled guilty to Insurance Fraud and to Engaging in Organized Criminal Activity in violation the Texas Penal Code sec. 35.02(b)(5) and Texas Penal Code 71.02, Intentional Crimes as defined in the Texas Rules of Disciplinary Procedure, in the case styled, The State of Texas v. Ikechukwu Nweze, Cause Nos 143642101010 and 1436422 in the 176th Judicial District Court of Harris County, Texas. Orders of Deferred Adjudication were entered in both causes by the 185th District Court of Harris County and Nweze was placed on community supervision for four years and ordered to surrender his law license.

**O'Briant, James Michael: #00788875**  
**09/19/2017-Resignation in lieu of Discipline**

On September 19, 2017, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **James Michael O'Briant** [#00788875], 58, of Midland. O'Briant resigned in Texas after disbarment by the State of Michigan Attorney Disciplinary Board. The Attorney Disciplinary Board found that O'Briant handled a matter without preparation adequate in the circumstances, in violation of MRPC 1.1(b); neglected six legal matters, in violation of MRPC 1.1(c); failed to seek the lawful objective of a client, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to promptly render a full accounting of client funds upon request, in violation of MRPC 1.15(b)(3); failed to refund an advance payment of fee which was not earned, in violation of MRPC 1.16(d); made a false statement of material fact to a tribunal, in violation of MRPC 3.3(a)(1); failed to notify an active client of his suspension from the practice of law, in violation of MCR 9.119(A); and failed to file a notice of disqualification with a tribunal in which he represented a client in litigation, in violation of MCR 9.119(8). The disbarment in Michigan would subject O'Briant to reciprocal discipline.

**Perez, Refugio Rafael: #24051893**  
**10/18/2017-Active Suspension**  
**10/18/2017-04/17/2019: SUSPENSION**

On October 18, 2017 the Board of Disciplinary Appeals revoked the probation of Corpus Christi attorney **Refugio Rafael Perez**, 39, State Bar of Texas Card No. 24051893 and suspended him from the practice of law for 18 months, beginning October 17, 2017 and ending April 17, 2019. On or about August 18, 2016, the District 11-1 State Bar of Texas grievance committee signed an agreed judgment of probated suspension against Mr. Perez. The judgment found that Perez committed professional misconduct by violating the Texas Disciplinary Rules of Professional Conduct 1.03(a) (failed to keep his client reasonably informed on the status of a matter and 8.04(a)(8) (he failed to respond to a request for a response from the State Bar of Texas) and suspended him from the practice of law for 18 months, fully probated on certain terms beginning September 1, 2016, and ending February 28, 2018. The Board of Disciplinary Appeals found that Perez materially violated the terms and conditions of the agreed judgment of fully probated suspension.

**Walker, James N.: #20708600**  
**10/18/2017-Default Disbarment**

On October 18, 2017, the Board of Disciplinary Appeals signed a final judgment of disbarment against Austin attorney **James N. Walker**, 64, State Bar of Texas Card No. 20708600. On or about May 16, 2017, an order of deferred adjudication was entered in The State of Texas v. James Walker, Case No. D-1-DC-16300764 in the 299th Judicial District Court of Travis County, Texas where in Walker pled guilty to Possession with the Intent to Deliver a Controlled Substance: Heroin Pg 1 >=4g < 200g, a felony, an Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, and was placed on community supervision for five years and ordered to perform 120 hours of community service and ordered not to practice law during the term of his deferred adjudication..

**Meachum, H. Wayne: #13877800**  
**10/02/2017-Order of Contempt**

On October 2, 2017, **H. Wayne Meachum** [#13877800], 72, of Dallas, agreed to a judgment of contempt from the 160th Judicial District Court. The court found that Meachum violated the terms of the Judgment of Disbarment rendered on November 1, 1999, in 42 enumerated violations. Meachum is committed to the county jail of Dallas County, Texas for a total period of 30 days. The period of confinement shall begin on October 27, 2017, at 6:00pm. He must also pay a \$5,000.00 fine to the State Bar of Texas.