

**BEFORE THE DISTRICT 17 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 17-2
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

V.

**ERIC BLISS DARNELL,
Respondent**

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**201601129 [ROGERS]
201600668 [ZIMPRICH]**

JUDGMENT OF PUBLIC REPRIMAND

Parties and Appearance

Beginning on June 21, 2017 and continuing on September 8, 2017, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, ERIC BLISS DARNELL, Texas Bar Number 00783928, appeared in person and through attorney of record and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 17-2 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 17, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in El Paso County, Texas.
3. Complainant Lee H. Rogers hired Respondent Eric B. Darnell to probate the will of Rogers' mother. Respondent failed to respond to reasonable requests for information from Rogers and failed to explain the matter sufficiently to allow Rogers to make decisions regarding the representation.
4. Respondent represented defendants in a deceptive trade practices consumer law claim in the 384th Judicial District Court in El Paso County, Cause No. 2015-DCV-1502. Respondent filed a frivolous third-party petition naming his opposing counsel as a third-party defendant. The court, February 19, 2016, struck the pleading naming opposing counsel defendant and prohibited refiling. On May 3, 2016, Respondent signed and filed another pleading which included a new third-party petition naming his opposing counsel as a third party defendant in violation of the court's order. Respondent misrepresented service of papers and pleadings in the case and habitually violated established rules of procedure. Respondent has failed to disclose material facts to the court, leaving a false impression with the tribunal and caused increased costs, burden or unreasonable delay.

Conclusions of Law

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.03(a), 1.03(b), 3.01, 3.02, 3.03(a)(1) and 8.04(a)(3).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction

to be imposed against Respondent. After hearing all evidence and argument and after having considered all of the factors in Rule 2.18 of the Texas Rule of Disciplinary Procedure, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Public Reprimand.

Accordingly, it is ORDERED, ADJUDGED and DECREED that a Public Reprimand be imposed against Respondent in accordance with the Texas Rules of Disciplinary Procedure. The Evidentiary Panel finds that the sanction imposed against Respondent is the appropriate sanction for each of the violations set forth in this judgment.

Publication

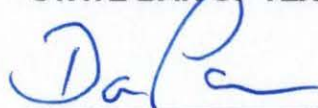
This reprimand shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 20th day of Sept, 2017.

**EVIDENTIARY PANEL
DISTRICT NO. 17
STATE BAR OF TEXAS**



**DARRON POWELL
District 17-2 Presiding Member**