

**BEFORE THE DISTRICT 6 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 6-2  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

**V.**

**RAYSHUN JACKSON,  
Respondent**

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**CASE NO. 201606883**

**JUDGMENT OF CONDITIONAL PROBATED SUSPENSION**

**Parties and Appearance**

On March 1, 2018, 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, **RAYSHUN JACKSON**, Texas Bar Number **00797754** (Respondent), appeared in person and through his attorney of record and announced ready.

**Jurisdiction and Venue**

The Evidentiary Panel 6-2, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 6, 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 Dallas County, Texas.
3. On November 15, 2016, Respondent was actively suspended from the practice of law for six months.
4. On November 22, 2016, Respondent appeared telephonically at a hearing before a federal magistrate thereby engaging in the practice of law while he was suspended.
5. Respondent violated a disciplinary judgment by appearing as counsel in a proceeding in Federal court; failing to notify the judge of his suspension; failing to notify opposing counsel, Complainant Elizabeth T. Tate Dierdorf, in writing of his suspension; and by holding himself out as an attorney.
6. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees associated with this Disciplinary Proceeding in the amount of Two Thousand Nine Hundred Twenty-Five and no/100 Dollars (\$2,925.00).
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred direct expenses associated with this Disciplinary Proceeding in the amount of Two Hundred and no/100 Dollars (\$200.00)

### **Conclusions of Law**

The Evidentiary Panel concludes that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: Rules 8.04(a)(7) and 8.04(a)(11).

### **Sanction**

The Evidentiary Panel, having found that 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 considering 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 Probated Suspension subject to the terms below.

Accordingly, it is **ORDERED, ADJUDGED and DECREED** that Respondent be suspended from the practice of law for a period of thirty-six (36) months, with the suspension being fully probated pursuant to and conditioned on the terms stated below. The period of Probated Suspension shall begin on April 2, 2018, at 12:01 a.m., shall end on April 1, 2021, at 11:59 p.m, and shall be subject to the following terms and conditions:

1. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Two Thousand Nine Hundred Twenty-Five and no/100 Dollars (\$2,925.00) The payment shall be due and payable on or before April 2, 2018, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
2. Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Two Hundred and no/100 Dollars (\$200.00). The payment shall be due and payable on or before April 2, 2018, and shall be made by certified check or money order. Respondent shall forward all funds, made payable to the State Bar of Teas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
3. **Law Practice Monitor:** Respondent shall submit to monitoring of his law practice for a period of thirty-six (36) months by an attorney monitor suggested by Respondent but approved by the State Bar of Texas. The law practice monitor shall have no personal or professional relationship with the Respondent that would interfere with the monitor's ability to exercise independent judgment regarding Respondent's compliance with the terms of this judgment. Respondent is **ORDERED** to have the monitor in place by April 2, 2018, and shall have the first meeting with the monitor no later than April 30, 2018.

The monitor shall be an attorney in the area of practice of Respondent's cases (e.g., criminal law). Should Respondent practice in more than one area of law, then a monitor shall be in place for each area of law in which Respondent has cases (e.g., civil law) for the entire time any such cases are pending on

Respondent's docket of cases. Any additional monitors shall be selected by Respondent and approved by the State Bar of Texas no later than 30 days after Respondent agrees to represent a client in the area of law for which the monitor becomes necessary. The following terms and conditions shall apply to each monitor.

Each month during his Probated Suspension, Respondent shall meet in person with the monitor to go over 40% of Respondent's cases in each area of law for which there is a monitor. Respondent shall bring case files to every meeting with the monitor and the monitor shall review the files to ensure each case is in conformance with the following factors:

- A. Appropriate calendaring by staff;
- B. Appropriate steps being taken to move case along in accordance with Respondent's and the client's agreed strategy;
- C. All deadlines are being met; and
- D. Appropriate and adequate communications by Respondent with the clients.

No case is to be examined in consecutive months unless the case is not in conformance with the above-mentioned factors. If the case is not in conformance with the above-mentioned factors, that case, in addition to the required 40% of Respondent's cases, shall be reviewed each month until it is brought in conformance.

The monitor shall report quarterly the status of Respondent's compliance on the form provided by the State Bar of Texas, with the initial report due by June 5, 2018. Subsequent reports shall be due by the 5th day of the month, quarterly for the duration of the monitoring period (September 5<sup>th</sup>, December 5<sup>th</sup>, March 5<sup>th</sup>, etc.) and shall be sent to the State Bar of Texas, Office of Chief Disciplinary Counsel, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

Respondent shall meet with the attorney monitor a minimum of once per month. The initial meeting shall be held no later than April 30, 2018. Such meetings shall be in person at a place and time as determined by the monitor. Exceptions must be approved in advance by the monitor and noted on the report(s).

All expenses related to the law practice monitoring shall be borne by the Respondent.

4. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

### Terms of Active Suspension

In the event, Respondent fails to comply with all terms and conditions of his Probated Suspension and fails to cure the non-compliance on or before the thirtieth day after the date on which he receives written notice of non-compliance by the State Bar of Texas, Respondent shall be actively suspended from the practice of law for the uncompleted portion of his Probated Suspension, and he will be subject to the following Orders during all times of active suspension:

It is **ORDERED** that during the term of any active suspension ordered herein, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services for others; accepting any fee directly or indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that Respondent shall notify each of Respondent's current clients and opposing counsel in writing of any active suspension within 10 days of such suspension.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension within 10 days of any active suspension.

It is further **ORDERED** Respondent shall, within 10 days of any active suspension, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within 10 days of any active suspension, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court.

#### **Terms of Probation**

It is further **ORDERED** that during all periods of the Probated Suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.
5. Respondent shall comply with Minimum Continuing Legal Education requirements.

6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.

### **Probation Revocation**

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals (BODA) and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

### **Attorney's Fees and Expenses**

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas the amount of Two Thousand Nine Hundred Twenty-Five and no/100 Dollars (\$2,925.00). The payment shall be due and payable on or

before April 2, 2018, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Two Hundred and no/100 Dollars (\$200.00). The payment shall be due and payable on or before April 2, 2018, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are assessed because of Respondent's misconduct and as a part of the sanction in accordance with Rule 1.06(Z) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid, and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

#### **Publication**

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

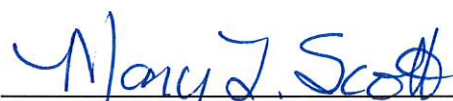


**Other Relief**

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 15th day of March, 2018.

**EVIDENTIARY PANEL 6-2  
DISTRICT NO. 6  
STATE BAR OF TEXAS**



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**Mary L. Scott**  
**District 6, Panel 6-2 Presiding Member**