

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

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

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**V.**

**CASE NO. 201602357**

**W. THOMAS FINLEY,  
Respondent**

**JUDGMENT NUNC PRO TUNC OF PUBLIC REPRIMAND**

**Parties and Appearance**

On May 3, 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, **W. THOMAS FINLEY** (Respondent), Texas Bar Number **07025500**, appeared in person 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 or about July 7, 2015, Complainant Anwar Ahmad (Ahmad) hired Respondent to serve as legal counsel regarding a tax matter. Respondent was paid \$2,500.00 for the legal representation.
4. In representing Ahmad, Respondent neglected the legal matter entrusted to him by failing to provide legal services.
5. Respondent failed to keep Ahmad reasonably informed about the status of his tax matter and failed to promptly comply with reasonable requests for information from Ahmad.
6. Respondent 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. Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees and direct expenses associated with this Disciplinary Proceeding in the amount of Two Thousand Dollars and No Cents (\$2,000.00).
8. Respondent owes restitution in the amount of Two Thousand Five Hundred Dollars and No Cents (\$2,500.00) payable to Anwar Ahmad.

### **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: Rules 1.01(b)(1), 1.03(a) and 8.04(a)(8).

### **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 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.

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

It is further **ORDERED** Respondent shall pay restitution to Anwar Ahmad in the amount of Two Thousand Five Hundred Dollars and No Cents (\$2,500.00). The payment of restitution shall be made in six (6) monthly installments, with the first five (5) payments each in the amount of Four Hundred Seventeen Dollars and No Cents (\$417.00) and the sixth (6<sup>th</sup>) and final payment in the amount of Four Hundred Fifteen Dollars and No Cents (\$415.00). Each payment is due on the first (1<sup>st</sup>) day of each month, beginning June 1, 2018. Respondent shall pay the restitution by certified or cashier's check or money order, made payable to Anwar Ahmad, and delivered 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).

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of Two Thousand Dollars and No Cents (\$2,000.00). The payment of attorney's fees and direct expenses shall be made in six (6) monthly installments, with the first five (5) payments each in the amount of Three Hundred Thirty-Four Dollars and No Cents (\$334.00), and the

sixth (6<sup>th</sup>) and final payment in the amount of Three Hundred Thirty Dollars and No Cents (\$330.00). Each payment is due on the first (1<sup>st</sup>) day of each month, beginning December 1, 2018. Respondent shall pay the attorney's fees and direct expenses by certified or cashier's check or money order, made payable to the State Bar of Texas, and delivered 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).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed 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 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 2nd day of August, 2018.

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

*Mary L. Scott*

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