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|------------------------|---|---------------------|
| IN THE MATTER OF:      | § | STATE BAR OF TEXAS  |
|                        | § |                     |
| RICHARD R. ALAMIA,     | § | DISTRICT 12         |
|                        | § |                     |
| TEXAS BAR NO. 00964200 | § | GRIEVANCE COMMITTEE |

**AGREED JUDGMENT OF PROBATED SUSPENSION**

**Parties and Appearance**

Chief Disciplinary Counsel and Respondent, RICHARD R. ALAMIA, Texas Bar Number 00964200, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

**Jurisdiction and Venue**

The Investigatory Panel 12-2, having conducted an Investigatory Hearing on August 7, 2019 on the Complaint filed by Elizabeth Dunkum, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

**Professional Misconduct**

The Investigatory Panel, having considered the admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

**Findings of Fact**

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Investigatory Panel finds:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent's Professional Misconduct occurred, in whole or in part, in Hidalgo County, Texas.



3. Respondent failed to explain the family law matter to permit Ms. Dunkum to make informed decisions regarding the representation.
4. Respondent failed to properly safeguard Ms. Dunkum's funds in a trust or escrow account.
5. Upon receiving a request by the State Bar of Texas, Respondent failed to promptly render a full accounting regarding Ms. Dunkum's funds.
6. Respondent owes restitution in the amount of \$1,800.00 payable to Elizabeth Dunkum.

### **Conclusions of Law**

Based on the agreed foregoing findings of fact, the Investigatory Panel finds that the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.03(b), 1.14(a), and 1.14(b).

### **Sanction**

It is AGREED and ORDERED that the sanction of a Probated Suspension shall be imposed against Respondent and is in accordance with Part XV of the Texas Rules of Disciplinary Procedure.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of twelve months, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on August 1, 2020 and shall end on July 31, 2021.

### **Terms of Probation**

It is further ORDERED that during all periods of 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(CC) 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.
8. Respondent shall pay restitution, on or before the date this judgment is signed by the panel chair, to Elizabeth Dunkum in the amount of \$1,800.00. Respondent shall pay the restitution by certified or cashier's check or money order, made payable to Elizabeth Dunkum 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).
9. 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.

#### **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 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.

#### **Restitution**

It is further ORDERED Respondent shall pay restitution, on or before the date this judgment is signed by the panel chair, to Elizabeth Dunkum in amount of \$1,800.00. Respondent shall pay the restitution by certified or cashier's check or money order, made payable to Elizabeth Dunkum 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).

#### **Publication**

This suspension shall be made a matter of public 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.

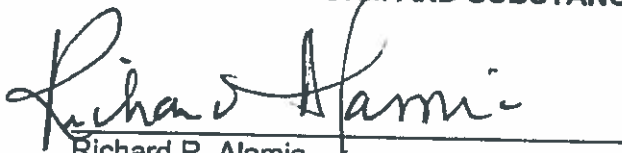
SIGNED this 26th day of September, 2019.

INVESTIGATORY PANEL 12-2  
DISTRICT 12



AIZAR J. KARAM, JR.  
PRESIDING MEMBER

AGREED AS TO FORM AND SUBSTANCE:



Richard R. Alamia  
State Bar No. 00964200  
RESPONDENT



Marie A. Haspil  
State Bar No. 24007329  
ASSISTANT CHIEF DISCIPLINARY COUNSEL