



**BEFORE THE BOARD OF DISCIPLINARY APPEALS  
APPOINTED BY  
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF** §  
**RODOLFO DELGADO** § **CAUSE NO. 63669**  
*State Bar of Texas Card no. 05645550* §

**INTERLOCUTORY ORDER OF SUSPENSION**

On January 31, 2020, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent, Rodolfo Delgado, although duly cited to appear, answered but did not appear. All matters of fact as well as all matters of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Rodolfo Delgado, whose State Bar Card number is 05645550, is licensed by the Supreme Court of Texas to practice law and is authorized to practice law in the State of Texas.
- (2) On or about February 28, 2018, Respondent was charged by Indictment with Count 1 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 2 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 3 – Federal Program Bribery; Count 4 – Travel Act in violation of 18 U.S.C. § 1952; Count 5 - Travel Act in violation of 18 U.S.C. § 1952; and Count 6 - Travel Act in violation of 18 U.S.C. § 1952, in Cause No. 18CR115, styled *United States of America v. Rodolfo "Rudy" Delgado*, in the United States District Court Southern District of Texas, Houston Division.
- (3) On or about June 19, 2018, Respondent was charged by Superseding Indictment with Count 1 – Conspiracy in violation of 18 U.S.C. § 371; Count 2 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B);

Count 3 – Federal Program Bribery; Count 4 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 5 - Travel Act in violation of 18 U.S.C. § 1952; Count 6 - Travel Act in violation of 18 U.S.C. § 1952; and Count 7 - Travel Act in violation of 18 U.S.C. § 1952, in Cause No. 18-cr-115 S, styled *United States of America v. Rodolfo "Rudy" Delgado*, in the United States District Court Southern District of Texas, Houston Division.

- (4) On or about July 25, 2018, Respondent was charged by Second Superseding Indictment with Count 1 – Conspiracy in violation of 18 U.S.C. § 371; Count 2 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 3 – Federal Program Bribery; Count 4 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 5 - Travel Act in violation of 18 U.S.C. § 1952; Count 6 - Travel Act in violation of 18 U.S.C. § 1952; Count 7 - Travel Act in violation of 18 U.S.C. § 1952; and Count 8 – Obstruction of Justice in violation of 18 U.S.C. § 1512(c)(2), in Cause No. 18-CR-115-S2, styled *United States of America v. Rodolfo "Rudy" Delgado*, in the United States District Court Southern District of Texas, Houston Division.
- (5) On or about November 15, 2018, Respondent was charged by Third Superseding Indictment with Count 1 – Conspiracy in violation of 18 U.S.C. § 371; Count 2 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 3 – Federal Program Bribery; Count 4 – Federal Program Bribery in violation of 18 U.S.C. § 666(a)(1)(B); Count 5 - Travel Act in violation of 18 U.S.C. § 1952; Count 6 - Travel Act in violation of 18 U.S.C. § 1952; Count 7 - Travel Act in violation of 18 U.S.C. § 1952; and Count 8 – Obstruction of Justice in violation of 18 U.S.C. § 1512(c)(2), in Cause No. H-18-cr-115-S3, styled *United States of America v. Rodolfo "Rudy" Delgado*, in the United States District Court Southern District of Texas, Houston Division.
- (6) On or about October 1, 2019, a Judgment in a Criminal Case was entered in Cause No. 4:18CR00115-001, styled *United States of America v. Rodolfo "Rudy" Delgado* in the United States District Court Southern District of Texas, Houston Division, wherein Respondent was found guilty of Count 1SSS – Conspiracy; Count 2SSS – Federal Program Bribery; Count 3SSS – Federal Program Bribery; Count 4SSS – Federal Program Bribery; Count 5SSS - Travel Act; Count 6SSS - Travel Act; Count 7SSS - Travel Act; and Count 8SSS – Obstruction of Justice. Respondent was ordered to be committed to the custody of the Federal Bureau of Prisons for a term of sixty (60) months with the term consisting of 48 months as to each of Counts 1SSS, 5SSS, 6SSS, 7SSS, and 60 months as to Counts 2SSS, 3SSS, 4SSS and 8SSS. All terms to run concurrently, for a total term of 60 months. Respondent is ordered that upon release from imprisonment, to be on supervised release for a term of 2 years.

- (7) Respondent, Rodolfo Delgado, is the same person as Rodolfo "Rudy" Delgado who is the subject of the criminal case described above.
- (8) Respondent appealed the criminal conviction.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. TEX. R. DISCIPLINARY P. ("TRDP") 7.08(G);
- (2) Respondent, Rodolfo Delgado, having been found guilty of Count 1SSS – Conspiracy; Count 2SSS – Federal Program Bribery; Count 3SSS – Federal Program Bribery; Count 4SSS – Federal Program Bribery; Count 5SSS - Travel Act; Count 6SSS - Travel Act; Count 7SSS - Travel Act; and Count 8SSS – Obstruction of Justice, has been convicted of Intentional Crimes as defined by TRDP 1.06(V).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(GG).
- (4) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Rodolfo Delgado, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Rodolfo Delgado, State Bar of Texas Card No. 05645550, is hereby SUSPENDED from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Rodolfo Delgado, during said suspension is hereby prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services not completed before the date of this order, appearing

as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Rodolfo Delgado, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating wither (a) that each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any legal matter pending, if any, of his suspension, has been notified or (b) that Respondent has no legal matters pending in any court.

It is further ORDERED that Respondent shall immediately notify each of his current clients, if any, in writing, of his suspension. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients with active cases pending, if any, to those respective clients or former clients with active cases pending within thirty (30) days after the date of this Order. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O.

Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating either (a) that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients with active cases pending have been returned as ordered herein or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is unable to return any file, papers, money or other property to any client or former client with active cases pending, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of all notification letters to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Rodolfo Delgado, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. *In the Matter of Mercier*, 242 SW 3d 46 (Tex. 2007).

It is further ORDERED that Respondent shall promptly notify the Board and the State Bar

of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further ORDERED that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board if and when the appeal of the criminal conviction is final.

Signed this 4<sup>TH</sup> day of February 2020.

  
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CHAIR PRESIDING

*Board member Michael C. Gross did not participate*