

## DISCIPLINARY ACTIONS

Contact the Office of Chief Disciplinary Counsel at 877-953-5535, the Board of Disciplinary Appeals at 512-427-1578 or [txboda.org](http://txboda.org), or the State Commission on Judicial Conduct at 512-463-5533. Some attorneys might share the same or similar names. To identify an attorney, please verify using that attorney's bar card number. Go to [texasbar.com](http://texasbar.com) and use the "Find a Lawyer" tool to search for an attorney.

### BODA

On March 28, 2024, the Board of Disciplinary Appeals entered an agreed interlocutory order of suspension in the compulsory discipline case against Houston attorney **RICHARD J. PLEZIA** [#16072800]. On October 4, 2023, a judgment in a criminal case was entered in Cause No. 4:19-cr-00450-005, styled *United States of America v. Richard Plezia*, in the U.S. District Court for the Southern District of Texas, Houston Division, wherein Plezia was found guilty of conspiracy to defraud the United States, false statements, and falsification of records. Plezia was sentenced to six months and one day in the Federal Bureau of Prisons. This offense constitutes an intentional crime and a serious crime as defined by the Texas Rules of Disciplinary Procedure. Plezia has appealed his criminal convictions. The board retains jurisdiction to enter a final judgment if the criminal convictions become final. BODA Case No. 68989.

### SUSPENSIONS

On March 1, 2024, **JEREMIAH DAVID CANADY** [#24055254], of Friendswood, accepted a three-year probated suspension effective March 15, 2024. An investigatory panel of the District 4 Grievance Committee found that in representing a client, Canady neglected the legal matters entrusted to him, failed to keep his client reasonably informed about the status of their legal matter and failed to promptly comply with reasonable requests for information, failed to explain a legal matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation, and upon termination of representation, failed to refund advance payments of fees that had not been earned. Canady also engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation and failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure.

Canady violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(3),

and 8.04(a)(8). He was ordered to pay \$2,300 in restitution and \$1,000 in attorneys' fees.

On March 10, 2024, **JASON F. DESOUZA** [#24073255], of San Antonio, accepted a two-year fully probated suspension effective March 15, 2024. An investigatory panel of the District 10 Grievance Committee found that DeSouza shared legal fees with a non-lawyer.

DeSouza violated Rule 5.04(a). He agreed to pay \$1,000 in attorneys' fees and direct expenses.

On March 12, 2024, **RONALD TERRY FUNARI** [#24054892], of Carrollton, accepted a one-year fully probated suspension effective April 1, 2024. An investigatory panel of the District 11 Grievance Committee found that Funari neglected client matters and failed to

keep a client reasonably informed.

Funari violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). He agreed to pay \$200 in attorneys' fees and direct expenses.

On February 2, 2024, **JEFFERY CHARLES KING** [#24038039], of Dallas, received a 24-month probated suspension beginning February 1, 2024, and ending January 31, 2026. An evidentiary panel of the District 6 Grievance Committee found that on or about August 16, 2016, the complainant hired King to represent him on a criminal charge in Dallas County. King thereafter represented the complainant regarding an expunction of the dismissed charge. King neglected to perform work on the complainant's expunction matter. King accepted and continued employment in the complainant's expunction matter when he knew or

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should have known that the expunction matter was beyond his competence. King failed to explain the expunction matter to the extent reasonably necessary to permit the complainant to make informed decisions regarding the representation. Upon termination of representation, King failed to refund unearned fees.

King violated Rules 1.01(a)(1), 1.01(b)(1), 1.03(b), and 1.15(d). He was ordered to pay \$10,000 in restitution and \$2,300 in attorneys' fees and direct expenses.

On March 15, 2024, **THOMAS AUSTIN WILLBERN III** [#21507700], of Jersey Village, accepted a six-month fully probated suspension effective April 1, 2024. An investigatory panel of the District 4 Grievance Committee found that Willbern violated a disciplinary judgment.

Willbern violated Rule 8.04(a)(7). He was ordered to pay \$1,000 in

attorneys' fees.

On February 23, 2024, **CURTIS LILLY** [#24030063], of Fort Worth, received a partially probated suspension from the practice of law for a period of 54 months beginning February 20, 2024, and ending August 19, 2028. Lilly shall be actively suspended from the practice of law for a period of 30 months beginning February 20, 2024, and ending August 19, 2026. If Lilly complies with the terms and conditions in a timely manner, the 24-month period of probated suspension shall begin on August 20, 2026, and shall end on August 19, 2028. An evidentiary panel of the District 6 Grievance Committee found that Lilly represented clients in unrelated criminal matters in the 7th District Court (Smith County), 140th District Court (Lubbock County), and 304th District Court (Dallas County). In connection with different criminal matters pending in

different courts, Lilly knowingly made false statements of material fact or law to a tribunal and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. The 7th District Court found that Lilly lied to the court in Lilly's motion for continuance and in Lilly's testimony at a show cause hearing. Specifically, the court found that Lilly lied that he was in the 304th District Court on April 11, 2024. The 7th District Court found Lilly in contempt of court for failing to appear in the 7th District Court on April 11, 2022, and April 18, 2022. Lilly also failed to timely file a response to the grievance.

Lilly violated Rules 3.03(a)(1), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$1,984.50 in attorneys' fees and \$697.50 in direct expenses.

On February 26, 2024, **JOHN WILLIAM STICKELS** [#19225300], of Aledo, received a 12-month active suspension beginning March 1, 2024, and ending February 28, 2025. An evidentiary panel of the District 14 Grievance Committee found that on or about April 23, 2019, the complainant hired Stickels for representation in a criminal matter. Upon request by the complainant, Stickels failed to promptly render a full accounting regarding funds paid for the representation. Upon termination of representation, Stickels failed to surrender papers and property to which the complainant was entitled.

Stickels violated Rules 1.14(b) and 1.15(d). He was ordered to pay \$2,000 in attorneys' fees and direct expenses.

**PUBLIC REPRIMANDS**

On March 4, 2024, **KIMBERLY LYNN BUSH** [#24047231], of San Antonio, accepted a public reprimand. An evidentiary panel of the District 10 Grievance Committee found that Bush did not promptly render a full accounting of the funds; upon termination of the representation, failed to take steps to the extent reasonably practicable to protect her client's interests, including refunding any advance payments of fees that had not been earned; and engaged in conduct involving dishonesty and

misrepresentation.

Bush violated Rules 1.14(b), 1.15(d), and 8.04(a)(3). She agreed to pay \$350 in restitution and \$800 in attorneys' fees and direct expenses.

On March 22, 2024, **JOHN TRAVIS HICKS** [#24076439], of San Antonio, accepted a public reprimand. An investigatory panel of the District 10 Grievance Committee found that Hicks neglected client matters, failed to keep a client reasonably informed and promptly comply with reasonable requests for information, failed to take steps to the extent reasonably practicable to protect his client's interests, and failed to respond to the grievance in a timely manner.

Hicks violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He agreed to pay \$1,500 in restitution and \$800 in attorneys' fees and direct expenses.

On February 15, 2024, **ROBERT JAMES KERSEY** [#00784387], of Granbury, received a default judgment of public reprimand. An evidentiary panel of the District 14 Grievance Committee found that in or about October 2020, the complainant hired Kersey to modify her child custody and support orders. In representing the complainant, Kersey neglected the legal matter entrusted to him. Kersey failed to keep the complainant reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information from the complainant. Kersey also failed to timely furnish a response to the grievance.

Kersey violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,410 in attorneys' fees and direct expenses.

**PRIVATE REPRIMANDS**

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for eight attorneys, with the number in parentheses indicating the frequency of the violation. Please note that an attorney may be reprimanded for more than one rule violation.

1.01(b)(1)—In representing a client, a lawyer shall not neglect a legal

matter entrusted to the lawyer (3).

1.01(b)(2)—Failing to carry out completely the obligations owed to a client (1).

1.02(a)(1)—Failing to abide by a client's decisions concerning the objectives and general methods of representation (1).

1.03(a)—A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (2).

1.03(b)—A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation (2).

1.05(b)(1)(ii)—Except as permitted by paragraphs (c) and (d), or as required by paragraphs (e) and (f), a lawyer shall not knowingly: Reveal confidential information of a client or a former client to: anyone else, other than the client, the client's representatives, or the members, associates, or employees of the lawyer's

law firm (1).

1.15(d)—Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payments of fees that have not been earned. The lawyer may retain papers relating to the client to the extent permitted by other law only if such retention will not prejudice the client in the subject matter of the representation (2).

8.04(a)(8)—A lawyer shall not fail to timely furnish to the Office of Chief Disciplinary Counsel or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so (3). **TBJ**







