

JUDICIAL ACTIONS

To read the entire public sanctions, go to scjc.texas.gov.

On April 9, 2021, the State Commission on Judicial Conduct issued a public reprimand and order of additional education to James Baldwin, justice of the peace, Precinct 1, Deanville, Burleson County.

On April 9, 2021, the State Commission on Judicial Conduct issued a public reprimand and order of additional education to Andy Isaacs, justice of the peace, Precinct 3, Rockdale, Milam County.

On April 9, 2021, the State Commission on Judicial Conduct issued a public warning and order of additional education to Fredericka Phillips, judge of the 61st District

Court, Houston, Harris County.

On May 4, 2021, the State Commission on Judicial Conduct issued an opinion on the Special Court of Review *In Re Inquiry Concerning The Honorable Lee Harper Wilson CJC Nos. 19-0755 & 19-0759*.

REINSTATEMENT

ALONZO RAMOS [#00797279], of Laredo, filed a petition in the 341st District Court of Webb County for reinstatement as a member of the State Bar of Texas.

DISBARMENTS

On March 22, 2021, **JOHN REX THOMPSON** [#19956150], of Tyler, was disbarred effective March 18, 2021. The District 2 Grievance Committee found that in September 2018, Thompson was hired for representation in a criminal matter. Thompson was paid \$1,800 on September 20, 2018, and \$700 on December 21, 2018. Thompson was actively suspended from practicing law on September 1, 2018, and has remained actively suspended since September 1, 2018, for failure to comply with a disciplinary judgment. On April 4, 2020, Thompson submitted a response to the grievance on letterhead that states, “Thompson Law Firm Rex Thompson, Attorney” even though Thompson was actively suspended and prohibited from using his name, in any manner, in conjunction with the words “attorney at law,” “attorney,” “counselor at law,” or “lawyer.”

In April 2016, Thompson was hired for representation in two felony criminal matters pending in Smith County for a flat fee of \$7,500. In or about September 2016, Thompson stopped communicating with the client. Thompson failed to keep the client reasonably informed and failed to promptly comply with reasonable requests for information. On April 4, 2020, Thompson submitted a

response to the grievance on letterhead that states, “Thompson Law Firm Rex Thompson, Attorney” even though Thompson was actively suspended and prohibited from using his name, in any manner, in conjunction with the words “attorney at law,” “attorney,” “counselor at law,” or “lawyer.” In July 2014, Thompson was hired to sue a client’s landlord. Thompson neglected to file suit until December 5, 2014, after the client sent certified mail to remind Thompson that the statute of limitations was going to expire. Thereafter, the case was dismissed for want of prosecution on March 3, 2015, because Thompson failed to notify the client of the trial date and failed to appear on the trial date. Further, on March 16, 2015, Thompson misrepresented to the client that Thompson would reinstate the lawsuit even though Thompson was on active suspension from January 1, 2015, until June 20, 2015. Despite being notified of the grievance, Thompson failed to submit a response to the grievance. In June 2017, Thompson was hired for representation in a criminal matter and was paid \$2,000. While representing the client, Thompson’s law license was actively suspended and Thompson failed to notify the client that he could no longer practice law. On April 18, 2019, Thompson issued a refund check to the client that was returned due to insufficient funds. Despite being notified of the grievance, Thompson failed to submit a response to the grievance. Thompson neglected the legal matters entrusted to him and failed to keep his clients reasonably informed about the status of their legal matters. Thompson failed to hold client funds that were in Thompson’s possession in connection with the representation separate from Thompson’s own property, and upon termination of

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representation, Thompson failed to refund advance payments of fees that had not been earned. Thompson violated a disciplinary judgment and failed to respond to the grievances filed against him.

Thompson violated Rules 1.01(b)(1), 1.03(a), 1.14(a), 1.15(d), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$2,000 in restitution and \$5,954.64 in attorneys' fees and direct expenses.

On March 10, 2021, **JOHN REX THOMPSON** [#19956150], of Tyler, was disbarred, effective March 2, 2021. The District 2 Grievance Committee found that on or about June 19, 2018, the complainant hired and paid Thompson \$1,738.26 to represent the complainant in connection with a criminal matter. Thompson made an appearance in the case on June 25, 2018, and withdrew on July 6, 2018, without providing any legal services or filing any substantive motions in the case. Upon termination of representation, Thompson failed to refund advance payments of the fee that had not been earned. Thompson failed to respond to the grievance.

Thompson violated Rules 1.15(d) and 8.04(a)(8). He was ordered to pay \$1,738.26 in restitution and \$3,837.50 in attorneys' fees and direct expenses.

RESIGNATIONS

On April 13, 2021, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **RICHARD E. JACKSON** [#10492980], of Coppell. At the time of Jackson's resignation, there was one pending matter against him alleging professional misconduct. Beginning in 1999, Jackson was the lead assistant district attorney assigned to prosecute Stanley Mozee and Dennis Allen for the murder of Rev. Jesse Borns Jr. Jackson failed to disclose evidence that tended to negate the guilt of Mozee and Allen to defense counsel,

including but not limited to, timely disclosure of details related to eyewitnesses' identification or description of Mozee and Allen or another alleged suspect.

Jackson allegedly violated Rule 3.09(d).

On April 13, 2021, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **WELDON RALPH PETTY JR.** [#15866500], of Midland. At the time of his resignation, Petty had three grievances pending alleging Petty represented opposing parties in the same related matter.

Petty violated Rule 1.06(b)(2).

SUSPENSIONS

On April 3, 2021, **JOE BEVERLY ABBEY** [#00789000], of Rowlett, received a 48-month partially probated suspension effective April 1, 2021, with the first 12 months actively served and the remainder probated. An investigatory panel of the District 6 Grievance Committee found that in January 2017, Abbey was hired to review documents relative to an international loan transaction and was wired \$30,696.97 to be held in escrow pending the closing of the loan. Thereafter, Abbey paid himself and other parties out of the escrow funds. When the loan transaction could not be completed and a dispute arose about the escrow funds, Abbey misrepresented that he was returning the funds when, in fact, Abbey paid the remaining funds to himself. Abbey failed to hold funds that were in Abbey's possession in connection with the representation separate from his own property and failed to keep the disputed funds separated until the dispute was resolved. Abbey knowingly failed to disclose a material fact and the disclosure was necessary to avoid making Abbey a party to a fraudulent act. Abbey engaged in conduct involving dishonesty, fraud, deceit, or

misrepresentation.

Abbey violated Rules 1.14(a), 1.14(c), 4.01(b), and 8.04(a)(3). He was ordered to pay \$30,696.97 in restitution and \$750 in attorneys' fees and direct expenses.

On March 31, 2021, **SCOTTIE ALLEN** [#01058020], of Dallas, agreed to a three-year fully probated suspension effective April 1, 2021. An investigatory panel of the District 6 Grievance Committee found that Allen represented the complainant in proceedings following a mistrial declared in a criminal matter. Upon termination of representation, Allen failed to surrender papers and property to which the complainant was entitled.

Allen violated Rule 1.15(d). He agreed to pay \$816 in attorneys' fees and direct expenses.

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On March 31, 2021, **YSIDRO DELUNA ARISMENDEZ III** [#24008750], of Beeville, agreed to a one-year fully probated suspension effective April 1, 2021. An evidentiary panel of the District 11 Grievance Committee found that Arismendez neglected a client's matter, failed to keep a client reasonably informed, and failed to return unearned fees.

Arismendez violated Rules 1.01(b)(1), 1.03(a), and 1.15(d).

On April 16, 2021, **KEITH BEST DUNBAR** [#24010802], of Texarkana, received a 24-month fully probated suspension beginning April 1, 2021, and ending on March 31, 2023. An investigatory panel of the District 1 Grievance Committee found that Dunbar was paid \$5,000 to represent a client in a child custody matter; thereafter, Dunbar failed to safeguard the client's funds, failed to render an

accounting of the funds, and failed to promptly refund the advance payment of fees that were not earned. Dunbar also represented another client in a divorce action and the client used a tax return refund to pay the retainer provided that Dunbar would return the remainder of the client's tax refund after he deducted his fees and expenses. Dunbar failed to render an accounting of the clients' funds and failed to promptly refund the advance payment of fees that were not earned.

Dunbar violated Rules 1.14(a), 1.14(b), and 1.15(d). He was ordered to pay \$2,625 in restitution to the first client and \$750 in attorneys' fees and direct expenses.

On March 29, 2021, **W. DAVID HOLLIDAY** [#09877300], of Dallas, received a fully probated suspension effective March 1, 2021, and ending

on May 31, 2021. An investigatory hearing panel of the District 6 Grievance Committee found that Holliday failed to hold client funds separate from his own property. Holliday had direct supervisory authority over his assistant and failed to make reasonable efforts to ensure that his assistant's conduct was compatible with the professional obligations of Holliday.

Holliday violated Rules 1.14(a) and 5.03(a). He was ordered to pay \$250 in attorneys' fees and direct expenses.

On April 2, 2021, **JAMIE TERENCE KATZEN** [#24065541], of Dallas, agreed to a 36-month fully probated suspension effective April 1, 2021. An investigatory panel of the District 6 Grievance Committee found that while representing a client, Katzen deliberately overbilled his client and misrepresented the reason for the overbilling. Katzen collected an unconscionable fee and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Katzen violated Rules 1.04(a) and 8.04(a)(3). He was ordered to pay \$500 in attorneys' fees and direct expenses.

On April 5, 2021, **JOHN JOSEPH KLEVENHAGEN III** [#90001652], of Houston, accepted a 12-month fully probated suspension effective April 5, 2021. An investigatory panel of the District 4 Grievance Committee found that Klevenhagen failed to keep his client reasonably informed about the status of her matter, failed to promptly deliver to the client funds that the client was entitled to receive, 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.

Klevenhagen violated Rules 1.03(a),

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1.14(b), and 8.04(a)(8). He was ordered to pay \$500 in attorneys' fees and expenses.

On March 11, 2021, **PAMELA REGINA PARKER** [#11601950], of Easthampton, Massachusetts, accepted a three-year partially probated suspension [one year active and two years probated] effective May 1, 2021. An evidentiary panel of the District 9 Grievance Committee found that while representing a client in an employment matter, Parker failed to file her client's discrimination claim with the Equal Employment Opportunity Commission, or EEOC. Parker also failed to respond to her client's requests for information and explain the matter to the extent necessary for her client to make informed decisions. Additionally, Parker falsely represented to the client that she had filed an EEOC claim on the client's behalf. After the client discovered that Parker did not file her claim with the EEOC, Parker failed to timely refund the unearned portion of her fee and return the client's documents in her possession.

Parker violated Rule 1.01(b)(1), 1.03(a), 1.03(b), 1.14(b), 1.15(d), 8.01(a), and 8.04(a)(3). She was ordered to pay \$3,631.60 in attorneys' fees and direct expenses.

On February 24, 2021, **MANSEL C. TURTON** [#20345600], of San Antonio, received a 4-year partially probated suspension effective March 25, 2021, with the first six months actively served and the remainder probated. An evidentiary panel of the District 10 Grievance Committee found that Turton failed to hold the client's funds in a trust account separate from his own property and failed to promptly render a full account regarding the client's funds.

Turton violated Rules 1.14(a) and 1.14(b). He agreed to pay \$750 in

restitution and \$1,655 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On April 2, 2021, **ROBERT RAY FLORES** [#24071887], of Raymondville, accepted a public reprimand. An investigatory panel of the District 12 Grievance Committee found that Flores failed to timely file a response to a grievance.

Flores violated Rule 8.04(a)(8). He was ordered to pay \$800 in attorneys' fees and direct expenses.

On April 5, 2021, **JOHN JOSEPH KLEVENHAGEN III** [#90001652], of Houston, accepted a public reprimand effective April 5, 2021. An investigatory panel of the District 4 Grievance Committee found that Klevenhagen failed to promptly deliver to a third person funds that the third person was entitled to

receive 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.

Klevenhagen violated Rules 1.14(b) and 8.04(a)(8). He was ordered to pay \$250 in attorneys' fees and expenses.

On March 24, 2021, **JUSTIN AVERY MOORE** [#24088906], of Dallas, agreed to a public reprimand. The District 6 Grievance Committee found that on or about February 16, 2018, the complainant hired Moore to file a defamation lawsuit. Moore was paid \$5,000 in advance legal fees. Upon termination of representation, Moore failed to refund advance payments of the fee that had not been earned.

Moore violated Rule 1.15(d). He was ordered to pay \$2,500 in

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restitution and \$800 in attorneys' fees and direct expenses.

On April 1, 2021, **GAYLENE ROGERS** [#17166500], of Dallas, agreed to a public reprimand. An investigatory panel of the District 6 Grievance Committee found that in June 2019, Rogers was retained by the complainant to draw up a partnership agreement for a residential property. In representing the complainant, Rogers neglected the legal matter entrusted to her by failing to complete any legal work. Rogers 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. In August 2017, Rogers, acting as an escrow officer, closed on a loan between the complainant's private lending

company and another company. Rogers maintained funds in her trust account that were to be used for title insurance, but Rogers failed to obtain the insurance.

Rogers violated Rules 1.01(b)(1), 1.03(a), and 1.14(b). She was ordered to pay \$3,000 in restitution and \$500 in attorneys' fees.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for six 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)—for neglecting a legal matter entrusted to the lawyer (2).

1.01(b)(2)—In representing a client, a lawyer shall not: Frequently fail to carry out completely the obligations

that the lawyer owes to a client or clients (2).

1.03(a)—for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (3).

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 (1).

1.14(b)—Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property (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 (6). **TBJ**

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