

**JUDICIAL ACTIONS**

To read the entire public sanctions, go to [scjc.texas.gov](http://scjc.texas.gov).

On December 6, 2023, the State Commission on Judicial Conduct issued a public admonition to **JASON CRUZ**, Natalia Municipal Court, Natalia, Medina County.

On December 20, 2023, the State Commission on Judicial Conduct issued a public admonition and order of additional education to **ISRAEL B. GARCIA JR.**, justice of the peace, Precinct 5, Place 1, Houston, Harris County.

On December 20, 2023, the State Commission on Judicial Conduct issued a public reprimand to **ORLANDO JIMENEZ**, Progreso Municipal Court, Progreso, Hidalgo County.

**BODA**

On August 25, 2023, the Board of Disciplinary Appeals issued an agreed judgment of indefinite disability suspension against Dallas attorney **MICHAEL D. RUBIN** [#00794566]. The board found that Rubin is suffering from a disability. Rubin is actively suspended, effective January 19, 2024, until reinstated by the board or by a court. BODA Case No. 68462.

On May 1, 2023, the Board of Disciplinary Appeals issued a judgment of disbarment in the reciprocal discipline case against San Antonio attorney **PETER JONATHAN CRESCI** [#24005767]. On March 21, 2019, an order was issued by the Supreme Court of New Jersey in Case No. 082189, styled *In the Matter of Peter J. Cresci, An Attorney at Law (Attorney No. 025281992)*, in which Cresci was disbarred. That court found Cresci violated New Jersey Rules of Professional Conduct: 1.3 (lack of diligence), 1.4(b) (failure to communicate with client), 1.15(a) (failure to safeguard funds of a third person and commingling of funds), 1.15(b) (failure to make a prompt disposition of funds in which a client or third person has an interest), 1.5(c) (on conclusion of a contingent fee matter, failure to provide the client with a written statement of the outcome, showing any remittance to the client and its method of determination), 1.15(d) (failure to comply with record-keeping requirements), 5.5(a)(1) (practicing law while suspended), 8.1(a) (false statement of material fact to a

disciplinary authority), 8.1(b) (failure to cooperate with disciplinary authorities), 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects), and 8.4(c) (dishonesty, fraud, deceit, or misrepresentation). On January 26, 2024, the Supreme Court of Texas affirmed the judgment [Case No. 23-0352]. BODA Case No. 65262.

**SUSPENSIONS**

On December 14, 2023, **SCOTTIE ALLEN** [#01058020], of Dallas, received a two-year fully probated suspension beginning January 1, 2024, and ending December 31, 2025. The 134th District Court in Dallas found that Allen committed professional misconduct by violating the following Rules: 1.01(b)(1)—In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer; 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; and 1.14(a)—A lawyer shall hold funds and other property belonging

in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated as a "trust" or "escrow" account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

Allen was ordered to pay \$8,605.57 in attorneys' fees and direct expenses.

On January 11, 2024, **DOROTHY KATHLEEN LAWRENCE** [#24072015], of Dripping Springs, accepted a two-year fully probated suspension effective January 1, 2024. An investigatory panel of the District 15 Grievance Committee found that Lawrence, personally and through the acts of another, failed to explain matters to the extent reasonably necessary to permit

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her client to make informed decisions regarding the representation, assisted a non-lawyer employee in the performance of activity that constitutes the unauthorized practice of law, and engaged in conduct involving dishonesty and misrepresentation.

Lawrence violated Rules 1.03(b), 5.05 (b), 8.01(a)(1), 8.04(a)(1), and 8.04(a)(3). She agreed to pay \$1,600 in attorneys' fees and direct expenses.

On January 25, 2024, **GOCHA ALLEN RAMIREZ** [#16501800], of Rio Grande City, accepted a one-year fully probated suspension effective April 1, 2024. An investigatory panel of the District 12 Grievance Committee found that Ramirez, personally and through the acts of another, knowingly permitted an attorney under his direct supervision to present a matter known not to be supported by probable cause to a grand jury, with knowledge of a violation of the disciplinary rules by an attorney under his direct supervision, failed to take reasonable remedial action to avoid or mitigate the consequences of that attorney

and failed to refrain from prosecuting a charge that was known not to be supported by probable cause.

Ramirez violated Rules 3.09(a), 5.01(a), 5.01(b), and 8.01(a). He agreed to pay \$1,250 in attorneys' fees and direct expenses.

On December 19, 2023, **GARY WARREN SIBLEY** [#18337700], of Dallas, agreed to a 12-month fully probated suspension beginning January 1, 2024, and ending December 31, 2024. An investigatory panel of the District 6 Grievance Committee found that on or about November 2022, Sibley was hired to represent the complainant in a civil legal matter involving a contract dispute. Sibley was paid \$1,100 for the representation. In representing the complainant, Sibley neglected the legal matter entrusted to him and failed to perform work on the case. Sibley failed to explain the legal matter to the complainant to the extent reasonably necessary to permit the complainant to make informed decisions regarding the representation. Furthermore, upon

termination of representation, Sibley failed to refund unearned fees.

Sibley violated Rules 1.01(b)(1), 1.03(b), and 1.15(d). He was ordered to pay \$660 in restitution and \$750 in attorneys' fees and direct expenses.

**PUBLIC REPRIMANDS**

On January 24, 2024, **GINA LOUISE GILSTRAP** [#24066665], of Houston, received a public reprimand. An evidentiary panel of the District 3 Grievance Committee found that Gilstrap neglected her client's case, failed to keep her client reasonably informed about the status of his case, and failed to promptly comply with her client's reasonable requests for information. Gilstrap also failed to promptly render a full accounting of the paid retainer fees and failed to refund any advance payments of fees that had not been earned. Additionally, Gilstrap failed to respond to the grievance.

Gilstrap violated Rules 1.01(b)(1), 1.03(a), 1.14(b), 1.15(d), and 8.04(a)(8). She was ordered to pay \$14,500 in restitution and \$1,500 in attorneys' fees and direct expenses.

On January 23, 2024, **NICHOLAS RUSSELL SMITH** [#24063226], of Rockwall, received an agreed judgment of public reprimand. An evidentiary panel of the District 1 Grievance Committee found that on or about October 20, 2021, the complainant hired Smith to represent her in a probate matter regarding the complainant's deceased mother. Smith failed to keep funds paid by the complainant to him for the representation separate from his own property.

Smith violated Rule 1.14(c). He was ordered to pay \$2,167.50 in attorneys' fees and direct expenses.

On December 28, 2023, **TANIKA J. SOLOMON** [#24057713], of Houston, received an agreed judgment of public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Solomon failed to keep her client reasonably informed about the status of their legal matter and failed to promptly comply with reasonable requests for information.

Solomon violated Rule 1.03(a). She was ordered to pay \$250 in attorneys' fees.

**PRIVATE REPRIMANDS**

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for seven 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 (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 (1).

1.06(a)—For representing opposing parties to the same litigation (1).

1.14(a)—Failing to hold funds and other property belonging in whole or part to clients or third persons in a lawyer's possession separate from the lawyer's own property (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 (1).

3.04(d)—A lawyer shall not knowingly disobey, or advise the client to disobey, an obligation under the standing rules of or a ruling by a tribunal except for an open refusal based either on an assertion that no valid obligation exists or on the client's willingness to accept any

sanctions arising from such disobedience (1).

4.03—In dealing on behalf of the client with a person who is not represented by counsel, a lawyer shall not state or imply that the lawyer is disinterested. When the lawyer knows or reasonably should know that the unrepresented person misunderstands the lawyer's role in the matter, the lawyer shall make reasonable efforts to correct the misunderstanding (1).

8.02(a)—A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory official or public legal officer, or of a candidate for election or appointment to judicial or legal office (1).

8.04(a)(3)—Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation (1).

8.04(a)(2)—A lawyer shall not commit a serious crime or commit any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects (1). **TBJ**

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