

General questions regarding attorney discipline should be directed to the Office of Chief Disciplinary Counsel, toll free (877) 953-5535 or (512) 453-5535. The Board of Disciplinary Appeals may be reached at (512) 475-1578. Information and copies of actual orders are available at txboda.org. The State Commission on Judicial Conduct may be contacted toll free (877) 228-5750 or (512) 463-5533. Please note that persons disciplined by the Commission on Judicial Conduct are not necessarily licensed attorneys.

REINSTATEMENTS

Stephen Connell Ashley [#01381500], 52, of Odessa, filed a petition in the 70th District Court of Ector County for reinstatement as a member of the State Bar of Texas.

BODA

On Feb. 3, 2014, the Board of Disciplinary Appeals signed a final judgment of disbarment against **Roger Lee Shoss** [#18304000], 69, of Houston. On or about Aug. 9, 2012, Shoss was convicted of conspiracy to commit wire fraud, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, and sentenced to serve 18 months in prison followed

by three years of supervised release (monitored home detention) in *United States of America v. Roger Lee Shoss*, Case No. 8:11-CR-366-T-30TBM, in the U.S. District Court for the Middle District of Florida, Tampa Division. On Feb. 4, 2013, the board signed an interlocutory order of suspension against Shoss during the appeal of his criminal conviction. The U.S. Court of Appeals for the 11th Circuit affirmed his conviction on Aug. 26, 2013, and issued its mandate. BODA Cause No. 51567.

On Feb. 3, 2014, the Board of Disciplinary Appeals affirmed the modified judgment of the partially probated suspension of **Stephen Carrigan** [#03877000], 59, of Corpus Christi, signed by an evidentiary panel of the District 4-5 Grievance Committee of the State Bar of Texas on June 14, 2013, in Case Nos. S0110922865, S0061023869, and S0071024008. The board affirmed the findings that Carrigan violated Texas Rules of Disciplinary Procedure 5.03(a) and 5.03(b)(1). Having stayed his sanction during his appeal, he is now suspended from the practice of law for two years, with the first three months active and the remainder probated. BODA Cause No. 52611.

On Feb. 3, 2014, the Board of Disciplinary Appeals signed a default judgment of suspension of **Alan Edward Gooding** [#24028488], 40, of Tucson, Ariz. Gooding was suspended from the practice of law for three years by the Supreme Court of Arizona on or about Nov. 14, 2012, in *In the Matter of a Suspended Member of the State Bar of Arizona, Alan E. Gooding*, Bar No. 023060, Respondent, PDJ-2012-9070, for violating

the following Arizona Rules of Professional Conduct: 1.2(a), 1.3 (three counts), 1.4(a)(1) (three counts), 1.4(a)(3), 1.4(a)(4) (two counts), 1.8(a), 1.15(a), 3.2 (two counts), 5.5(a), 8.1(b) (eight counts), 8.4(c), and 8.4(d). Gooding is suspended from the practice of law in Texas for three years, beginning Feb. 3, 2014. BODA Cause No. 53370.

On Feb. 3, 2014, the Board of Disciplinary Appeals signed a judgment of disbarment against attorney **Patrick Robert Simon** [#24051341], 35, of Sachse. On or about Dec. 8-10, 2012, Simon pled guilty to money laundering in violation of 18 U.S.C. §1956(a)(3)(B), a first-degree felony and intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 3-12CR-414-P, styled *United States of America v. Patrick Robert Simon (1)*, in the U.S. District Court for the Northern District of Texas, Dallas Division. On Sept. 26, 2013, a judgment was entered and Simon was sentenced to 24 months in federal prison, followed by supervised release for two years, and ordered to pay an assessment of \$100. BODA Cause No. 53369.

On Feb. 3, 2014, the Board of Disciplinary Appeals signed a final judgment of disbarment against **Eric Lyle Williams** [#240138510], 45, of Kaufman. On or about April 9, 2012, Williams was found guilty of one count of burglary of a building and one count of theft by a public servant of more than \$500 and less than \$1,500, intentional crimes as defined in the Texas Rules of Disciplinary Procedure, in Case No. 29823-422, styled *The State of Texas v. Eric Lyle Williams*, in the 422nd District Court

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of Kaufman County. Williams was sentenced to two years in the Texas Department of Criminal Justice State Jail Division, suspended for two years, and ordered to perform 80 hours of community service. On Oct. 10, 2012, the board signed an agreed interlocutory suspension, pending Williams's appeal of his criminal conviction. The Court of Appeals for the 5th District of Texas affirmed his criminal conviction. BODA Cause No. 51062.

DISBARMENTS

On Dec. 23, 2013, **Christopher J. Cunningham** [#24048414], 39, of Fort Worth, was disbarred. An evidentiary panel of the District 7 Grievance Committee found that Cunningham failed to keep complainant reasonably informed about the status of her civil matter. Cunningham accepted representation of complainant when the representation would result in violation of Texas Disciplinary Rule of Professional Conduct 3.08. He engaged in the practice of law when his right to practice had been suspended. Further, Cunningham 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.

Cunningham violated Rules 1.03(a)(1), 1.15(a)(1), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$1,168.95 in attorneys' fees and direct expenses and \$1,350 in restitution.

On Dec. 26, 2013, **Joshua Todd Turman** [#24013661], 41, of Arlington, was disbarred. An evidentiary panel of the District 7 Grievance Committee found that Turman failed to abide by complainant's decision whether to accept an offer of settlement in her personal injury claim; failed to keep complainant reasonably informed about the status of her case; failed to promptly comply with

reasonable requests for information from complainant about her case; failed to explain the matter to the extent reasonably necessary to permit complainant to make informed decisions regarding representation; and failed to keep complainant's settlement funds in a separate trust account. Upon receiving funds in which complainant had an interest, Turman failed to promptly notify complainant. Turman failed to promptly deliver to complainant funds that complainant was entitled to receive; failed to keep funds belonging to Turman separate until there was an accounting and severance of their interests; and failed to respond to the grievance. Turman engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Turman violated Rules 1.02(a)(2), 1.03(a), 1.03(b), 1.14(a), 1.14(b),

1.14(c), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$1,670.51 in attorneys' fees and direct expenses and \$18,750 in restitution.

SUSPENSIONS

On Dec. 19, 2013, **Michael G. Steinheimer** [#19135900], 67, of Temple, received a one-year agreed judgment of probated suspension effective Jan. 1, 2014. An evidentiary panel of the District 8 Grievance Committee found that complainant hired Steinheimer to represent her in a divorce proceeding. After the final hearing on Feb. 15, 2012, Steinheimer failed to complete and file the income withholding documents necessary for complainant to receive child support pursuant to the terms of the divorce decree. Additionally, Steinheimer did not prepare a power of attorney to allow complainant to



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transfer title to a motor vehicle until Jan. 7, 2013. Throughout the representation, complainant attempted numerous times to contact Steinheimer by telephone, text, and email to ascertain the status of her divorce, but Steinheimer failed to respond.

Steinheimer violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(1). He was ordered to pay \$1,275.60 in attorneys' fees and costs.

On Dec. 16, 2013, **Ingrid K. Stamps** [#19025050], 53, of Fort Worth, received a 34-month active suspension effective Dec. 31, 2013. An evidentiary panel of the District 7 Grievance Committee found that Stamps violated a disciplinary judgment by practicing law while her right to practice was suspended.

Stamps violated Rules 8.04(a)(7) and 8.04(a)(11). She was ordered to

pay \$4,751.25 in attorneys' fees and direct expenses.

Stamps did not file an appeal.

On Jan. 3, 2014, Stamps received a three-year active suspension effective Nov. 1, 2016. The 96th District Court of Tarrant County found that Stamps committed professional misconduct by violating Rules 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.01(b)(2) [prohibiting a lawyer from frequently failing to carry out completely the obligations that the lawyer owes to a client], and 3.04(d) [prohibiting a lawyer from knowingly disobeying a ruling by a tribunal].

Stamps was ordered to pay \$4,417.43 in attorneys' fees and direct expenses and \$2,400 in restitution.

Stamps did not file an appeal.

On Dec. 17, 2013, **Simeon Olumide**

Coker [#24049013], 37, of Dallas, received a 24-month fully probated suspension effective Dec. 15, 2014. The 116th District Court of Dallas County found that Coker violated Rules 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.14(a) [requiring a lawyer to hold funds belonging to a client separate from the lawyer's own property], and 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation].

Coker was ordered to pay \$3,000 in attorneys' fees and direct expenses.

On Jan. 3, 2014, **Sergio Gonzalez** [#00784147], 48, of El Paso, received a one-year fully probated suspension effective Jan. 1, 2014. The 205th District Court of El Paso County found that Gonzalez committed professional misconduct by violating Rules 1.01(b)(1) [a lawyer shall not neglect a legal matter entrusted to the lawyer], 1.15(a)(3) [a lawyer shall decline to represent a client or, where representation has commenced, shall withdraw from the representation of a client if the lawyer is discharged, with or without good cause], 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 fee that have not been earned], 3.02 [in the course of litigation, a lawyer shall not take a position that unreasonably increases the costs or other burdens of the case or that unreasonably delays resolution of the matter], 3.03(a) [a lawyer shall not knowingly make a false statement of material fact or law to a tribunal], 3.04(d) [a lawyer shall not knowingly disobey, or advise the client to dis-

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obey, 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], 5.03(b) [a lawyer shall be subject to discipline for the conduct of a non-lawyer employed or retained by the lawyer that would be a violation of these rules if engaged in by a lawyer if the lawyer with knowledge of such misconduct by the non-lawyer knowingly fails to take reasonable remedial action to avoid or mitigate the consequences of that person's misconduct], and 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation].

Gonzalez was ordered to pay \$10,000 in attorneys' fees, \$3,631 in direct expenses, and \$800 in restitution.

On Jan. 7, 2014, **Kelly C. Gent** [#24038916], 36, of Kaufman, received a one-year active suspension effective Dec. 1, 2013. In representing complainant, Gent neglected her family law matter and failed to keep complainant reasonably informed about the status of her case. Further, upon termination of representation, Gent failed to surrender papers and property to which complainant was entitled.

Gent violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$1,200 in attorneys' fees and direct expenses.

On Dec. 26, 2013, **Jeffrey J. Scott** [#17900800], 61, of San Antonio, received a one-year fully probated suspension effective Jan. 1, 2014. The District 10 Grievance Committee found that Scott neglected client matters, failed to keep clients reasonably informed, failed to refund unearned fees, and failed to timely respond to the grievances.

Scott violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$500 in attorneys' fees and direct expenses and \$1,000 in restitution.

On Dec. 13, 2013, **Macy Michelle Jagers** [#24030489], 42, of Dallas, received a six-month probated suspension effective Dec. 15, 2013. The District 6 Grievance Committee found that Jagers 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 and did not in good faith timely assert a privilege or other legal ground for her failure to do so. Jagers engaged in the practice of law when her right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Jagers violated Rules 8.04(a)(8) and 8.04(a)(11). She was ordered to pay \$1,531.40 in attorneys' fees.

On Dec. 10, 2013, **Robert L. Hoffman** [#09788000], 68, of Dallas, received a two-year active suspension effective Jan. 1, 2014. The 134th District Court of Dallas County found that Hoffman committed professional misconduct by violating Rules 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], 1.03(b) [requiring a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation], 1.04(d) [requiring a contingent fee agreement to be in writing], 1.15(d) [requiring the return of the case file and any unearned portion of the fee upon termination of the representation], and 8.01(b) [requiring a response to any lawful demand



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Hoffman was ordered to pay \$4,149.50 in attorneys' fees and direct expenses and \$7,000 in restitution.

Hoffman filed a motion for new trial on Jan. 9, 2014.

On Jan. 13, 2014, **Charles P. Jones** [#10866900], 66, of San Antonio, received a three-month active suspension effective Feb. 17, 2014. The 285th District Court of Bexar County found that Jones committed professional misconduct by violating Rules 8.04(a)(1) and 8.04(a)(11) [a lawyer shall not engage in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated].

Jones was ordered to pay \$1,500 in attorneys' fees and direct expenses.

On Jan. 27, 2014, **Paul A. Esquivel** [#00797917], 45, of San Antonio, received a six-year fully probated suspension effective Jan. 15, 2014. The District 10 Grievance Committee found that Esquivel neglected a client matter, failed to communicate with clients, failed to obtain prior consent from a client before entering into a fee arrangement for outside counsel to handle the representation, failed to refund unearned fees, failed to return a client file, and failed to supervise non-lawyer staff on immigration matters.

Esquivel violated Rules 1.01(b)(2), 1.03(a), 1.03(b), 1.04(g), 1.15(d), 5.03(a), and 5.03(b) and was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On Dec. 20, 2013, **Lester L. Hood III** [#09943410], 49, of Austin,

received a six-year partially probated suspension effective Jan. 15, 2014, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Hood committed misconduct in four cases. Hood failed to take any meaningful action on clients' cases, failed to respond to attempts by clients to contact him, failed to return unearned fees, and failed to return clients' files. Hood further failed to furnish written responses to the complaints as directed.

Hood violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(1), and 8.04(a)(8). Hood was ordered to pay \$6,238.32 in attorneys' fees and direct expenses and \$2,500 in restitution.

Hood filed an appeal.

PUBLIC REPRIMANDS

On Dec. 13, 2013, **Stanley E. Burch** [#03358000], 72, of Dallas, accepted a public reprimand. The District 6 Grievance Committee found that Burch 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 and did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Burch violated Rule 8.04(a)(8). He was ordered to pay \$1,045.14 in attorneys' fees.

On Dec. 18, 2013, **Roberto A. Duran** [#06272200], 59, of El Paso, accepted a public reprimand. The District 17 Grievance Committee found that Duran had direct supervisory authority over his non-lawyer staff and failed to make reasonable efforts to ensure that his conduct was compatible with the professional obligations of a lawyer.

Duran violated Rules 5.03(a) and 5.03(b). He was ordered to pay \$500 in attorneys' fees and direct expenses. **TBJ**

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