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## BODA

On May 25, 2015, the Board of Disciplinary Appeals signed an order dismissing the compulsory discipline petition filed against Houston attorney **John Harold Risley** [#16941150], 50. On or about December 4, 2014, an order of deferred adjudication was entered after Risley pled guilty to misapplication of funds in the amount of \$100,000 and breach of fiduciary duty to an elderly person, a first-degree felony and an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in *The State of Texas v. Risley, John Harold*, Case No. 140953101010, in the 176th District Court of Harris County. By Misc Order 15-9079, signed May 12, 2015, the Supreme Court of Texas

accepted Risley's resignation in lieu of discipline. BODA Cause No. 55905.

On May 25, 2015, the Board of Disciplinary Appeals signed an order dismissing the compulsory discipline petition against Brownsville attorney **Armando Roberto Villalobos** [#00788584], 47. On or about February 13, 2014, Villalobos was convicted of participating in conduct and affairs of a criminal enterprise—which affected interstate and foreign commerce—through a pattern of racketeering activity and conspiracy, extortion, and aiding and abetting, all intentional crimes as defined in the Texas Rules of Disciplinary Procedure. He was committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of 156 months on each count, to be served concurrently; ordered upon release from imprisonment to be on supervised release for three years on each count, to be served concurrently; ordered to perform 150 hours of community service; and ordered to pay an assessment of \$600, a fine of \$30,000, and restitution of \$339,000 in *United States of America v. Armando Villalobos*, Case No. 1:12CR 00374-S1-001, in the U.S. District Court for the Southern District of Texas, holding session in Brownsville. On July 30, 2014, the Board of Disciplinary Appeals signed an interlocutory order suspending Villalobos from the practice of law pending the appeal of his criminal conviction. By Misc Order 15-9067, signed April 28, 2015, the Supreme Court of Texas accepted Villalobos's resignation in lieu of discipline. BODA Cause No. 53871.

On July 8, 2015, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Houston attor-

ney **William V. Wade** [#20642300], 63, from a judgment of partially probated suspension signed on July 23, 2014, by the evidentiary panel of the District 4-5 Grievance Committee in Case No. H0041234883. Wade did not timely file a brief despite the granting of several extensions. BODA Cause No. 55205.

On July 17, 2015, the Board of Disciplinary Appeals signed an agreed judgment of fully probated suspension of Albuquerque, New Mexico, attorney **Joshua Lowell Carpenter** [#24090907], 38. After finding that he failed to provide competent representation to a client; breached the confidentiality of a client; had a conflict of interest between current clients; made a false statement in connection with a disciplinary matter; violated the New Mexico Rules of Professional Conduct; committed a criminal act that reflected adversely on his practice of law; engaged in fraud, dishonesty, deceit, or misrepresentation; and engaged in conduct that is prejudicial to the administration of justice, Carpenter was suspended from the practice of law for two years, deferred upon certain terms and conditions, by the New Mexico Supreme Court on or about March 11, 2015, in *In the Matter of Joshua Carpenter, An Attorney Licensed to Practice Before the Courts of the State of New Mexico*, No. 35,078. He is suspended from the practice of law in Texas for two years. The suspension is deferred, and he is placed on probation beginning July 17, 2015, and ending July 17, 2017. BODA Cause No. 56272.

On July 28, 2015, the Board of Disciplinary Appeals affirmed the judgment of partially probated suspension of McAllen attorney **Stephen T.**

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**Leas** [#12095255], 60, signed on December 3, 2014, by the evidentiary panel of the District 12 Grievance Committee in Case Nos. 201301764 and 201305288. Leas is suspended from the practice of law for 15 years, with the last 10 years probated. He has appealed to the Supreme Court of Texas in Case No. 15-0570. BODA Cause No. 55818.

On July 28, 2015, the Board of Disciplinary Appeals signed a default judgment disbaring Rockwall attorney **Robert Glen Vernon Jr.** [#24010756], 45, from the practice of law. On or about April 16, 2015, an order of deferred adjudication was entered after Vernon pled guilty to insurance fraud, a third-degree felony and an intentional crime as defined in the Texas Rules of Disciplinary Procedure in *The State of Texas v. Robert Glenn Vernon*, Case No. 2-13-574, in the 439th District Court of Rockwall County. Although cited and given notice to appear, Vernon did not answer or appear. BODA Cause No. 56271.

On July 28, 2015, the Board of Disciplinary Appeals signed a default judgment of disbarment of Upper Marlboro, Maryland, attorney **Lucille Parrish** [#15538100], 56. On January 20, 2011, the District of Columbia Court of Appeals disbarred Parrish in *In re Lucille Sandra White*, Nos. 09-BG-1012 and 10-BG-795, a member of the Bar of the District of Columbia Court of Appeals (Bar Registration No. 463929) on report and recommendation of the Board of Professional Responsibility (BDN 292-04) (BDN 169-06). The court found that Parrish represented a private client while employed by the D.C. Office of Human Rights in violation of D.C. Bar Rule 1.11, submitted false documents and testified falsely to the Council of the District of Columbia, introduced false documents to the disciplinary committee, and caused serious interfer-

ence with the administration of justice. Although cited and noticed to appear, Parrish did not answer or appear. BODA Cause No. 48980.

On July 30, 2015, the Board of Disciplinary Appeals affirmed the judgment of disbarment of Argyle attorney **Charles Chandler Davis** [#05465900], 62, signed on October 2, 2014, by the evidentiary panel of the District 14-1 Grievance Committee in Case No. A0051113770. BODA Cause No. 55583.

On August 27, 2015, the Board of Disciplinary Appeals signed an order and issued an opinion reversing the take-nothing judgment signed on October 15, 2014, by an evidentiary panel of the District 1 Grievance Committee against a Texas attorney in Case No. 201301240 and instead rendered a judgment of private reprimand. The appellee, the Texas attorney, did not file a brief or otherwise participate in the appeal. Based on the attorney's own testimony that the only reason he did not obtain a final judgment in his client's family law matter was because he believed that the client owed him money for his legal services, the board found that there was substantial evidence that the attorney neglected a legal matter in violation of Texas Disciplinary Rule of Professional Conduct 1.01(b)(1) and reversed and rendered a private reprimand. The board issued an opinion in this matter, which can be found at [txboda.org](http://txboda.org). BODA Cause No. 55619.

#### DISBARMENTS

On October 2, 2014, **Charles Chandler Davis** [#05465900], 62, of Argyle, was disbarred. An evidentiary panel of the District 14 Grievance Committee found that Davis brought a proceeding and asserted an issue or controverted an issue affecting the complainants that was frivolous. In addition, Davis took positions that unreasonably increased the costs or other burdens of the case or that


unreasonably delayed the resolution of the matter. Furthermore, he knowingly made a false statement of material fact or law to a tribunal. Davis engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Davis violated Rules 3.01, 3.02, 3.03(a)(1), and 8.04(a)(3).

Davis filed a notice of appeal on January 12, 2015.

On July 30, 2015, the Board of Disciplinary Appeals entered a judgment affirming judgment of disbarment.

On July 2, 2015, **Michael Maldonado** [#12855260], 56, of Corpus Christi, was disbarred. The District 11-2 Grievance Committee found that Maldonado entered into a business transaction with a 93-year-old client on terms that were not fair and without first obtaining her written consent; improperly made interest payments on the loan from his IOLTA



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trust account; misrepresented the source of the interest payments; and failed to satisfy the terms of the transaction. A motion for new trial has been filed.

Maldonado violated Rules 1.06(b)(2), 1.08(a), 1.14(a), 1.14(b), 2.01, and 8.04(a)(3). He was ordered to pay \$66,950 in restitution and \$10,104.40 in attorneys' fees and direct expenses.

On June 11, 2015, **Charles J. Sebesta Jr.** [#17970000], 74, of Caldwell, was disbarred. An evidentiary panel of the District 8 Grievance Committee found that Sebesta was the lead prosecutor during the trial of Anthony Graves, who was convicted and sentenced to death in 1994 for the capital murders of six people. Graves was incarcerated for 18 years, 12 of them on death row, before being exonerated and released from prison. The evidentiary panel

found that Sebesta failed to provide several items of exculpatory evidence to the defense; presented false testimony to the jury; made a false statement of material fact to the trial judge; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Sebesta violated Rules 3.03(a)(1), 3.03(a)(5), 3.09(d), 8.04(a)(1), and 8.04(a)(3).

Sebesta has filed a notice of appeal.

On May 29, 2015, **Alfredo A. Soza** [#00785018], 48, of Odessa, was disbarred. The District 15 Grievance Committee found that Soza neglected client matters, failed to communicate with clients, failed to refund unearned fees, failed to respond to the grievances, failed to notify clients of his disciplinary suspension, and engaged in the practice of law while his license was suspended.

Soza violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8), 8.04(a)(10), and 8.04(a)(11). He was ordered to pay \$1,250 in restitution and \$2,790 in attorneys' fees and expenses.

**SUSPENSIONS**

On July 16, 2015, **Olugboyega Rotimi Areola** [#24040443], 46, of Houston, agreed to a one-year fully probated suspension effective July 1, 2015. An evidentiary panel of the District 4 Grievance Committee found that Areola failed to keep his client reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information. He also failed to hold funds belonging to his client that were in his possession in connection with the representation in a trust account, and, upon receiving funds in which his client had an interest, Areola failed to promptly notify his client and failed to promptly deliver to his client funds that she was entitled to receive.

Areola violated Rules 1.03(a), 1.14(a), and 1.14(b). He was ordered to pay \$600 in attorneys' fees.

On August 5, 2015, **Robert N. Blocker** [#00795016], 53, of Dallas, received an agreed judgment of fully probated suspension. An evidentiary panel of the District 6 Grievance Committee found that in June 2011, Blocker was hired to represent the complainant's children in a personal injury matter. Blocker then neglected the legal matter and failed to communicate with the complainant.

Blocker violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$932.66 in attorneys' fees and direct expenses.

On May 21, 2015, **John Hatchett Carney** [#03832200], 60, of Dallas, received a four-year partially probated suspension effective July 1, 2015, with the first two years actively served and the remainder probated. The District 6 Grievance Committee found that Carney failed to hold funds belonging in whole or in part to clients and third persons that were in Carney's possession separate from Carney's own property. Carney failed to disburse funds in a trust account only to those persons entitled to receive them by virtue of the representation or by law.

Carney violated Rules 1.14(a) and 1.14(c). He was ordered to pay \$5,065 in attorneys' fees and \$775.96 in direct expenses.

Carney filed an appeal on August 18, 2015.

On July 10, 2015, **Adam Thomas Froeschl** [#24076390], 29, of San Antonio, received a four-year partially probated suspension effective July 2, 2015, with the first 12 months actively served and the remainder probated. The District 10 Grievance Committee found that Froeschl failed to keep the client reasonably informed, failed to hold client funds in a trust account separate from his own property, failed to promptly deliver funds to parties entitled to receive funds, and failed to respond to the grievance.

Froeschl violated Rules 1.03(a),

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1.14(a), 1.14(b), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$5,512.45 in restitution and \$2,372 in attorneys' fees and direct expenses.

On July 17, 2015, **Hector Gonzalez** [#08127000], 76, of San Diego, accepted a two-month fully probated suspension effective July 15, 2015. The 229th Judicial District Court of Duval County found that Gonzalez committed professional misconduct by violating Rules 3.04(c)(2) [In representing a client before a tribunal: state or allude to any matter that the lawyer does not reasonably believe is relevant to such proceeding or that will not be supported by admissible evidence, or assert personal knowledge of facts in issue except when testifying as a witness]; 3.04(c)(3) [In representing a client before a tribunal: state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant, or the guilt or innocence of an accused, except that a lawyer may argue on his or her analysis of the evidence and other permissible considerations for any position or conclusion with respect to the matters stated herein]; 3.04(c)(4) [In representing a client before a tribunal: ask any question intended to degrade a witness or other person except where the lawyer reasonably believes that the question will lead to relevant and admissible evidence]; 3.04(c)(5) [In representing a client before a tribunal: engage in conduct intended to disrupt the proceedings]; and 4.04(a) [In representing a client, for using means that have no substantial purpose other than to embarrass, delay, or burden a third person, or using methods of obtaining evidence that violate the legal right of such a person].

Gonzalez was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On July 10, 2015, **Ronald K. Hinkle** [#24062782], 53, of Corpus Christi, received a two-year partially probated

suspension with the first three months actively served and the remainder probated. The District 11 Grievance Committee found that Hinkle neglected a client matter, failed to keep a client reasonably informed, failed to hold a client's funds in a trust account, and failed to abide by a client's decisions concerning the objectives and general methods of representation.

Hinkle violated Rules 1.01(b)(1), 1.02(a)(1), 1.03(a), and 1.14(a). He was ordered to pay \$10,861.63 in restitution and \$1,500 in attorneys' fees and direct expenses.

On August 18, 2015, **Steven R. Lafuente** [#24032522], 46, of Amarillo, received a three-month active suspension effective June 1, 2017. An evidentiary panel of the District 13 Grievance Committee found that Lafuente failed to timely furnish to the Office of Chief Disciplinary Counsel a response to the complaint filed by complainant or other information as required by the Texas Rules of Disciplinary Procedure. Lafuente did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Lafuente violated Rule 8.04(a)(8). He was ordered to pay \$2,404.01 in attorneys' fees and direct expenses.

Lafuente did not file an appeal.

On August 18, 2015, **Steven R. Lafuente** [#24032522], 46, of Amarillo, received a six-month active suspension effective December 1, 2016. An evidentiary panel of the District 13 Grievance Committee found that in or about May 2012, Lafuente was hired by the complainant to represent the complainant in a misdemeanor criminal matter and for multiple traffic citations. In representing the complainant, Lafuente neglected the legal matter entrusted to him by failing to appear in court in the misdemeanor case, resulting in a bench warrant being issued for the complainant's arrest; failed to keep the complainant rea-

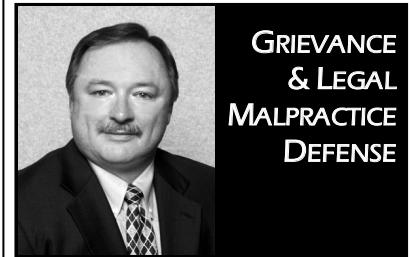
sonably informed about the status of his various matters; failed to promptly comply with reasonable requests for information from the complainant about his various matters; and failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure. Lafuente did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Lafuente violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$2,274.38 in attorneys' fees and direct expenses.

Lafuente did not file an appeal.

On June 29, 2015, **Randall Dale Parker** [#24025583], 44, of Dallas, received a 12-month partially probated suspension effective July 1, 2015, with the first month actively suspended and the remainder probated. An evi-

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dentiary panel of the District 6 Grievance Committee found that Parker neglected a client's legal matter, failed to keep the client reasonably informed about the status of the legal matter, and failed to promptly comply with the client's reasonable requests for information. The panel also found that Parker failed to timely furnish to the Office of Chief Disciplinary Counsel a response to the complaint or to assert a privilege or other legal ground for his failure to do so.

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

On August 28, 2015, **Burt Edward Powell** [#16194550], 71, of Cleburne, received an 18-month fully probated suspension effective September 1, 2015, through February 28, 2017. An evidentiary panel of the District 7

Grievance Committee found that in representing complainants in a bankruptcy matter, Powell neglected the legal matter entrusted to him by failing to file the bankruptcy petition. Powell failed to keep the complainants reasonably informed about the status of their legal matter and failed to promptly comply with reasonable requests from the complainants for information.

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

On April 7, 2015, **Jerry W. Scarbrough** [#17717500], 66, of Killeen, received a 10-year partially probated suspension effective May 1, 2015, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 8 Grievance Committee found that in representing his client in a lawsuit, Scarbrough knowingly made a false statement of material fact to the court. In prior litigation, the 146th Judicial District Court and the U.S. Bankruptcy Court for the Western District of Texas, Waco Division, made fact findings that Scarbrough unlawfully obstructed another party's access to evidence; altered, destroyed, or concealed audio recordings or counseled or assisted his client in doing so; and knowingly disobeyed an order of the 146th Judicial District Court not to disclose medical records pertaining to a particular party. Scarbrough engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation during a telephone conversation with a party's niece after the party's death. When asked whom he represented, Scarbrough said that he represented himself and the deceased party "probably more than anyone else in the world right now." Scarbrough did not disclose his representation of his client. This left the niece with the impression that Scarbrough represented her deceased

uncle. At no time did Scarbrough represent the deceased uncle.

Scarbrough violated Rules 3.03(a)(1), 3.04(a), 3.04(d), 8.04(a)(1), and 8.04(a)(3). He was ordered to pay \$12,000 in attorneys' fees and direct expenses.

Scarbrough has filed a notice of appeal.

On June 29, 2015, **Joe Weldon Soward II** [#90001760], 45, of Fort Worth, received a five-year active suspension effective July 1, 2015. An evidentiary panel of the District 7 Grievance Committee found that Soward was noncompliant with prior disciplinary judgments entered against him. The panel also found that Soward failed to timely furnish to the Office of Chief Disciplinary Counsel a response to the complaint and further failed to assert a privilege or other legal ground for his failure to do so.

Soward violated Rules 8.04(a)(7) and 8.04(a)(8). He was ordered to pay \$3,163.25 in attorneys' fees and direct expenses.

On June 29, 2015, **Roger Mathew Tafel** [#19607775], 52, of Euless, received a 12-month partially probated suspension effective July 15, 2015, with the first six months active and the remaining six months probated. An evidentiary panel of the District 7 Grievance Committee found that in representing his client in a civil matter, Tafel neglected the legal matter by failing to conduct discovery and prepare for trial. Further, he failed to abide by his client's decisions concerning the objectives and general methods of representation. Finally, Tafel failed to furnish a response to the grievance.

Tafel violated Rules 1.01(b)(1), 1.02(a)(1), and 8.04(a)(8). He was ordered to pay \$1,364.30 in attorneys' fees and direct expenses.

On May 19, 2015, **Sherin Thawer** [#00798542], 45, of Irving, received a

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24-month partially probated suspension effective May 20, 2015, with the first 12 months actively suspended and the remainder probated. The 134th Judicial District Court of Dallas County found that Thawer committed professional misconduct as defined in Texas Rule of Disciplinary Procedure 1.06(W).

Thawer was ordered to pay \$10,067.68 in attorneys' fees and direct expenses.

Thawer filed an appeal on August 17, 2015.

On June 8, 2015, **Brent M. Wasserstein** [#24039234], 40, of Houston, received a five-year and 90-day partially probated suspension effective June 5, 2015, with the first 90 days actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Wasserstein neglected the legal matter entrusted to him, failed to keep his client reasonably informed about the status of the case, failed to promptly comply with requests for information on behalf of his client, and failed to refund advance payments of fees. Wasserstein further failed to respond to the grievance.

Wasserstein violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$9,000 in restitution and \$3,868.46 in attorneys' fees and direct expenses.

On July 7, 2015, **Edward Eugene Winfrey** [#24033349], 50, of Fort Worth, received a one-year fully probated suspension. Winfrey was hired to represent his client in a probate matter involving the estate of his client's spouse. Winfrey neglected the legal matter entrusted to him and frequently failed to carry out completely the obligations that Winfrey owed to his client. Winfrey also failed to keep his client reasonably informed about the status of the probate matter and failed to promptly

comply with reasonable requests for information about the case. Winfrey did not explain the probate matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation. Upon termination of representation, Winfrey failed to refund unearned fees. Winfrey also failed to timely furnish a response to the Office of Chief Disciplinary Counsel and failed to timely assert in good faith a privilege or other legal ground for his failure to do so.

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

#### **PUBLIC REPRIMANDS**

On July 9, 2015, **Michael L. Bernoudy** [#24051882], 38, of Marshall, received a judgment of public reprimand. An evidentiary panel of the District 1 Grievance Committee found that on May 23, 2012, a complainant hired Bernoudy for representation in a personal injury matter. Bernoudy failed to keep the complainant reasonably informed about the status of her personal injury matter, failed to promptly comply with reasonable requests for information from the complainant about her personal injury matter, and failed to hold funds belonging to the complainant that were in Bernoudy's possession in connection with the representation separate from Bernoudy's own property. Upon receiving funds in which the complainant had an interest, Bernoudy failed to promptly notify the complainant. He failed to promptly deliver to the complainant funds that the complainant was entitled to receive.

Bernoudy violated Rules 1.03(a), 1.14(a), and 1.14(b). He was ordered to pay \$3,000 in restitution and \$2,952.40 in attorneys' fees and direct expenses.

Bernoudy did not file an appeal. **TBJ**

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