

**BODA**

On February 2, 2023, the Board of Disciplinary Appeals entered a judgment of disbarment against Asheville, North Carolina, attorney **TRICIA STEELE BOUTROS** [#24045535]. Although duly cited, Boutros did not answer or appear at the hearing. On November 17, 2020, an amended judgment in a criminal case was entered in Cause No. 1:20-cr-00082-APM, styled *United States of America v. Tricia Steele Boutros*, in the United States District Court for the District of Columbia, wherein Boutros pleaded guilty to bank fraud in violation of 18 U.S.C. §§ 1344(1), 1344(2). This offense constitutes an intentional crime as defined by the Texas Rules of Disciplinary Procedure. Boutros was sentenced to 30 months of confinement in the federal bureau of prisons and ordered to pay restitution in the amount of \$2,100,000. BODA Cause No. 66335.

On February 2, 2023, the Board of Disciplinary Appeals entered a judgment of suspension against Houston attorney **DAOYOU TIM LIU** [#24076878]. On August 9, 2022, an initial decision on default judgment was issued in the case styled *In the Matter of Daoyou Tim Liu, Respondent*, Proceeding No. D2022-03, United States Patent and Trademark Office, before the administrative law judge in which Liu was found to have violated 37 C.F.R. §§ 11.103, 11.303(a)(1), 11.303(a)(3), 11.801(b), 11.804(c), and 11.804(d). The initial decision on default judgment became final when Liu failed to file an appeal to the USPTO director within 30 days pursuant to 37 C.F.R. § 11.55. As a sanction, Liu was ordered excluded from practice before the U.S. Patent and Trademark Office in patent, trademark, and other non-patent matters. Liu is suspended from the practice of law in Texas for five years, beginning March 4, 2023, and extending through March 3, 2028. BODA Cause No. 67306.

the practice of law in Minnesota for 30 days. The court found Kennard violated Minnesota Rules of Professional Conduct 3.4(c) (knowingly disobeying an obligation under the rules of a tribunal); 5.5(a) (unauthorized practice of law); and 8.1(b) (failure to cooperate with investigation). Kennard was suspended from the practice of law in Texas for a total of 30 days, beginning May 5, 2022. However, on May 17, the matter was stayed pending appeal. The appeal was ultimately denied and the suspension was reinstated on December 30, and ending January 30, 2023. BODA Cause No. 65861.

**DISBARMENT**

On December 28, 2022, **FRANK C. POWELL** [#24104073], of Spring, received a judgment of disbarment effective December 28, 2022. The 270th Harris County District Court found that Powell failed to abide by his client’s decisions concerning the objectives and general methods of representation and knowingly used confidential information of his former client to her disadvantage after the representation was concluded without her consent and the confidential information had not become generally known. Powell also represented his client when the representation of his client reasonably appeared to be or became adversely limited by Powell or Powell’s law firm’s own interests. Powell also failed upon termination of representation to take steps to the extent reasonably practicable to protect his client’s interests by surrendering papers and property to which she was entitled. Furthermore, Powell brought or defended a proceeding, or asserted or controverted an issue therein, in the absence of reasonable belief that the basis for doing so was not frivolous and in the course of litigation took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter.

Powell violated Rules 1.02(a)(1), 1.05(b)(3), 1.06(b)(2), 1.15(d), 3.01,

On February 2, 2023, the Board of Disciplinary Appeals entered a judgment revoking probation and actively suspending respondent from the practice of law against Allen attorney **ANDREW JAIH KAI KAI** [#24055757]. Although duly cited, Kai Kai did not answer or appear at the hearing. The revocation followed a judgment of fully probated suspension entered by an evidentiary panel of the State Bar of Texas District 1 Grievance Committee in Cause No. 201807405. BODA Cause No. 67420.

On May 5, 2022, the Board of Disciplinary Appeals entered a judgment of suspension against Houston attorney **ALFONSO KENNARD JR.** [#24036888]. On March 9, 2021, the Supreme Court of the State of Minnesota issued an order in the matter styled *In Re Petition for Disciplinary Action against Alfonso Kennard, Jr., a Non-Minnesota Attorney*, No. A20-1247, in which Kennard was suspended from

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and 3.02. He was ordered to pay \$31,829.20 in attorneys' fees and direct expenses.

Powell filed an appeal on March 27, 2023.

#### RESIGNATIONS

On March 7, 2023, the Supreme Court of Texas accepted the resignation in lieu of discipline of **RICHARD LAIRD** [#00784433], of Austin. At the time of Laird's resignation, he had five disciplinary complaints pending against him. The common allegations in all five pending complaints were that Laird neglected his clients' legal matters, failed to keep his clients reasonably informed about the status of their matters, failed to promptly comply with reasonable requests for information, and failed to explain matters to the extent reasonably necessary to permit his clients to make informed decisions. In some of these complaints, Laird also failed to hold client funds separate and apart from his own, failed to promptly deliver property to which a client was entitled, failed to surrender papers and property to which his clients were entitled, and failed to timely furnish written responses to grievances filed with the Office of Chief Disciplinary Counsel.

Laird allegedly violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.14(a), 1.14(b), 1.15(d), and 8.04(a)(3).

On March 7, 2023, the Supreme Court of Texas accepted the resignation in lieu of discipline of **PHILIP MARTIN ROSS** [#17304200], of San Antonio. At the time of his resignation, findings of professional misconduct had been entered in two disciplinary actions that Ross made false statements of material fact and failed to disclose necessary information to the court, knowingly disobeyed court rulings, knowingly engaged in fraudulent conduct and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation in connection with multiple litigated guardianship cases. In another disciplinary action, Ross was alleged to have asserted frivolous claims, assisted a client in fraudulent conduct,

increased the costs and burdens of the case, and communicated directly with a party represented by counsel.

Ross allegedly violated Rules 1.02(c), 3.01, 3.02, 3.03(a)(1), 3.03(a)(2), 3.04(c)(1), 3.04(d), 4.02(a), 8.04(a)(1), and 8.04(a)(3).

#### SUSPENSIONS

On March 27, 2023, **JAMES R. CHAPMAN JR.** [#04134700], of Lubbock, agreed to a six-month fully probated suspension effective April 1, 2023. An evidentiary panel of the District 16 Grievance Committee found that Chapman failed to keep a client reasonably informed and failed to withdraw from representation when discharged.

Chapman violated Rules 1.03(a) and 1.15(a)(3).

On March 13, 2023, **PETER F. DOYLE JR.** [#06096050], of Port Arthur, accepted a three-year fully probated suspension effective March 1, 2023. An investigatory panel of the District 3 Grievance Committee found that Doyle frequently failed to carry out completely the obligations he owed to his client, failed to keep his client reasonably informed about the status of his case, and failed to promptly comply with his client's reasonable requests for information. Furthermore, Doyle failed to respond to the grievance.

Doyle violated Rules 1.01(b)(2), 1.03(a), and 8.04(a)(8).

On March 1, 2023, **JUAN ANGEL GUERRA** [#08581320], of Mission, accepted an 18-month fully probated suspension effective March 1, 2023. The 103rd District Court of Cameron County found Guerra violated Rule 3.04(d) [knowingly disobeying an obligation under the standing rules or of a ruling by a tribunal].

Guerra was ordered to pay \$2,000 in attorneys' fees and direct expenses.

On March 8, 2023, **CRYSTAL DANIELLE HENDERSON** [#24050742], of Houston, received a one-year fully probated suspension effective March 15, 2023.

The 190th District Court of Harris County found that Henderson neglected her client's case, failed to abide by a client's decisions concerning the objectives and general methods of representation, failed to keep her client reasonably informed about the status of his case, and further failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. Henderson also failed to promptly deliver to the client funds or property that he was entitled to receive or promptly render a full accounting regarding such property and also failed to protect the client's interest upon termination. Henderson made a false statement of material fact or law to a tribunal and in the course of representing the client, knowingly made a false statement of material fact or law to a third person. Henderson

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also engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Henderson violated Rules 1.01(b)(1), 1.02(c), 1.03(a), 1.03(b), 1.14(b), 1.15(d), 3.03(a)(1), 4.01(a), and 8.04(a)(3). She was ordered to pay \$5,500 in restitution and \$2,500 in attorneys' fees and direct expenses.

On March 20, 2023, **JASON D. ROWE** [#24073538], of Houston, accepted a one-year fully probated suspension effective April 1, 2023. An evidentiary panel of the District 4 Grievance Committee found that in two matters, Rowe neglected the legal matters entrusted to him 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. In one of those matters, Rowe engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation and in the

other matter, he failed to keep his client reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information and failed to explain a legal matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representation.

Rowe violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$500 in attorneys' fees.

On March 1, 2023, **NICHOLAS MICHAL WAJDA** [#24106757], of Culver City, California, agreed to a six-month fully probated suspension effective February 1, 2023. The investigatory panel of the District 6 Grievance Committee found that Wajda accepted a post-petition retainer from a bankruptcy client without leave of the court, failed to amend inaccuracies in the client's pro se bankruptcy filings, and failed to appear at the creditors' meeting or other pertinent hearings. The investigatory panel also found that Wajda filed a Chapter 13 bankruptcy petition on behalf of another client at the sole request of the client's husband, who was barred from filing due to prior bankruptcy filings, and without speaking to the client.

Wajda violated Rules 3.01, 3.02, 5.03(b)(1), and 8.04(a)(3). He was ordered to pay \$500 in attorneys' fees and direct expenses.

On March 24, 2023, **CHELSEA GRACE CRADDOCK** [#24096313], of Schertz, agreed to a three-year partially probated suspension effective May 1, 2023, with the first 60 days actively served and the remainder probated. The District 11 Grievance Committee found that Craddock neglected client matters, failed to keep clients reasonably informed, and engaged in conduct involving fraud, deceit, or misrepresentation.

Craddock violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(3). She was ordered to pay \$2,746.88 in attorneys' fees and direct expenses.

On March 9, 2023, **LUIS I. CUELLAR** [#24049937], of Victoria, agreed to a two-year partially probated suspension effective March 10, 2023, with the first seven months actively served and the remainder probated. The District 11 Grievance Committee found Cuellar neglected clients' matters, failed to keep clients reasonably informed, failed to return unearned fees, and failed to respond to the grievance.

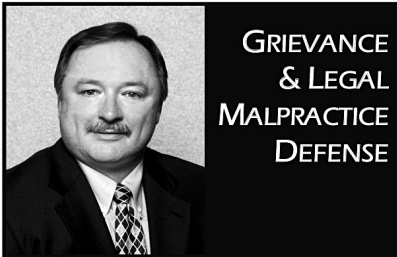
Cuellar violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$10,150 in restitution and \$1,000 in attorneys' fees and direct expenses.

On March 24, 2023, **JANA LEWIS-PEREZ** [#24077463], of Pearland, accepted a two-year partially probated suspension effective March 31, 2023, with the first year actively served and the remainder probated. An evidentiary panel of the District 5 Grievance Committee found that Lewis-Perez failed to timely respond to the grievance.

Lewis-Perez violated Rule 8.04(a)(8). She was ordered to pay \$1,365 in attorneys' fees and direct expenses.

On February 28, 2023, **JONATHAN FERRIS** [#24034990], of Cedar Park, received a two-year active suspension beginning February 16, 2023. An evidentiary panel of the District 8 Grievance Committee found that beginning November 21, 2013, Ferris represented a client in a Travis County District Court case through trial and on appeal. On August 18, 2016, Ferris filed a motion to continue the trial date claiming that he would not be fully recovered from injuries he sustained in an automobile accident until the first week of December 2016. Ferris also stated in his motion that on July 19, 2016, a Dallas County District Court, where he represented the same client in a personal injury matter, had granted him a continuance based on his expected recovery date. Contrary to Ferris' assertions in the Travis County District Court, the hearing he participated in the Dallas

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County District Court was on the opposing counsel's motion for a special setting. In fact, during the Dallas County hearing, Ferris only argued that he would be out of the country until the third week of November and made no mention of any claimed injury. Additionally, in the Dallas County case where Ferris' client and several of his client's retirement trusts were named defendants to a negligence claim premised on injuries the plaintiff suffered after the plaintiff's truck struck one of his client's cows that had wandered onto the road, Ferris filed multiple frivolous motions and a frivolous appeal. In fact, after the Dallas County District Court signed an order dismissing Ferris' dismissal motion and announced in open court that Ferris' summary judgment motion was denied, Ferris filed an interlocutory appeal with the Fifth Court of Appeals related to both decisions without a written order. Because he appealed the trial court's orders, the trial that was scheduled for April 13, 2015, was automatically stayed. The Fifth Court of Appeals found that Ferris' appeal of both issues was frivolous and pursued solely to delay resolution of the case pending in the trial court.

Ferris violated Rules 3.01, 3.02, 3.03(a)(1), and 8.04(a)(3). He was ordered to pay \$4,014.05 in attorneys' fees and expenses.

On November 18, 2022, **ANNETTE R. LOYD** [#16731100], of Fort Worth, received a 36-month active suspension beginning November 2, 2022, and ending October 31, 2025. An evidentiary panel of the District 7 Grievance Committee found that Loyd failed to comply with a judgment of fully probated suspension that was entered against her on February 14, 2019. The panel further found that Loyd failed to pay restitution to a former client, failed to pay attorneys' fees and costs to the State Bar of Texas, failed to complete six additional hours of continuing legal education, failed to verify completion of these additional

CLE hours to the State Bar of Texas, and failed to file a response to the grievance.

Loyd violated Rules 8.04(a)(7) and 8.04(a)(8). She was ordered to pay \$1,050 in restitution and \$4,200 in attorneys' fees and costs in connection with the underlying case and \$1,700 in attorneys' fees and costs in this disciplinary action.

Loyd filed an appeal on December 6, 2022.

On February 9, 2023, **MICHAEL F. PAYNE** [#15660000], of Wichita Falls, received a 12-month active suspension effective March 1, 2023. The District 14 Grievance Committee found that on June 16, 2020, the complainant bought a property from Payne, who represented himself to the complainant as an attorney selling a property. Payne engaged in conduct involving dishonesty, fraud, deceit, or

misrepresentation in his dealings with the complainant regarding the property.

Payne violated Rule 8.04(a)(3). He was ordered to pay \$3,743.06 in restitution and \$2,066.50 in attorneys' fees and direct expenses.

#### PUBLIC REPRIMANDS

On March 3, 2023, **MARK EDWARD HARRINGTON** [#24048299], of Houston, accepted a public reprimand. An investigatory panel of the District 4 Grievance Committee found that Harrington failed to keep his client reasonably informed about the status of his legal matter and promptly comply with reasonable requests for information about the case. Also, upon termination of representation, Harrington failed to refund any advance payments of fees that had not been earned.

Harrington violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$1,000

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in attorneys' fees and direct expenses.

On March 14, 2023, **DWANE L. TODD** [#20094200], of Houston, accepted a public reprimand. An investigatory panel of the District 4 Grievance Committee found that Todd neglected a legal matter entrusted to him and upon termination of his representation, Todd failed to refund advance payments of fees that had not been earned.

Todd violated Rules 1.01(b)(1) and 1.15(d). He was ordered to pay \$5,000 in restitution and \$1,000 in attorneys' fees.

**PRIVATE REPRIMANDS**

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 10 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 (2).

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 (4).

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(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 (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 (3).


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).

4.04(b)(1)—Threatening to present disciplinary charges solely to gain an advantage in connection with a legal matter (1).

8.04(a)(7)—Violating a disciplinary judgment (1).

8.04(a)(11)—Engaging 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, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the State Bar rules relating to mandatory continuing legal education (1). **TBJ**

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