

BODA

On June 7, 2023, the Board of Disciplinary Appeals entered a judgment revoking probation and actively suspending Redondo Beach, California, attorney **PAUL JASON BROWER** [#24040581] from the practice of law. The revocation of probation followed an agreed judgment of partially probated suspension entered by an evidentiary panel of the District 4 Grievance Committee of the State Bar of Texas.

The evidentiary panel found that Brower violated Texas Disciplinary Rules of Professional Conduct 1.01(a) (competence), 1.01(b)(1) (neglect), 1.01(b)(2) (failure to carry out client obligations), 1.14(b) (safekeeping property), 1.15(d) (failure to refund unearned fees), 3.03(a)(1) (false statement to a tribunal), 3.03(a)(3) (failure to disclose material fact to a tribunal), and 3.03(a)(5) (use of false evidence).

Brower is actively suspended for five years, beginning June 7, 2023, and ending June 6, 2028. BODA Case No. 67709.

On June 16, 2022, the Board of Disciplinary Appeals entered an agreed judgment of public reprimand in the reciprocal discipline case against Henderson, Nevada, attorney **LEILA LOUISE HALE** [#24088781]. On February 17, 2023, an order of public reprimand was issued by the State Bar of Nevada, Southern Nevada Disciplinary Board, in the matter styled *State Bar of Nevada v. Leila Louise Hale, Esq., NV Bar No. 7368*, in Case Nos. SBN21-00004.

Hale was reprimanded for violations of Nevada Rules of Professional Conduct 1.15 (safekeeping property) and 1.16 (terminating or declining representation). BODA Case No. 67958.

REINSTATEMENTS

LUTHER JONES [#10928000], of Houston, filed a petition on July 10, 2023, in Harris County State District Court No. 165—Cause No. 2023-4235 for reinstatement as a member of the State Bar of Texas.

CHARLES DANIEL OCAMPO [#24088888], of Fort Worth, filed a petition in the 415th Judicial District Court of Parker County for reinstatement as a member of the State Bar of Texas.

DISBARMENT

On April 13, 2023, **DEREK ALFONSO QUINATA** [#24072292], of El Paso, was disbarred. An evidentiary panel of the District 17 Grievance Committee found that Quinata failed to communicate with clients, failed to return unearned fees, failed to notify clients of his disciplinary suspension, and failed to respond to the grievance.

Quinata violated Rules 1.03(a), 1.15(d), 8.04(a)(7), and 8.04(a)(8). He was ordered to pay \$2,932 in restitution and \$2,275 in attorneys' fees and direct expenses.

Quinata has filed an appeal.

SUSPENSIONS

On June 13, 2023, **THOMAS BASIL BECK** [#02012300], of San Antonio, received a six-month fully probated suspension effective July 14, 2023. An evidentiary panel of the District 10 Grievance Committee found that Beck failed to keep his client reasonably informed and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Beck violated Rules 1.03(a), 1.03(b), and 8.04(a)(3). He was ordered to pay \$2,596.30 in attorneys' fees and direct expenses.

On June 7, 2023, **KYLE MATTHEW KINZY** [#00798298], of Austin, accepted a two-year fully probated suspension beginning July 1, 2023, related to a complaint filed by a former client. An evidentiary panel of the District 9 Grievance Committee found that Kinzy

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was hired to represent the client at an immigration bond hearing on or about December 4, 2018. Thereafter, the client was ordered deported in proceedings before the Board of Immigration Appeals and Kinzy agreed to file a petition for review for the client with the 9th Circuit Court of Appeals.

Although Kinzy filed the petition for review on February 20, 2019, he failed to file an opening brief which resulted in the dismissal of the petition. Kinzy then told the client he would file a motion to reopen the client's case but failed to do so. Subsequently, the client requested that Kinzy return his case file and provide an accounting of the retainer he paid, but Kinzy failed to comply with the client's request.

In June of 2021, the client's new attorney contacted Kinzy and attempted to obtain a copy of the client's file. Still Kinzy failed to respond and/or provide the new attorney with the file. Kinzy also failed to furnish a written response to the complaint as directed.

Kinzy violated Rules 1.01(b)(1), 1.15(d), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct. He was ordered to pay \$4,651 in attorneys' fees and expenses.

On May 30, 2023, **PAUL LUCAS PURTHA** [#00784796], of Garland, received a six-month probated suspension effective June 1, 2023. An evidentiary panel of the District 6 Grievance Committee found that Purtha represented the complainant in a civil suit pertaining to an automobile accident involving the complainant. Upon receiving settlement funds, Purtha failed to promptly deliver to a third party funds that it was entitled to receive. Purtha failed to respond to the grievance.

Purtha violated Rules 1.14(b) and 8.04(a)(8). He was ordered to pay \$2,175 in restitution and \$2,107 in attorneys' fees and direct expenses.

On July 17, 2023, **ROBERT TEIR** [#00797940], of The Woodlands, accepted a judgment of a one-year fully probated suspension beginning August

15, 2023, and ending August 15, 2024. An investigatory panel of the District 4 Grievance Committee found that while representing his client, Teir failed to keep his client reasonably informed about the status of the matter and promptly comply with reasonable requests for information. Teir also failed to promptly deliver funds due to his client and failed upon request to render a full accounting regarding the funds. Further, Teir 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.

Teir violated Rules 1.03(a), 1.14(b), and 8.04(a)(8). He was ordered to pay \$800 in restitution and \$1,000 in attorneys' fees and expenses.

On July 6, 2023, **THOMAS ANTHONY ZAKES** [#22243420], of Houston, accepted a fully probated suspension. An investigatory panel of the District 4 Grievance Committee found that Zakes

neglected a legal matter, 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. Zakes further 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.

Zakes violated Rules 1.01(b)(1), 1.03(a), 1.14(b), and 8.04(a)(8). He was ordered to pay \$7,250 in restitution and \$1,000 in attorneys' fees and direct expenses.

On June 21, 2023, **STEPHEN RUSSELL GOETZMANN** [#08059850], of Lucas, received a two-year partially probated suspension effective August 1, 2023, with the first six months actively served and the remainder probated. An investigatory panel of the District 6 Grievance Committee found that the complainant hired Goetzmann in March 2018 to represent him in a personal

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injury/medical malpractice matter. Goetzmann failed to keep the complainant reasonably informed about the status of his matter and failed to promptly comply with the complainant's reasonable requests for information about his case. Goetzmann failed to explain the matter to the extent reasonably necessary to permit the complainant to make informed decisions regarding the representation. Upon termination of representation, Goetzmann failed to take steps to the extent reasonably practicable to protect the complainant's interests and did not give reasonable notice to allow the complainant to obtain appellate counsel.

Goetzmann violated Rules 1.03(a), 1.03(b), and 1.15(d). He was ordered to pay \$500 in attorneys' fees and direct expenses.

On May 4, 2023, **JO ELLEN HEWINS** [#09367857], of Corpus Christi, received a two-year partially probated

suspension effective June 1, 2023, with the first 12 months actively served and the remainder probated. An evidentiary panel of the District 11 Grievance Committee found that Hewins neglected a client matter, failed to keep a client reasonably informed, failed to explain a matter to the extent reasonably necessary to permit a client to make informed decisions, failed to withdraw from representation of a client resulting in material adverse effect on the interests of the client, and failed to respond to the grievance.

Hewins violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(b)(1), and 8.04(a)(8). She was ordered to pay \$2,500 in restitution and \$2,070 in attorneys' fees and direct expenses.

On June 5, 2023, **JAMES R. CHAPMAN JR.** [#04134700], of Lubbock, accepted a one-year active suspension effective October 1, 2024. The 72nd District Court of Lubbock County found that

Chapman violated Rule 1.03(b) [failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions].

PUBLIC REPRIMANDS

On July 14, 2023, **MARK HOUSTON BARBER** [#01708050], of Wichita Falls, agreed to a public reprimand. The 78th District Court of Wichita County found that Barber committed professional misconduct by violating Rule 4.04(a) [In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person].

Barber was ordered to pay \$850 in attorneys' fees and direct expenses.

On July 5, 2023, **ALI ANNA CROCKER** [#24098868], of Mansfield, agreed to a public reprimand. An investigatory panel of the District 7 Grievance Committee found that the complainant formerly represented a current client of Crocker's in a legal malpractice case. In the course of representing the client, Crocker took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter.

Crocker violated Rule 3.02. She was ordered to pay \$500 in attorneys' fees and direct expenses.

On June 14, 2023, **JOSEPH V. KELLY** [#24090203], of Houston, agreed to a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Kelly neglected a legal matter entrusted to him, failed to keep his client reasonably informed about the status of his legal matter and promptly comply with reasonable requests for information, and failed to refund advance payments of fees that had not been earned. Additionally, Kelly failed to timely file a response to the grievance.

Kelly violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,000 in restitution and \$1,550 in attorneys' fees and direct expenses.

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On July 18, 2023, **SHERMEN WESLEY NEWELL** [#00792033], of Dallas, agreed to a public reprimand. An investigatory panel of the District 6 Grievance Committee found that in representing the complainant, Newell frequently failed to carry out completely the obligations he owed to the complainant. Newell failed to keep the complainant reasonably informed about the status of his matter. Newell failed to promptly comply with reasonable requests for information from the complainant about his matter.

In representing the complainant, Newell knowingly made a false statement of material fact or law to a tribunal.

Newell violated Rules 1.01(b)(2), 1.03(a), and 3.03(a)(1). He was ordered to pay \$500 in attorneys' fees and direct expenses.

On May 16, 2023, **JEROME NEAL STEIN** [#19128290], of Dallas, received a judgment of public reprimand. Stein was retained by the complainant for representation regarding a property dispute. Stein failed to respond to the grievance.

Stein violated Rule 8.04(a)(8). He was ordered to pay \$750 in attorneys' fees and direct expenses.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 11 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(a)—A lawyer shall not accept or continue employment in a legal matter which the lawyer knows or should know is beyond the lawyer's competence (1).

1.01(b)(1)—In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer (4).

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 (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 (5).

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 (4).

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).

1.14(c)—Failing to keep funds or other property in which both the lawyer

and another person claim interests separate until there is an accounting and severance of their interests (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 (3).

5.03(a)—A lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer (1). **TBJ**

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