

JUDICIAL ACTIONS

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On February 7, 2024, the State Commission on Judicial Conduct issued an inquiry concerning an order of suspension to **FRANK AGUILAR**, 228th Judicial District Court, Houston, Harris County.

On February 7, 2024, the State Commission on Judicial Conduct issued a public reprimand to **LYNETTE MONTEMAYOR**, Escobares Municipal Court, Escobares, Starr County.

On February 7, 2024, the State Commission on Judicial Conduct issued a public reprimand to **GENA SLAUGHTER**, 191st District Court, Dallas, Dallas County.

BODA

On January 31, 2024, the Board of Disciplinary Appeals issued a judgment of indefinite disability suspension against Dallas attorney **CAMERON GRAY** [#08314600]. The board found that Gray is suffering from a disability. Gray is actively suspended, effective January 31, 2024, until reinstated by the board or by a court. BODA Case No. 65644.

On January 31, 2024, the Board of Disciplinary Appeals issued a judgment of suspension in the reciprocal discipline case against Yuma, Arizona, attorney **RYAN CHRISTOPHER HENGL** [#24125006]. On March 2, 2023, a final judgment and order was issued by the presiding disciplinary judge of the Supreme Court of Arizona in Case No. PDJ 2023-9014, styled *In the Matter of a Member of the State Bar of Arizona, Ryan Christopher Hengl*, Bar No. 023931, in which Hengl, by agreement, was suspended from the practice of law for six months and one day. Hengl admitted to violations of Arizona Rule of Professional Conduct 42, Ethics Rules 1.2 (failure to consult with client or abide by client decisions), 1.3

(diligence), 1.4 (communication), 1.5 (unreasonable fees), 1.16 (failure to protect client’s interests upon withdrawal/failure to return unearned fees), 8.4(c) (dishonesty, fraud, deceit, or misrepresentation), and 8.4(d) (conduct prejudicial to the administration of justice). Hengl is suspended from the practice of law for six months and one day, beginning January 31, 2024, and extending through July 31, 2024. BODA Case No. 68638.

On January 31, 2024, the Board of Disciplinary Appeals issued a judgment revoking probation and actively suspending respondent from the practice of law against Houston attorney **WILLIAM O. GRIMSINGER JR.** [#00792151]. The revocation of probation followed an agreed judgment of probated suspension entered by an evidentiary panel of the District 4 Grievance Committee of the

State Bar of Texas. Grimsinger agreed he violated Texas Disciplinary Rules of Professional Conduct 1.01(b)(1) (neglect), 1.01(b)(2) (frequently failing to carry out obligations to client), 1.03(a and b) (communication), 1.14(b) (safekeeping property), 1.15(d) (failure to return unearned fees), 8.04(a)(8) (failure to respond to grievance), and 8.04(a)(11) (practice of law while on inactive status). Grimsinger is suspended from the practice of law for three years, beginning January 31, 2024, and extending through January 30, 2027. BODA Case No. 68331.

REINSTATEMENT

ANTHONY B. GULLEY [#08615500], of Dallas, filed a petition in the 68th District Court of Dallas County for reinstatement as a member of the State Bar of Texas.

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SUSPENSIONS

On February 7, 2024, **SYBIL JANE CARR** [#03862700], of Houston, accepted a judgment of a six-month fully probated suspension, beginning March 1, 2024, and ending September 1, 2024. An evidentiary panel of the District 4 Grievance Committee found that Carr failed to carry out completely the obligations that she owed to her client and knowingly disobeyed an obligation under the standing rules of or a ruling by a tribunal. Furthermore, Carr failed to timely furnish to the Office of Chief Disciplinary Counsel or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure.

Carr violated Rules 1.01(b)(2), 3.04(d), and 8.04(a)(8). She was ordered to pay \$1,000 in attorneys' fees and expenses.

On February 2, 2024, **LEONARD MARC-CHARLES GIRLING** [#24074283], of

Plano, agreed to a three-month fully probated suspension, beginning February 1, 2024, and ending May 1, 2024. An investigatory panel of the District 7 Grievance Committee found that Girling was hired by the complainant for representation in an eviction matter. Girling failed to promptly deliver to the complainant funds that the complainant was entitled to receive.

Girling violated Rule 1.14(b). He was ordered to pay \$750 in attorneys' fees and direct expenses.

On February 15, 2024, **KISCHA NICOLGIPSON HERNANDEZ** [#24094230], of Magnolia, accepted a fully probated suspension. An investigatory panel of the District 4 Grievance Committee found that Hernandez neglected a legal matter. Hernandez failed to keep her client reasonably informed about the status

of the case and failed to promptly comply with the client's reasonable requests for information. Hernandez failed to withdraw from the representation of the client after being discharged. Upon termination of representation, Hernandez failed to take steps to the extent reasonably practicable to protect the 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 had not been earned.

Hernandez violated Rules 1.03(a), 1.15(a)(3), and 1.15(d). She was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On February 22, 2024, **RODNEY E. MOTON** [#24001432], of Houston, received a six-month fully probated suspension effective February 15, 2024. An evidentiary panel of the District 4 Grievance Committee found that Moton neglected his client's legal matter.

Moton violated Rule 1.01(b)(1). He was ordered to pay \$3,500 in restitution and \$1,000 in attorneys' fees and direct expenses.

On January 25, 2024, **DAVID LEIGH SHELLER** [#18193700], of Houston, accepted a one-year fully probated suspension effective February 15, 2024. The 152nd District Court of Harris County found that Sheller violated Rule 3.02 [took a position that unreasonably increased the costs or other burdens of the case or that unreasonably delayed resolution of the matter], Rule 3.03(b) [offered material evidence, came to know of its falsity, and failed to make a good faith effort to persuade the client to authorize the lawyer to correct or withdraw the false evidence], Rule 4.04(a) [in representing a client, used means that have no substantial purpose other than to embarrass, delay, or burden a third person], and Rule 4.04(b)(1) [threatened disciplinary

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charges solely to gain an advantage in a legal matter].

Sheller was ordered to pay \$2,716.01 in attorneys' fees and costs.

On January 25, 2024, **JAMES BRANDON GAINES** [#24077991], of Lubbock, agreed to a two-year partially probated suspension effective April 1, 2024, with the first 30 days actively served and the remainder probated. An investigatory panel of the District 16 Grievance Committee found that Gaines neglected client matters and failed to keep a client reasonably informed.

Gaines violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). He agreed to pay \$800 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On February 7, 2024, **MICHAEL ROY CASARETTO** [#24071019], of Bryan, received an agreed judgment of public reprimand. An investigatory panel of the District 7 Grievance Committee found that Casaretto was hired on or about January 27, 2021, to represent a client in a civil matter. The client later filed a grievance against Casaretto. Casaretto failed to timely respond to the complaint and did not in good faith timely assert a privilege or other legal ground for his failure to do so.

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

On February 22, 2024, **CHANAEL L. CONNELL** [#24049407], of Houston, accepted a judgment of public reprimand. An investigatory panel of the District 4 Grievance Committee found that Connell failed to surrender papers and property to which her client was entitled.

Connell violated Rule 1.15(d). She was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On February 12, 2024, **RONALD STUART GALLOWAY** [#07594000], of

Dallas, agreed to a public reprimand. The 116th Judicial District Court of Dallas County found that Galloway committed professional misconduct by violating Rule 1.01(b)(1) [In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer]; Rule 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]; Rule 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]; Rule 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.].

Galloway was ordered to pay \$472.43 in attorneys' fees and direct expenses.

On February 14, 2024, **GREGORY E. SIMMONS** [#18367700], of Cypress, accepted a public reprimand. An investigatory panel of the District 4 Grievance Committee found that Simmons frequently failed to carry out completely the obligations he owed to

his client, failed to promptly render a full accounting regarding the retainer fee paid by his client, and failed to refund any advance payments of fees that had not been earned.

Simmons violated Rules 1.01(b)(2), 1.14(b), and 1.15(d). He agreed to pay \$3,000 in restitution and \$1,000 in attorneys' fees and costs.

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 (5).

1.03(a)—A lawyer shall keep a client

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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 (3).

1.05(b)(1)—(ii) Except as permitted by paragraphs (c) and (d), or as required by paragraphs (e) and (f), a lawyer shall not knowingly: Reveal confidential information of a client or a former client to: anyone else, other than the client, the client's representatives, or the members, associates, or employees of the lawyer's law firm (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 (3).

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 (2).

1.15(a)(2)—Failing to decline or withdraw from representation of a client if the lawyer's physical, mental, or psychological condition materially impairs the lawyer's fitness to represent the client (1).

1.15(a)(3)—Failing to decline or withdraw from representation of a client if the lawyer is discharged, with or without good cause (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 (2).

4.04(b)(1)—Presented, participated

in presenting, or threatened to present criminal or disciplinary charges solely to gain an advantage in a civil matter (1).

8.04(a)(8)—A lawyer shall not fail to timely furnish to the Office of Chief Disciplinary Counsel or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so (2). **TBJ**

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