

## DISCIPLINARY ACTIONS

Contact the Office of Chief Disciplinary Counsel at 877-953-5535, the Board of Disciplinary Appeals at 512-427-1578 or txboda.org, or the State Commission on Judicial Conduct at 512-463-5533. Some attorneys might share the same or similar names. To identify an attorney, please verify using that attorney's bar card number. Go to [texasbar.com](https://www.texasbar.com) and use the "Find a Lawyer" tool to search for an attorney.

### BODA

On November 13, 2024, the Board of Disciplinary Appeals issued an order of dismissal, dismissing for want of prosecution the appeal filed by Houston attorney **DOMINIQUE DANIELLE ROSS NWAJEI** [#24088137]. On April 9, 2024, an evidentiary panel of the District 4 Grievance Committee of the State Bar of Texas issued a judgment of partially probated suspension. The evidentiary panel found that Nwajei violated Texas Disciplinary Rules of Professional Conduct 1.01(a) (competence), 1.01(b) (1, 2) (neglect), 1.04(a) (illegal or unconscionable fee), 1.15(d) (failure to return unearned fee), 7.01(a) (false or misleading communication about qualifications or services), and 8.04(a) (3) (dishonesty, fraud, deceit, or misrepresentation). Nwajei is suspended for nine months, with a three-month active suspension beginning April 5, 2024, and ending July 4, 2024, followed by a probated suspension ending on January 4, 2025. BODA Case No. 69301.

On October 28, 2024, the Board of Disciplinary Appeals issued a judgment of indefinite disability suspension against attorney **RAFAEL SIERRA JR.** [#24081494]. The board found that Sierra is suffering from a disability. Sierra is actively suspended, effective October 28, 2024, until reinstated by the board or by a court. BODA Case No. 67897.

On November 7, 2024, the Board of Disciplinary Appeals entered a judgment of disbarment against McKinney attorney **DEREK H. DAVIS** [#05479400]. On January 10, 2024, Davis pleaded guilty to theft of property between \$2,500 and \$30,000, a state jail felony, in Cause No. F-20-72039, styled *The State of Texas v. Derek Hamilton Davis* in the 204th District Court, Dallas County, Texas. This offense constitutes an intentional crime as defined by the Texas Rules

of Disciplinary Procedure. Harris was placed on deferred adjudication community supervision for two years. BODA Case No. 69472.

On May 3, 2024, the Board of Disciplinary Appeals entered a judgment of disbarment in the compulsory discipline case against Houston attorney **LONDON STEPHON KEATING** [#24086647]. On April 4, 2023, Keating pleaded guilty to invasive video recording in a bathroom, a state jail felony, in Cause No. 169208701010, styled *The State of Texas v. Keating, Landon Stephon*, in the 208th District Court, Harris County, Texas. This offense constitutes an intentional crime as defined by the Texas Rules of Disciplinary Procedure. Keating was placed on deferred adjudication community supervision for five years. On November 15, 2024, the Supreme

Court of Texas affirmed the judgment [Case No. 24-0408]. BODA Case No. 68536.

On May 3, 2024, the Board of Disciplinary Appeals entered a judgment of disbarment in the reciprocal discipline case against San Antonio attorney **ROBERT B. EVANS III** [#24034767]. On January 27, 2023, an order per curiam was entered by the Supreme Court of Louisiana in the matter styled *In Re: Robert Bartholomew Evans, III*, No. 2022-B-1439 in which Evans was disbarred in Louisiana. Evans was found in violation of Louisiana Rules of Professional Conduct 3.3(a) (1) (candor toward the tribunal), 5.5 (engaging in unauthorized practice of law), 8.4(a) (violation of the Rules of Professional Conduct), 8.4(c) (conduct involving dishonesty, fraud, deceit, or

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misrepresentation), and 8.4(d) (conduct prejudicial to the administration of justice). On October 18, 2024, the Supreme Court of Texas affirmed the judgment [Case No. 24-0406]. BODA Case No. 67842.

#### DISBARMENTS

On November 20, 2024, **DAVID SHANE GRANTHAM AKA MATTHIAS EZEKIAL GRANTHAM JR.** [#24087614], of Garland, was disbarred. An evidentiary panel of the District 6 Grievance Committee found that Grantham failed to comply with certain terms and conditions of a judgment of partially probated suspension that was entered against him on July 9, 2021, in Cause No. DC-20-10187, *Commission for Lawyer Discipline v. David Shane Grantham*. Specifically, Grantham: 1) failed to make any monthly attorneys' fees payments; 2) failed to complete a full psychological assessment; 3) failed to complete a PTSD assessment; and 4) failed to complete an additional 30 hours of CLE.

Grantham violated Rule 8.04(a) (7). Grantham was ordered to pay \$5,000 in restitution to the Client Security Fund and \$2,173.33 in attorneys' fees and direct expenses.

On October 24, 2024, **ROBERT JAMES VIVONA** [#00798260], of Dallas, was disbarred. An evidentiary panel of the District 6 Grievance Committee found that in two cases, Vivona was hired by complainants for representation in immigration matters. In representing both complainants, Vivona neglected the legal matters entrusted to him by consciously disregarding the responsibilities owed to both complainants when Vivona failed to perform the work he was hired to do. Vivona failed to keep both complainants reasonably informed about the status of their immigration matters and failed to promptly comply with reasonable requests for information from both complainants. Vivona failed

to explain the first complainant's matter to the extent reasonably necessary to permit the complainant to make informed decisions regarding the representation. Upon termination of representation, Vivona failed to refund both complainants' advance payments of legal and filing fees that had not been earned or used. Vivona failed to timely furnish a response to both grievances.

Vivona violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), and 8.04(a) (8). He was ordered to pay \$3,200 in restitution to the first complainant, \$1,970 to the second complainant, and \$2,370 in attorneys' fees and direct expenses.

#### SUSPENSIONS

On October 10, 2024, **STEPHEN PAUL CARRIGAN** [#03877000], of Corpus Christi, received a 26-month partially probated suspension effective December

1, 2024, with the first two months actively served and the remainder probated. The 148th Judicial District Court of Nueces County found that Carrigan committed professional misconduct.

Carrigan violated Rule 8.04(a)(8). Carrigan was ordered to pay \$8,269.12 in attorneys' fees and direct expenses.

On October 7, 2024, **GRADY C. LONG** [#12517450], of Sherman, received a nine-month fully probated suspension beginning November 1, 2024, and ending on July 31, 2025. An evidentiary panel of the District 1 Grievance Committee found that on or about June 1, 2022, Long was court appointed to represent the complainant in a criminal matter. Approximately two months later, Long was appointed to represent the complainant in another criminal matter. Subsequently, the complainant became dissatisfied with

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the representation and filed a grievance against Long on or about August 28, 2022. Long also failed to file a response to the grievance.

Long violated Rule 8.04(a)(8). He was ordered to pay \$1,829 in attorneys' fees and direct expenses.

On November 13, 2024, **GREGORY E. SIMMONS** [#18367700], of Cypress, accepted a six-month fully probated suspension effective November 15, 2024. An investigatory panel of the District 4 Grievance Committee found that Simmons neglected his client's legal matter and further failed to withdraw from the representation when his physical condition materially impaired his fitness to represent his client. Additionally, upon the termination of the representation, Simmons failed to refund any advance payments of fees that had not been earned.

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

**PUBLIC REPRIMANDS**

On October 31, 2024, **ROXANE ESTHER MARTINEZ** [#13144210], of Houston, accepted a public reprimand. An investigatory panel of the District 4 Grievance Committee found that Martinez neglected her client's legal matter and frequently failed to carry out completely the obligations she owed to her client. Furthermore, Martinez failed to keep her client reasonably informed about the status of her case and failed to promptly comply with her client's reasonable requests for information.

Martinez violated Rules 1.01(b)(1), 1.01(b)(2), and 1.03(a). She agreed to pay \$1,000 in attorneys' fees and costs.

On November 3, 2024, **VICTOR RODRIGUEZ JR.** [#24041809], of McAllen, accepted a public reprimand. An investigatory panel of the District 12 Grievance Committee found that

Rodriguez failed to promptly pay the interest held by a third party from settlement funds and failed to provide a written response to the grievance.

Rodriguez violated Rules 1.14(b) and 8.04(a)(8). He agreed to pay \$3,110.87 in restitution and \$1,000 in attorneys' fees and direct expenses.

On November 18, 2024, **LONNIE WOODS** [#21958075], of Arlington, received an agreed judgment of public reprimand. An investigatory panel of the District 7 Grievance Committee found that the complainant hired Woods to represent him in a family and civil case. Woods neglected the legal matter and failed to keep the complainant reasonably informed and failed to promptly comply with reasonable requests for information. Woods failed to explain the matter to the extent necessary for the complainant to make informed decisions regarding the representation. Woods failed to hold funds belonging to the complainant separate from his own. Woods failed to promptly deliver funds to the complainant that he was entitled to receive. Upon termination of representation, Woods failed to take steps to reasonably protect the complainant's interests.

Woods violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.14(a), 1.14(b), and 1.15(d). Woods was ordered to pay \$750 in attorneys' fees and direct expenses.

On October 3, 2024, **ARISTEO BERNABE VALENCIA** [#24061208], of Houston, accepted a public reprimand. An investigatory panel of the District 4 Grievance Committee found that Valencia failed to keep his client reasonably informed about the status of her legal matter and promptly comply with reasonable requests for information. Further, upon termination of representation, Valencia failed to refund advance payments of fees that had not been earned and failed to surrender papers to which his client was entitled.

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

**PRIVATE REPRIMANDS**

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for eight 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.

1.03(a)—For failing to keep clients reasonably informed regarding a legal matter and promptly responding to reasonable requests for information (1).

1.03(b)—Failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation (1).

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1.06(b)(2)—Accepting representation of clients when there were conflicts of interest with multiple representations (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 (2).

1.15(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).

1.15(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).

4.02(a)—In representing a client, a lawyer shall not communicate or cause or encourage another to communicate about the subject of the representation with a person, organization, or entity of government the lawyer knows to be represented by another lawyer regarding that subject, unless the lawyer has the consent of the other lawyer or is authorized by law to do so (1).

8.04(a)(3)—A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation (1).

8.04(a)(8)—Failure to timely furnish to the Office of the 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 failure to do so (1). **TBJ**



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