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DISBARMENTS

On Sept. 27, **David Lashford** [#11966850], 59, of Texarkana, was disbarred. An evidentiary panel of the District 1 Grievance Committee found that in representing the complainant, Lashford neglected the complainant's matter and failed to adequately communicate with the complainant and to respond to the complainant's grievance.

Lashford violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,955.39 in attorney's fees and costs.

Lashford had until Oct. 27 to file an appeal.

On Aug. 31, **Monica Ann Capuano** [#00796302], 43, of Austin, was disbarred. An evidentiary panel of the District 9 Grievance Committee found that in the first matter, the complainant hired Capuano to represent her in an uncontested divorce. The complainant paid Capuano \$1,500. Capuano failed to file a petition with the court. Capuano failed to keep the complainant reasonably informed about the status of her case. Capuano was administratively suspended from the practice of law during the representation. Capuano failed to file a response to the complaint.

In a second matter, the complainant hired Capuano to send a cease and desist letter to a former business associate and for related representation as necessary. The complainant later terminated the representation and requested that Capuano return his file as well as any unearned fees, but Capuano failed to do so. Capuano was administratively suspended during the representation. Capuano failed to furnish a written response to the complaint as directed.

In a third matter, the complainant hired Capuano to represent him in an

uncontested divorce. Capuano never filed the petition for divorce and took no action to advance the complainant's case. Capuano failed to keep the complainant reasonably informed about the status of his case. Capuano was administratively suspended during the representation. Capuano failed to furnish a written response to the complaint as directed.

Capuano violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8) and (a)(11). She was ordered to pay \$5,888.58 in attorney's fees and expenses and \$6,000 in restitution.

RESIGNATIONS

On Sept. 29, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Scott A. Scher** [#17743500], 50, of Prosper. At the time of Scher's resignation, there were six pending matters against him that allege neglecting legal matters; failing to keep clients reasonably informed, to respond to reasonable requests for information from clients, to put a contingent fee agreement in writing, to safekeep client property, to return unearned fees and client files upon termination of representation, and to respond to grievances; engaging in conduct involving fraud, dishonesty, deceit, or misrepresentation; violating a disciplinary judgment; and practicing law while administratively suspended.

Scher violated Rules 1.01(b)(1) and (b)(2); 1.03(a); 1.04(d); 1.14(a); 1.15(d); and 8.04(a)(3), (a)(7), (a)(8), and (a)(11).

SUSPENSIONS

On Sept. 2, **Rodney E. Moton** [#24001432], 46, of Houston, accepted a one-year, fully probated suspension



effective Sept. 1. An evidentiary panel of the District 4 Grievance Committee found that Moton neglected a client's legal matter.

Moton violated Rule 1.01(b)(1). He agreed to pay \$544.80 in attorney's fees and costs.

On July 23, **Robert M. Jones** [#10951000], 66, of Dallas, received a 10-year, fully probated suspension effective July 1. The 298th District Court found that Jones was hired by the complainant to pursue claims on automobile dealer bonds. The complainant advanced the funds for filing and service of process fees on six matters. Jones failed to file lawsuits on the six matters and failed to hold the funds advanced separate from his own property. The complainant also paid attorney's fees for Jones to file a motion to lift stay in bankruptcy court on one of the matters. Jones failed to file the motion to lift stay. Jones failed to respond to requests for information regarding the status of the matters and to requests to return the complainant's files, unearned attorney's fees, and the advanced funds.

Jones violated Rules 1.01(b)(1), 1.03(a), 1.14(a), and 1.15(d). He was ordered to pay \$7,899.93 in attorney's fees and costs and \$3,994 in restitution.

On Sept. 20, **Karen Hensley Meinardus** [#13909300], 63, of El Campo, accepted a one-year, fully probated suspension effective Oct. 1. An evidentiary panel of the District 5-C Grievance Committee found that, in two separate matters, Meinardus failed to keep her clients reasonably informed about the status of their legal matters, to promptly comply with reasonable requests for information, and to refund an advance payment of fee that had not been earned. In one of those matters, Meinardus failed to hold fees paid in advance separate from Meinardus' own property in a trust account.

Meinardus violated Rules 1.03(a), 1.14(a), and 1.15(d). She was ordered to

pay \$1,275 in attorney's fees and \$4,200 in restitution.

On Aug. 19, **Herlinda Rodriguez** [#17146200], 63, of Bryan, accepted an 18-month, fully probated suspension effective Sept. 1. An evidentiary panel of the District 8 Grievance Committee found that Rodriguez failed to file an answer on her client's behalf and failed to appear at a hearing, which resulted in a default judgment being entered against her client. Rodriguez further failed to keep her client reasonably informed about the status of his case.

Rodriguez violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(1). She was ordered to pay \$649.14 in attorney's fees and attend three hours of Law Practice Management continuing legal education courses.

On Sept. 23, **Paul W. Seabaugh** [#24010386], 42, of Waynesville, Mo., accepted a four-year, fully probated suspension beginning Sept. 1. An evidentiary panel of the District 4 Grievance Committee found that Seabaugh was hired to represent his client regarding a criminal matter. In representing his client, Seabaugh frequently failed to carry out completely the obligations owed to the client. Seabaugh changed his telephone number and office address without notice to the client. Upon termination of representation, Seabaugh failed to surrender papers and property to which the client was entitled and to refund advance payment of fees that had not been earned.

Seabaugh violated Rules 1.01(b)(2), 1.15(d), and 8.04(a)(10). He agreed to pay \$500 in attorney's fees and costs and \$2,000 in restitution.

On Aug. 18, **Vivica Simmons** [#24027983], 37, of Houston, received a one-year, fully probated suspension effective Sept. 5. The District 4-D Grievance Committee found that in one matter, Simmons was hired for representation in a family law matter,

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but failed to file any documents on behalf of her client and failed to maintain communication with her client. Simmons further failed to respond to the grievance.

In a second matter, Simmons was hired to recover money on behalf of her client, but she failed to perform any action on the client's behalf and further failed to maintain communication with her client. Simmons also failed to respond to the grievance.

Simmons violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She was ordered to pay \$795 in attorney's fees and costs and \$2,500 in restitution.

On Sept. 28, **Glen Allan Nordt** [#15076600], 55, of Houston, accepted a six-month, fully probated suspension effective Oct. 1. The 270th District

Court of Harris County found that in representing a client, Nordt neglected the legal matter entrusted to him and failed to promptly comply with the client's reasonable requests for information.

Nordt violated Rules 1.01(b)(1) and 1.03(a). He agreed to pay \$560 in attorney's fees and costs and \$300 in restitution.

On Oct. 5, **Luis De Los Santos** [#24054449], 33, of Eagle Pass, received a three-year, partially probated suspension effective Nov. 1, with the first two months actively served and the remainder probated. The 365th District Court of Maverick County found that De Los Santos represented opposing parties in the same litigation, had a conflict of interest between existing clients, and failed to keep his client reasonably informed and to obtain the client's con-

sent when he took money from a different person for representing the client.

De Los Santos violated Rules 1.03(a) and (b), 1.06(a) and (b)(1), and 1.08(e). He was ordered to pay \$4,500 in attorney's fees and expenses.

On Oct. 7, **Jonathan E. Bruce** [#00788960], 46, of Houston, accepted a two-year, fully probated suspension effective Nov. 1. An evidentiary panel of the District 4 Grievance Committee found that Bruce was hired to represent his client regarding a civil matter. Bruce neglected the client's matter, failing to perform any work on the civil matter. Bruce failed to maintain communication with the client, refusing to return the client's calls and failing to respond to letters requesting status updates. During the representation, Bruce suffered from an impairment, which affected Bruce's fitness as an attorney. Despite the impairment, Bruce failed to withdraw from representation of the client.

Bruce violated Rules 1.01(b)(1), 1.03(a), and 1.15(a)(2). He agreed to pay \$815.78 in attorney's fees and costs.

On Aug. 27, **Billy John Merchant** [#24031597], 44, of Waco, received a 10-year, partially probated suspension effective Aug. 25, with the first five years actively served and the remainder probated. An evidentiary panel of the District 8 Grievance Committee found that in the first matter, the complainant hired Merchant to transfer a parenting plan from Pierce County, Wash., to Bell County. The complainant paid Merchant \$1,400 in advanced fees which included filing fees. Merchant did not deposit the complainant's funds in a trust or escrow account. Merchant failed to take any meaningful action on the complainant's behalf. The complainant attempted to contact Merchant regarding the status of her case and requested that Merchant return documents that the complainant provided to Merchant relating to her case. Merchant failed to respond to the complainant's requests for

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information and failed to return the complainant's unearned fees or her file. The panel further found that Merchant was served with notice of the complaint, but failed to furnish a response to the Office of Chief Disciplinary Counsel.

In a second matter, the complainant hired Merchant to file suit regarding a medical negligence claim. Merchant failed to file suit on the complainant's behalf, despite having assured the complainant that he had filed the petition. The complainant attempted to contact Merchant regarding the status of her case and requested that Merchant return documents that the complainant provided to Merchant relating to her case. Merchant failed to respond to the complainant's requests for information and failed to return her file. The panel further found that Merchant was served

with notice of the complaint but failed to furnish a response to the Office of Chief Disciplinary Counsel.

Merchant violated Rules 1.01(b)(1), 1.03(a), 1.14(a) and (c), 1.15(d), 8.04(a)(3) and (a)(8). He was ordered to pay \$7,053 in attorney's fees and expenses and \$1,400 in restitution.

REPRIMAND

On Aug. 31, **Stephen Whitson Mitchell** [#14220900], 55, of Fort Worth, received a public reprimand. An evidentiary panel of the District 7-1 Grievance Committee found that Mitchell made a false communication about his qualifications.

Mitchell violated rules 7.01(f) and 7.02(a)(1). He was ordered to pay \$1,025 in attorney's fees. ❖



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