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BODA ACTION

On Oct. 18, 2010, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against **Donald W. Hill** [#09628400], 59, of Dallas. On March 23, 2010, Hill was found guilty of three counts of conspiracy to commit bribery concerning a local government receiving federal benefits and aiding and abetting; one count of conspiracy to commit extortion; one count of extortion by public officials and aiding and abetting; and one count of conspiracy to commit money laundering, intentional crimes as defined in the Texas Rules of Disciplinary Procedure, in Case No. 3:07-CR-289-M(01), styled, *United States of America v. Donald W. Hill a/k/a Don Hill*, in the U.S. District Court for the Northern District of Texas, Dallas Division. Hill was sentenced to 18 years' imprisonment in the U.S. Bureau of Prisons, followed by three years of supervised release. He was ordered to pay \$600 in court costs and \$112,500 in restitution. Hill has appealed the conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 46727.

RESIGNATIONS

On Nov. 30, 2010, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Edward P. Bolding** [#02565550], 74, of Mertzon. The Court found that Bolding was convicted of two counts of fraudulent scheme and artifice, with a value of \$100,000 or more, and was sentenced to five years in the custody of the Arizona Department of Corrections. Bolding was further found guilty of obstructing criminal investigation or prosecution and sentenced to three years' probation, commencing upon the completion of the term of imprisonment. He was also

ordered to pay \$740,765.16 in restitution. These convictions would subject him to compulsory discipline.

On Nov. 30, 2010, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Edward C. Green** [#08348000], 69, of Denison. At the time of Green's resignation, there were two matters pending. In the first matter, Green neglected a probate case in that he failed to file required federal tax forms for the estate and a trust and to remit taxes due; to keep estate funds separate from his own and other clients' funds; to pay property and ad valorem taxes on estate property; to maintain estate fund financial records and to provide an accounting of estate funds and property; to turn over estate property and instead utilized such property for his personal benefit; and to close the estate and disburse property to heirs. Further, Green failed to respond to inquiries from the client and the client's sister for accountings and to provide an explanation for the delay in closing the estate.

In the second matter, Green was hired for representation in a civil matter. Thereafter, Green failed to diligently pursue the matter and failed to respond to his client's reasonable requests for information regarding the matter. In addition, Green failed to reply in writing to the complaints.

Green violated Rules 1.01(b)(1) and (b)(2); 1.03(a) and (b); 1.14(a), (b), and (c); 1.15(d); and 8.04(a)(3) and (a)(8).

On Nov. 30, 2010, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Carlos Correa** [#04839000], 67, of Houston. The Court found that Correa committed perjury and conduct involving fraud, deceit, or misrepresentation.

Correa violated Rules 8.04(a)(2), (a)(3), and (a)(8).



On Nov. 30, 2010, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Anastasios Clinton Roth** [#24033135], 37, of Houston. At the time of Roth's resignation, there were 23 disciplinary matters pending against him alleging neglect; engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; and failure to communicate, to place client funds in trust, to account for client funds, and to respond to the Chief Disciplinary Counsel.

On Nov. 30, 2010, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **William T. Engle, Jr.** [#06623300], 53, of Bedford. At the time of Engle's resignation, there were 10 matters pending against him that allege neglecting legal matters; communicating with one represented by counsel; frequently failing to carry out completely legal obligations owed to the client; and failing to keep clients reasonably informed, to respond to reasonable requests for information from clients, to explain matters to the extent reasonably necessary to permit a client to make informed decisions regarding the representation, to keep client funds in trust or escrow, to render a full accounting regarding client property, to keep client funds in trust or escrow until a dispute has been resolved, to return unearned fees and client files upon termination of representation, and to supervise a nonlawyer; and engaging in conduct involving fraud, deceit, dishonesty, or misrepresentation.

Engle violated Rules 1.01(b)(1) and (b)(2); 1.03(a) and (b); 1.14(a), (b), and (c); 1.15(d); 4.02(a); 5.03(a) and (b); and 8.04(a)(3).

On Nov. 30, 2010, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Teddy L. Potter** [#16178000], 68, of Belton. The Court found that Potter violated the Texas Disciplinary Rules of Professional Conduct in 12 separate matters. In the first matter, Potter knowingly disobeyed an obligation under the standing rules of a tribunal, frequently failed to carry out obligations owed to clients, and failed to furnish a

written response to the complaint. In three matters, Potter neglected his clients' cases and failed to keep his clients informed or respond to requests for information, to return unearned fees, to return the clients' files, and to furnish a written response to the complaints. In another three matters, Potter neglected his clients' cases and failed to return unearned fees and to furnish a written response to the complaints. In three more matters, Potter failed to return unearned fees and failed to furnish a written response to the complaints. In another matter, Potter failed to respond to requests for information and to return the client's file. In the final matter, Potter neglected his client's case and failed to keep his client informed or respond to requests for information and to return unearned fees.

Potter violated Rules 1.01(b)(1) and (b)(2), 1.03(a), 1.15(d), 3.04(d), and 8.04(a)(1) and (a)(8).

The Court concluded that acceptance of Potter's resignation is in the best interest of the public and the profession.

SUSPENSIONS

Editor's Note: A write-up for Keith Alan Ward in January's Disciplinary Actions (p.84) included an incorrect effective date and probationary dates. The correct write-up appears below.

On Oct. 19, 2010, **Keith Alan Ward** [#00797625], 39, of Austin, received a two-year, fully probated suspension effective Dec. 1, 2010. An evidentiary panel of the District 9 Grievance Committee found that Ward received notice of a complaint from the Office of the Chief Disciplinary Counsel with direction to furnish a written response to the complaint within 30 days. The Panel further found that Ward failed to furnish a written response to the complaint as directed.

Ward violated Rules 8.04(a)(1) and (a)(8). He was ordered to pay \$1,106.79 in attorney's fees.

On Dec. 2, 2010, **Moses Cage III** [#24055247], 30, of Irving, received a one-year, fully probated suspension effective Dec. 21, 2010. An evidentiary

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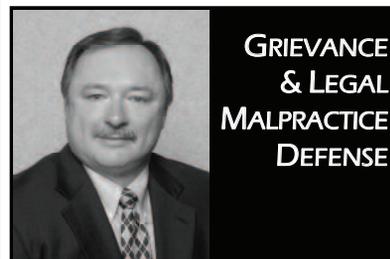
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DISCIPLINARY ACTIONS

panel of the District 6 Grievance Committee found that in representing the complainant, Cage neglected the legal matter entrusted to him. Cage failed to keep the complainant reasonably informed about the status of his divorce action and to promptly comply with reasonable requests for information from the complainant about his divorce action. Upon termination of representation, Cage failed to refund advance payments of fee that had not been earned.

Cage violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$4,691.25 in attorney's fees and \$1,700 in restitution.

Cage had until Jan. 1, 2011, to file an appeal.

On Nov. 22, 2010, **Brenda Vickers** [#18542030], 53, of Bedford, received a three and a half-year, fully probated suspension effective Nov. 22, 2010. The 96th Judicial District Court found that on Sept. 17, 2007, the complainant employed Vickers to defend the complainant's daughter in a criminal prosecution. The complainant paid a \$15,000 fee to be billed against Vickers' designated hourly rate. Vickers failed to safeguard the funds that she received by depositing them in a separate trust or escrow account. In addition, Vickers failed to keep the funds separate until there was an accounting and severance of the complainant's interest in the funds. Finally, Vickers failed to return any portion of the unused funds upon termination of the representation.

Vickers violated Rules 1.14(a) and (c) and 1.15(d). She was ordered to pay \$1,500 in attorney's fees and \$5,252 in restitution.

Vickers had until Dec. 22, 2010, to file an appeal.

On Dec. 2, 2010, **M. Kip Morgan** [#14449200], 52, of Dallas, received a two-year, fully probated suspension effective Dec. 1, 2010. An evidentiary panel of the District 6 Grievance Committee found that Morgan failed to hold funds belonging to the complainant that

were in Morgan's possession in connection with the representation separate from Morgan's own property. Morgan failed to keep funds belonging to the complainant in a separate trust account to promptly deliver to the complainant funds that the complainant was entitled to receive and to disburse funds only to those entitled to receive them.

Morgan violated Rules 1.14(a), (b), and (c). He was ordered to pay \$2,000 in attorney's fees and costs.

On Dec. 20, 2010, **Charles W. Brown** [#03101900], 59, of Houston, accepted a three-year, partially probated suspension effective Dec. 18, 2010, with the first month actively served and the remainder probated. An evidentiary panel of the District 4-C Grievance Committee found that Brown neglected 13 legal matters entrusted to him and failed to keep his clients reasonably informed about the status of their legal matters, to promptly comply with reasonable requests for information, to explain the legal matters to his clients to the extent reasonably necessary for his clients to make informed decisions regarding the representation, and to refund advanced payments of fees that had not been earned. The 13 matters involved Brown's traffic ticket practice.

Brown violated Rules 1.01(b)(1), 1.02(a)(1), 1.03(a) and 1.03(b), and 1.15(d). He agreed to pay \$500 in attorney's fees and \$2,146.32 in restitution.

On Nov. 12, 2010, **Steven Wayne Brooks** [#00793397], 43, of Dallas, received a two-year, fully probated suspension effective Nov. 15, 2010. An evidentiary panel of the District 6 Grievance Committee found that Brooks neglected the legal matter entrusted to him by the complainant. Brooks failed to keep the complainant reasonably informed about the status of the case and to promptly comply with reasonable requests for information from the complainant. Upon termination of representation, Brooks failed to take steps to the



extent reasonably practicable to protect the complainant's interest.

Brooks violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$1,253 in attorney's fees and costs.

On Nov. 1, 2010, **William F. Keeling, Jr.** [#11161400], 58, of San Angelo, received a two-year, partially probated suspension effective Nov. 1, 2010, with the first six months actively served and the remainder probated. An evidentiary panel of the District 15-1 Grievance Committee found that Keeling neglected a client's representation, failed to withdraw from representation when his physical, mental, or psychological condition materially impaired his fitness to practice law; to communicate with his client; and to return an unearned fee.

Keeling violated Rules 1.01(b)(1), 1.03(a), and 1.15(a)(2) and (d). He was ordered to pay \$2,435 in attorney's fees and expenses and \$1,250 in restitution.

REPRIMANDS

On Dec. 7, 2010, **Frank M. Garza** [#07731600], 62, of Corpus Christi, accepted a public reprimand. The District 11 Grievance Committee found that in connection with two criminal law representations, Garza neglected client matters, failed to keep his client reasonably informed, and disobeyed an obligation under the standing rules of court.

Garza violated Rules 1.01(b)(1), 1.02(b)(2), 1.03(a), and 3.04(d). He agreed to pay \$800 in attorney's fees and expenses.

On Jan. 10, **Fred C. McDaniel** [#13527600], 65, of Grapvine, received a public reprimand. An evidentiary panel of the District 7 Grievance Committee found that in representing the complainant, McDaniel failed to keep the complainant reasonably informed about the status of her child custody and visitation modification matter. Upon termination of representation, McDaniel failed to take steps to the extent reasonably

practicable to protect the complainant's interests.

McDaniel violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$1,575 in attorney's fees.

On Dec. 15, 2010, **Larry Logan Warner, Sr.** [#20871500], 65, of Harlin-

gen, accepted a public reprimand. An evidentiary panel of the District 12 Grievance Committee found that Warner neglected a legal matter entrusted to him.

Warner violated Rules 1.01(b)(1). He agreed to pay \$800 in attorney's fees and expenses. ⚡



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CO9-1005-035 (07/10)