



**G**eneral questions regarding attorney discipline should be directed to the Chief Disciplinary Counsel's Office, toll-free (877) 953-5535 or (512) 453-5535. The Board of Disciplinary Appeals may be reached at (512) 475-1578. Information and copies of actual orders are available at [txboda.org](http://txboda.org). The State Commission on Judicial Conduct may be contacted toll-free, (877) 228-5750 or (512) 463-5533. Please note that persons disciplined by the Commission on Judicial Conduct are not necessarily licensed attorneys.

## BODA ACTIONS

On July 26, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against **William George Gammon III** [#07611300], 51, of Houston. On Dec. 14, 2011, Gammon pleaded guilty to one count of possession of child pornography in violation of 18 U.S.C. §§2252A(a)(5)(B) and 2252A(b)(2), an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. H-10-340 styled, *The United States of America v. William George Gammon*, in the U.S. District Court for the Southern District of Texas, Houston Division. Gammon

was sentenced to four years in the custody of the U.S. Bureau of Prisons. Upon his release, Gammon shall be supervised for life with special conditions as a sex offender. He was also ordered to pay an assessment of \$100 and \$375,000 in restitution. Gammon has appealed his criminal conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 50072.

*Editor's Note: This action does not refer to **William B. Gammon** [#07611280], of Austin.*

On July 30, the Board of Disciplinary Appeals signed an interlocutory order of suspension against **William J. Kleinkauf** [#11566500], 65, of Flower Mound. On Sept. 2, 2011, Kleinkauf pleaded guilty to one count of possession of child pornography in violation of 18 U.S.C. §§2252A(a)(5)(B), an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 4:10CR00013-001 styled, *The United States of America v. William J. Kleinkauf*, in the U.S. District Court for the Eastern District of Texas, Sherman Division. Kleinkauf was sentenced to three years in the custody of the U.S. Bureau of Prisons. Upon his release, Kleinkauf shall be supervised for five years. He was also ordered to pay an assessment of \$100. Kleinkauf has appealed his criminal conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 50490.

On July 27, the Board of Disciplinary Appeals signed an agreed judgment of suspension of **Alan Edward Gooding** [#24028488], 38, of Tucson, Ariz. On April 22, 2011, the presiding judge of the Supreme Court of Arizona entered a judgment and order against Gooding in a matter styled: PDJ-2011-9001, State

Bar Nos. 10-0421, 10-1585, 10-1900, 10-1954, *In the Matter of a Member of the State Bar of Arizona, Alan E. Gooding, Bar No. 023060, Respondent*, suspending Gooding from the practice of law for six months and one day in accordance with the agreement for discipline by consent. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Gooding is suspended from the practice of law in Texas for six months, beginning July 27 and ending on Jan. 27, 2013. BODA Cause No. 49549.

On July 31, the Board of Disciplinary Appeals signed a final judgment of disbarment against **Kenneth Alan Thomas** [#19857100], 54, of Dallas. On June 15, 2006, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Thomas because on May 13, 2005, he was found guilty by a jury of aggravated assault, a second-degree felony and an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Cause No. F-2004-1408-C styled, *The State of Texas v. Kenneth Alan Thomas*, in the 211th District Court of Denton County. He was sentenced to eight years in the Institutional Division of the Texas Department of Criminal Justice and ordered to pay a fine in the amount of \$10,000. Thomas appealed the conviction and on April 17, 2007, the Court of Appeals for the Second District of Texas issued its mandate affirming the conviction. BODA Cause No. 37431.

*Editor's Note: This action does not refer to **Kenneth Michael Thomas** [#24037594], of Dallas.*

On July 31, the Board of Disciplinary Appeals signed a final judgment of disbarment against **Helen Tyne Mayfield** [#24014721], 64, of Houston. On Oct. 6, 2008, the Board of Disciplinary

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Appeals signed an interlocutory order of suspension against Mayfield because on July 30, 2008, Mayfield was convicted of three counts of forgery of a financial instrument, in violation of Texas Penal Code 32.21(d), an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 07-05453-CRF-361 styled, *The State of Texas v. Helen Mayfield*, in the 361st District Court of Brazos County in Bryan and three counts of forgery of a financial instrument, in violation of Texas Penal Code 32.21(d), in Case No. 07-05454-CRF-361, styled, *The State of Texas v. Helen Mayfield*, in the 361st District Court of Brazos County. Mayfield was sentenced to two years in the Institutional Division of the Texas Department of Criminal Justice for each count, the sentences to run concurrently. Mayfield appealed the conviction and on March 16, 2011, the Court of Appeals for the 10th District of Texas issued its mandates affirming the convictions. Mayfield answered and appeared at the hearing. BODA Cause No. 42845.

On July 31, the Board of Disciplinary Appeals signed a default judgment of disbarment against **Dawn Darice Handy** (“DeDe Rhoden”) [#24002223], 42, of Fort Worth. Handy did not answer or appear. On April 27, 2007, Handy pleaded guilty to fraudulent possession of a controlled substance or prescription, namely dihydrocodeinone (hydrocodone), a third-degree felony and an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 1018104D styled, *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County. By an unadjudicated judgment on a plea of guilty or nolo contendere and suspending imposition of sentence, Handy was placed on community supervision for a term of five years. On Nov. 2, 2009, Handy pleaded guilty to possession of a controlled substance by fraud, namely zolpidem, a third-degree felony and an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Case

No. 1166830 styled, *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County. By an order of deferred adjudication, Handy was placed on community supervision for a term of five years and Substance Abuse Felony Punishment Facility as a condition of probation. On July 25, 2011, Handy was sentenced to five years in the Institutional Division of the Texas Department of Corrections in Case No. 1018104D styled, *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County. On July 25, 2011, Handy was sentenced to five years in the Institutional Division of the Texas Department of Corrections in Case No. 1166830D styled, *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County. The convictions are final. BODA Cause No. 50075.

On July 26, the Board of Disciplinary Appeals signed an order granting a joint motion to reverse the judgment of disbarment signed by an evidentiary panel of the State Bar District 4-A Grievance Committee in Case No. S0031023393 and remand the matter for rendition and entry of an agreed judgment of an active suspension of **William B. Harrison** [#09125100], 58, of Houston. BODA Cause No. 49760.

*Editor’s Note: This action does not refer to William A. Harrison [#09125000], of Houston.*

### JUDICIAL ACTIONS

On Aug. 30, the State Commission on Judicial Conduct issued a public reprimand to the Hon. **James Patrick “Jim” Sharp, Jr.** [#18116680], 60, justice on the 1st Court of Appeals in Houston, Harris County. The Commission found that Justice Sharp lent the prestige of his judicial office to advance the private interests of his friend and her daughter. Justice Sharp repeatedly contacted employees at the Brazoria County Juvenile Detention Center and identified himself as a Court of Appeals justice in his efforts to secure the early release of the juvenile from the facility. Despite

being informed that Brazoria County had a policy of not releasing juveniles until they could be seen by a magistrate judge, Justice Sharp persistently used his position and authority as an appellate judge to pressure, intimidate, and/or coerce Juvenile Detention employees into giving his friend’s daughter special treatment (i.e., early release in direct contravention of the County’s policy). In addition, Justice Sharp reached out to several influential friends, colleagues, and other public officials in an attempt to enlist their assistance in his ongoing efforts to obtain favorable treatment for his friend’s daughter.

Justice Sharp’s behavior was extensively documented in public records and by the media. In addition, Justice Sharp’s conduct, including his inappropriate and abusive treatment of Brazoria County employees, had the direct consequence

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# DISCIPLINARY ACTIONS

of causing his recusal from all pending cases in which the Brazoria County Attorney's Office is a party, thereby interfering with the proper performance of his judicial duties.

On Sept. 4, the State Commission on Judicial Conduct issued a public warning to the Hon. **William Adams** [#00885800], 52, judge of the county court at law in Rockport, Aransas County. The Commission found that Judge Adams' actions depicted in a 2004 videotape, once publicly released, cast reasonable doubt on his capacity to act impartially as a judge and interfered with the proper performance of his judicial duties. The doubt cast on Judge Adams' capacity to act impartially and the interference caused by the videotaped conduct was evidenced by a March 12 letter from Texas Department of Family and Protective

Services Commissioner Howard Baldwin, as well as by the testimony of several witnesses. The Commission acknowledges that Judge Adams was not aware that he had been secretly videotaped, and that he was not the person who released the videotape on the Internet; however, because Judge Adams regularly presides over and decides child custody, child abuse, and family violence cases, his private conduct did cast public discredit upon the judiciary and the administration of justice. The Commission further concludes that Judge Adams' treatment of certain attorneys in his courtroom, particularly the now-former Aransas county attorney, fell far below the minimum standards of patient, courteous, and dignified courtroom demeanor expected of judicial officials.

## DISBARMENTS

On July 24, **James J. Neel** [#14857500], 65, of Fort Worth, was disbarred. An evidentiary panel of the District 7-2 Grievance Committee found that Neel violated a March 6, 2008, default judgment of active suspension by failing to comply with all the terms. Neel violated a Sept. 10, 2008, default judgment of active suspension by failing to comply with all the terms. Neel failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure. Neel did not in good faith timely assert a privilege or other legal ground for failure to do so.

Neel violated Rules 8.04(a)(7) and (a)(8). He was ordered to pay \$1,533.60 in attorney's fees and costs.

Neel had until Aug. 23 to file an appeal.

On July 24, **Jesus A. Miranda** [#14199599], 50, of Dallas, was disbarred. An evidentiary panel of the District 6-C1 Grievance Committee found that upon termination of representation, Miranda failed to refund the complainant advance payments of fee that had not been earned during his representation in connection with a criminal matter and the posting of an immigra-

tion bond. Miranda failed to timely furnish to the Chief Disciplinary Counsel's office 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.

Miranda violated Rules 1.15(d) and 8.04(a)(8). He was ordered to pay \$3,288.81 in attorney's fees and costs and \$1,500 in restitution.

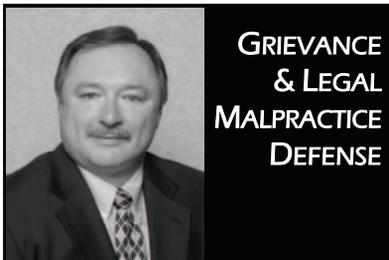
Miranda filed a motion for new trial on Aug. 22. Miranda has until Oct. 22 to file an appeal.

On June 22, **Eric R. Turton** [#20345400], 57, of San Antonio, was disbarred. An evidentiary panel of the District 10-2 Grievance Committee found that Turton failed to hold funds belonging to a client separate from his personal property and to deliver to his client funds that the client was entitled to receive and made misrepresentations and committed a criminal act that reflects adversely on his trustworthiness.

Turton violated Rules 1.14(a), (b), and (c) and 8.04(a)(2) and (a)(3). He was ordered to pay \$3,299.19 in attorney's fees and direct expenses and \$77,500 in restitution.

On July 25, **Gary S. Abrams** [#24010616], 54, of Dallas, was disbarred. An evidentiary panel of the District 6-B2 Grievance Committee found that Abrams neglected a family law matter and failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. Abrams failed to furnish to the Chief Disciplinary Counsel's office a response as required by the Texas Rules of Disciplinary Procedure and did not in good faith timely assert a privilege or other legal ground for such failure. Abrams engaged in the practice of law when his right to practice had been administratively suspended for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education. On May 25, 2010, Abrams was sanctioned with a judgment

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of partially probated suspension. Abrams violated the disciplinary judgment by accepting fees, preparing legal documents, and appearing in court during the active portion of the judgment.

Abrams violated Rules 1.01(b)(1), 1.03(b), and 8.04(a)(7), (a)(8), and (a)(11). He was ordered to pay \$3,639.28 in attorney's fees and \$1,465 in restitution.

Abrams had until Aug. 24 to file an appeal.

On July 27, Abrams was disbarred. An evidentiary panel of the District 6-A1 Grievance Committee found that Abrams failed to keep his client reasonably informed about the status of her family law matter, to return the client file, and to provide an itemized statement and refund advance payments of a fee that had not been earned. Further, Abrams engaged in the practice of law when his right to practice had been suspended for failure to comply with Mandatory Continuing Legal Education requirements.

In a second matter, Abrams failed to keep his client reasonably informed about the status of her criminal law matter. Upon termination, Abrams failed to refund advance payments of a fee that had not been earned. Abrams engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Further, Abrams engaged in the practice of law when his right to practice had been suspended for failure to comply with Mandatory Continuing Legal Education requirements. Finally, Abrams failed to furnish to the Chief Disciplinary Counsel's office a response or other information as required.

Abrams violated Rules 1.01(b)(1); 1.03(a); 1.15(d); and 8.04(a)(3), (a)(8), and (a)(11). He was ordered to pay \$3,414.28 in attorney's fees and costs and \$5,500 in restitution. Abrams had until Aug. 27 to file an appeal.

On June 6, **Manuel A. Velasco** [#20540000], 84, of Pasadena, was disbarred. An evidentiary panel of the District 4-C Grievance Committee found that in three separate counts, Velasco engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation, violated the terms of a disciplinary judgment, and engaged in the practice of law when his right to practice had been actively suspended.

Velasco violated Rules 8.04(a)(3), (a)(7), and (a)(11). He was ordered to pay \$1,585.13 in attorney's fees and costs and \$5,880 in restitution.

On June 25, **Lisa C. Ross** [#17297950], 51, of Houston, was disbarred. An evidentiary panel of the District 4-D Grievance Committee found that Ross failed to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information. Upon Ross' receipt of client settlement funds, she failed to deposit those funds into her attorney trust account and to disburse any settlement funds to the client and/or interested third parties. Ross engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Ross failed to furnish the Chief Disciplinary Counsel's office with a response to the grievance.

Ross violated Rules 1.03(a), 1.14(a) and (b), and 8.04(a)(3) and (a)(8). She was ordered to pay \$1,670 in attorney's fees and costs and \$5,090 in restitution.

On June 21, **Tiffany R. Mooney** [#24038468], 39, of Houston, was disbarred. An evidentiary panel of the District 4-D Grievance Committee found that in two counts, Mooney neglected the client's legal matter and failed to keep the client reasonably informed about the status of their matter and to promptly comply with reasonable requests for information from the client. Mooney received settlement funds in which the client had an interest, but failed to promptly deliver to the client funds that the client was entitled to receive. Mooney failed to keep the client's funds separate from her own until there was an accounting and severance of their interests. Upon termination of representation, Mooney failed to refund any advance payments of fee that had not been earned. Mooney committed a serious crime or other criminal act that

reflects adversely on Mooney's honesty, trustworthiness, or fitness as a lawyer. Mooney engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Mooney failed to furnish to the Chief Disciplinary Counsel's office a response to the underlying grievance.

Mooney violated Rules 1.01(b)(1); 1.03(a); 1.14(b) and (c); 1.15(d); and 8.04(a)(2), (a)(3), and (a)(8). She was ordered to pay \$1,709.25 in attorney's fees and costs and \$18,950 in restitution.

On Aug. 3, **Daniel A. Bass** [#01875695], 56, of San Antonio, was disbarred. The 285th District Court of Bexar County found that Bass engaged in professional misconduct.

Bass violated Rules 1.01(b)(1), 1.03(a) and (b), 1.14(a), 1.15(a)(1) and (d), and 8.04(a)(8) and (a)(10). He was ordered to pay \$9,262.49 in attorney's fees and costs.

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## RESIGNATION

On Aug. 29, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Anthony J. Flores** [#00796556], 47, of Farmers Branch. The Court found that on Jan. 10, a judgment in a criminal case was entered in Case No. 4:10CR00057-22, styled *United States of America v. Anthony Flores*, in the U.S. District Court for the Eastern District of Texas, Sherman Division, wherein Flores pleaded guilty to conspiracy to commit mail and wire fraud, in violation of 18 U.S.C. §1349 and was committed to the custody of the U.S. Bureau of Prisons for a total term of 39 months, ordered that upon release from imprisonment to be on supervised release for a term of three years, ordered to pay \$100 in an assessment, and \$9,268,708 in restitution.

This conviction would subject Flores to compulsory discipline.

## SUSPENSIONS

On July 10, **T.W. Schueller** [#17823200], 64, of Wichita Falls, agreed to a two-year, partially probated suspension effective Aug. 1, with the first three months actively served and the remainder probated. An evidentiary panel of the District 14-1 Grievance Committee found that Schueller engaged in the practice of law when his right to practice had been administratively suspended for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education. Schueller failed to respond to the grievance.

Schueller violated Rules 8.04(a)(8) and (a)(11). He was ordered to pay \$800 in attorney's fees and costs.

On July 10, Schueller agreed to a two-year, partially probated suspension effective Aug. 1, with the first three months actively served and the remainder probated. An evidentiary panel of the District 14-1 Grievance Committee found that Schueller violated a disciplinary judgment by failing to pay attorney's fees and direct expenses to the State Bar of Texas as ordered. Schueller failed to respond to the grievance.

Schueller violated Rules 8.04(a)(7) and (a)(8). He was ordered to pay \$4,000 in attorney's fees and costs.

On June 25, **Jaime E. Rocha** [#24037376], 40, of League City, received a three-year, partially probated suspension effective June 11, with the first two years actively served and the remainder probated. An evidentiary panel of the District 5-B Grievance Committee found that in representing the complainants, Rocha neglected the legal matters entrusted to him and failed to keep the complainants reasonably informed, to promptly comply with reasonable requests for information, to deliver the client's file upon request, and to respond to the grievances.

Rocha violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was

ordered to pay \$2,650.59 in attorney's fees and costs and \$13,500 in restitution.

Rocha did not file an appeal.

On July 23, **Jesus A. Miranda** [#14199599], 50, of Dallas, received a two-year, fully active suspension effective July 12. An evidentiary panel of the District 6 Grievance Committee found that Miranda failed to keep the complainant reasonably informed about the status of his criminal matter, to promptly comply with reasonable requests for information from the complainant about his criminal matter, and to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure or assert a privilege or other legal ground for failure to do so.

Miranda violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$2,818.85 in attorney's fees and costs.

Miranda filed a motion for new trial on Aug. 22. Miranda has until Oct. 21 to file an appeal.

On July 23, Miranda received a two-year, fully active suspension effective July 12. An evidentiary panel of the District 6 Grievance Committee found that in representing the complainant in a misdemeanor case, Miranda neglected the legal matter entrusted to him. Miranda failed to keep the complainant reasonably informed about the status of his misdemeanor matter and to promptly comply with reasonable requests for information from the complainant about the matter. Upon termination of representation, Miranda failed to refund advance payments of fee that had not been earned. Miranda failed to timely furnish to the Chief Disciplinary Counsel's office 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.

Miranda violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$3,604.77 in attorney's fees and costs and \$750 in restitution.

Miranda filed a motion for new trial

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on Aug. 22. Miranda has until Oct. 21 to file an appeal.

On July 25, **Kip Kevin Lamb** [#11837400], 56, of Beaumont, received an interim suspension effective July 1. The 58th District Court of Jefferson County in Beaumont ordered the suspension pending the final disposition of underlying disciplinary cases. Lamb may not accept any new client matters, hold himself out as an attorney at law, perform any legal service for others, or appear as counsel in a proceeding in any Texas court or before any Texas administrative body.

On July 31, **Lawrence B. Mitchell** [#14217500], 65, of Dallas, received a two-year, fully probated suspension effective July 31. The 14th Judicial District Court of Dallas County found that in representing the complainant, Mitchell neglected the legal matter entrusted to him. In addition, Mitchell failed to keep the complainant reasonably informed regarding the status of his matter and to promptly comply with his reasonable requests for information. Furthermore, Mitchell failed to explain matters to the extent reasonably necessary to permit the complainant to make informed decisions regarding the representation.

Mitchell violated Rules 1.01(b)(1) and 1.03(a) and (b). He was ordered to pay \$10,000 in attorney's fees and costs and \$10,000 in restitution.

Mitchell has until Aug. 30 to file an appeal.

On Aug. 1, **Bradley W. Shields** [#24002938], 41, of La Feria, accepted an 18-month, fully probated suspension effective July 24. An evidentiary panel of the District 12-3 Grievance Committee found that Shields neglected a client's case and failed to communicate with a client, to refund the unearned portion of a fee, and to file a response to the grievance.

Shields 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 attorney's fees and expenses and \$600 in restitution.

On June 25, **Cyril O. Chukwurah** [#24048394], 56, of Houston, received a four-year, fully active suspension effective June 21. An evidentiary panel of the District 4-D Grievance Committee found that upon Chukwurah's receipt of client settlement funds, he failed to hold those funds separate from his own property and to promptly disburse any settlement funds to the client and/or interested third parties.

Chukwurah violated Rules 1.14(a) and (b). He was ordered to pay \$1,783.40 in attorney's fees and costs.

Chukwurah filed a motion for new trial.

On July 14, **H. Keith Lynch** [#12726000], 66, of Houston, received a two-year, fully active suspension effective July 5. An evidentiary panel of the District 4-D Grievance Committee found that Lynch failed to keep his client reasonably informed about the status of his legal matter, to promptly comply with reasonable requests for information, and to respond to the grievance and engaged in the practice of law when his right to practice had been suspended.

Lynch violated Rules 1.03(a) and 8.04(a)(8) and (a)(11). He was ordered to pay \$1,210 in attorney's fees and costs.

On July 24, **Edward Chamberlain Burwell** [#00790402], 45, of Houston, accepted a one-year, fully probated suspension effective Aug. 1. The 334th District Court of Harris County found that Burwell failed to keep his client reasonably informed about the status of the client's legal matter.

Burwell violated Rule 1.03(a). He agreed to pay \$605 in attorney's fees and expenses.

On July 23, **Felix O'Neill Rippy** [#16937400], 50, of Round Rock, received a one-year, fully probated suspension effective July 23 from the 227th District Court of Williamson County.

Rippy violated Rules 1.09(b) and 8.04(a)(1). He was ordered to pay \$22,166.64 in attorney's fees and costs. ❖



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