

General 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. 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.

RESIGNATIONS

On April 15, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Jimmy V. Delgado** [#00793608], 51, of San Antonio. At the time of resignation, the following matters were pending: Delgado settled two personal injury cases without the consent of his clients, failed to hold the settlement funds in trust, failed to promptly notify and deliver the settlement funds to his clients, and failed to surrender the client file. In connection with a third personal injury case, respondent neglected the case and failed to keep his client reasonably informed.

In all three matters, respondent failed to give written notice to his clients of a disciplinary suspension that began on Feb. 20, 2011. In a probate matter, respondent held himself out as an attorney after he was suspended from the practice of law and falsely claimed to be a secured creditor of the estate.

Delgado violated Rules 1.01(b)(1), 1.02(a)(2), 1.03(a)(b), 1.04(d), 1.14(a)(b), 1.14(c), 1.15(d), 3.03(a)(1), 8.04(a)(1), 8.04(a)(3), and 8.04(a)(7).

On April 15, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Laurie S. Gallagher** [#24000166], 45, of Austin. At the time of Gallagher's resignation, on Dec. 31, 2010, Gallagher was administratively suspended from the practice of law for failure to comply with minimum continuing legal education requirements. In June or July 2011, while still suspended, Gallagher agreed to file a civil suit on behalf of complainants. Complainants paid Gallagher a \$720 advance fee to begin work on the case. Gallagher failed to take any action in the case. After terminating the representation, complainants requested that Gallagher refund any unearned payment of fees, but Gallagher failed to do so.

Beginning in 2009, Gallagher represented one complainant in a divorce and child custody case. While suspended, Gallagher filed pleadings in the 200th Judicial District Court on behalf of complainant throughout 2011, represented complainant at the final hearing, and signed the final decree of divorce on Oct. 3, 2011. In August 2011, after complainant's former spouse failed to comply with court requirements regarding drug

testing, complainant hired Gallagher to petition the court to prohibit his former spouse's contact with the children. From approximately October 2011 through December 2011, complainant attempted to contact Gallagher regarding the status of the case, but Gallagher failed to respond. Gallagher failed to furnish a written response to the complaint as directed.

Gallagher violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(1), 8.04(a)(8), and 8.04(a)(11).

On April 15, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **David Escobar** [#06665500], 64, of El Paso. At the time of Escobar's resignation, a judgment in a criminal case had been entered in Case No. EP-10-CR-2284-FM(5) styled *United States of America v. David Escobar, Defendant*, in the U.S. District Court for the Western District of Texas, El Paso Division, wherein Escobar pled guilty to count 7 of the indictment. He was convicted of conspiring to commit mail fraud and wire fraud and deprivation of the right to honest services, in violation of 18 U.S.C. 1349, 1346, 1341, and 1343, and was committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of 41 months and further ordered upon release from imprisonment to be on supervised release for a term of three years. Escobar was further ordered to pay an assessment of \$100, a fine of \$10,000, and restitution in the amount of \$42,077.24.

This conviction would have subjected Escobar to compulsory discipline.

SUSPENSIONS

On March 12, 2013, **Laurie S.**

ATTORNEY GRIEVANCES

DON'T REPRESENT YOURSELF!

How often do you advise clients to represent themselves when accused of wrongdoing?

Why give yourself different advice?

CONSULTATION OR REPRESENTATION

STEVEN L. LEE

OVER 30 YEARS EXPERIENCE

11 years experience with the State Bar of Texas as Assistant and Deputy General Counsel as well as Acting General Counsel

LIONE & LEE, P.C.

3921 STECK AVENUE
SUITE A-119

AUSTIN, TEXAS 78759

(512) 346-8966

Representing Lawyers & Law Students Since 1991

STATEWIDE REPRESENTATION

Gallagher [#24000166], 45, of Austin, received a default four-year partially probated suspension effective March 11, 2013, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that on Dec. 31, 2010, Gallagher was administratively suspended from the practice of law for failure to comply with minimum continuing legal education requirements. In June or July 2011, while still suspended, Gallagher agreed to file a civil suit on behalf of complainants. Complainants paid Gallagher a \$720 advance fee to begin work on the case. Gallagher failed to take any action in the case. After terminating the representation, complainants requested that Gallagher refund any unearned payment of fees, but Gallagher failed to do so.

Beginning in 2009, Gallagher represented one complainant in a divorce and child custody case. While suspended, Gallagher filed pleadings in the 200th Judicial District Court on behalf of complainant throughout 2011, represented complainant at the final hearing, and signed the final decree of divorce on Oct. 3, 2011. In August 2011, after complainant's former spouse failed to comply with court requirements regarding drug testing, complainant hired Gallagher to petition the court to prohibit his former spouse's contact with the children. From approximately October 2011 through December 2011, complainant attempted to contact Gallagher regarding the status of the case, but Gallagher failed to respond. Gallagher failed to furnish a written response to the complaint as directed.

Gallagher violated Rules 1.01(b)(1), 1.03(a), 1.15(d), 8.04(a)(1), 8.04(a)(8), and 8.04(a)(11). She was ordered to pay \$3,743.96 in attorneys' fees and costs and \$720 in restitution.

On March 16, 2013, **Gilbert Medina Jr.** [#13894975], 61, of Dallas, received

an 18-month fully probated suspension effective March 1, 2013. An evidentiary panel of the District 6 Grievance Committee found that Medina violated the terms of a judgment of probated suspension by failing to pay the ordered attorneys' fees and costs.

Medina violated Rule 8.04(a)(7). He was ordered to pay \$1,278.06 in attorneys' fees and direct expenses.

On March 20, 2013, **Anthony P. Griffin** [#08455300], 58, of Galveston, received an agreed judgment of a one-year fully probated suspension effective Aug. 30, 2013. The 10th District Court of Galveston County found that Griffin violated 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 1.04(d) [a contingent fee agreement shall be in writing and shall state the method by which the fee is to be determined], and 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 fee that has not been earned].

Griffin was ordered to pay \$2,350 in restitution and \$2,500 in attorneys' fees and direct expenses.

On April 8, 2013, **Joshua Todd Turman** [#24013661], 40, of Arlington, accepted a two-year partially probated suspension effective May 1, 2013, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 7 Grievance Committee found that Turman failed to promptly deliver to complainant funds that complainant

was entitled to receive. Turman failed to keep the funds that complainant was entitled to receive separate in a trust account until there was an accounting and severance of interest. Turman disbursed funds in a trust or escrow account to a person not entitled to receive them by virtue of the representation or by law. Turman engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Turman violated Rules 1.14(b), 1.14(c), and 8.04(a)(3). He was ordered to pay \$5,777 in restitution and \$750 in attorneys' fees and costs.

On April 8, 2013, **Joshua Todd Turman** [#24013661], 40, of Arlington, accepted a six-year partially probated suspension effective May 1, 2013, with the first three years actively served and the remainder



HASLEY SCARANO, L.L.P.
ATTORNEYS & COUNSELORS

OUR TRIAL TEAM HAS THE EXPERIENCE AND UNPARALLELED SUCCESS TO GET THE RIGHT RESULTS.

JENNIFER A. HASLEY
BOARD CERTIFIED, CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION
20 YEARS TRIAL EXPERIENCE
INCLUDING AS
ASSISTANT DISCIPLINARY COUNSEL
STATE BAR OF TEXAS

GREGORY M. HASLEY
20 YEARS TRIAL EXPERIENCE
FORMER VICE-CHAIR OF THE
TEXAS DISCIPLINARY RULES OF
PROFESSIONAL CONDUCT COMMITTEE

VICTOR R. SCARANO
BOARD CERTIFIED, FORENSIC PSYCHIATRY
24 YEARS TRIAL EXPERIENCE
INCLUDING AS A MEMBER OF THE
DISABILITY ISSUES COMMITTEE AND
TEXAS LAWYERS ASSISTANCE PROGRAM

**STATEWIDE PRACTICE
ETHICS, GRIEVANCE DEFENSE,
DISCIPLINARY APPEALS, AND
LEGAL MALPRACTICE**

5252 WESTCHESTER, SUITE 125
HOUSTON, TEXAS 77005
713.667.6900 / 713.667.6904 FAX

info@hasleyscarano.com
www.hasleyscarano.com

DISCIPLINARY ACTIONS

probated. An evidentiary panel of the District 7 Grievance Committee found that Turman failed to abide by complainant's decisions concerning the objectives and general methods of Turman's representation of complainant's minor daughter. Turman failed to hold funds belonging to complainant's daughter that were in Turman's possession in connection with the representation separate from Turman's own property. Turman failed to promptly notify the complainant of the receipt of funds on behalf of his daughter and failed to promptly deliver to complainant funds that his daughter was entitled to receive. Turman disbursed funds in a trust or escrow account to persons not entitled to receive them by virtue of the representation or by law. Turman engaged in conduct involving dishonesty, fraud, deceit, or misrepresenta-

tion. In addition, Turman failed to timely furnish to the chief disciplinary counsel's office a response and asserted no grounds for his failure to do so.

Turman violated Rules 1.02(a)(1), 1.14(a), 1.14(b), 1.14(c), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$26,173 in restitution and \$750 in attorneys' fees and costs.

On April 9, 2013, **Robert Francis Gier** [#24041050], 38, of San Antonio, received a three-month fully probated suspension effective April 15, 2013. An evidentiary panel of the District 10 Grievance Committee found Gier failed to promptly comply with reasonable requests for information from his client.

Gier violated Rule 1.03(a) and was ordered to pay \$800 in restitution and \$500 in attorneys' fees and expenses.

On April 1, 2013, **Suzanne M. Kramer** [#11707550], 53, of San Antonio, received a six-month fully probated suspension effective May 1, 2013. The 150th District Court of Bexar County found Kramer violated 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].

Kramer was ordered to pay \$2,500 in restitution and \$1,500 in attorneys' fees.

On April 8, 2013, **Houston C. Munson III** [#14672300], 54, of Gonzalez, received a three-year fully probated suspension. An evidentiary panel of the District 11 Grievance Committee found Munson failed to communicate with a client, violated the terms of a disciplinary judgment, and made a false statement of material fact during the investigation of a disciplinary matter.

Munson violated Rules 1.03(a), 8.01(a), and 8.04(a)(10) and was ordered to pay \$1,500 in attorneys' fees and direct expenses.

On April 9, 2013, **Edward Chamberlain Burwell** [#00790402], 45, of Houston, received a two-year partially probated suspension effective May 1, 2013, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that in representing complainant, Burwell neglected the legal matter entrusted to him, and upon termination of representation, Burwell failed to refund advance payments of fee that had not been earned.

Burwell violated Rules 1.01(b)(1) and 1.15(d). He was ordered to pay \$3,500 in restitution and \$600 in attorneys' fees.

On April 22, 2013, **Hugh M. Hodges Jr.** [#09767000], 68, of Dallas, received a three-year active sus-

STATE BAR GRIEVANCE DEFENSE

LEGAL MALPRACTICE

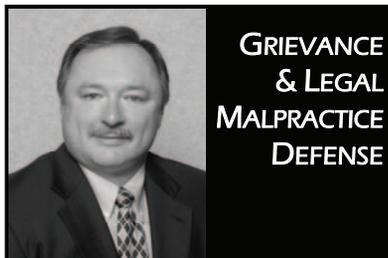
*Over 30 Years
Experience*

WAYNE H. PARIS

Eight Greenway Plaza, Suite 818,
Houston, Texas 77046
(713) 951-9100

Statewide Representation

*Will you REPRESENT YOURSELF?
Socrates did and how did that
turn out for him?*



BRUCE A. CAMPBELL

OVER 25 YEARS EXPERIENCE IN
DISCIPLINARY MATTERS AND
LEGAL MALPRACTICE DEFENSE

STATEWIDE PRACTICE

CAMPBELL & CHADWICK, PC
4201 SPRING VALLEY RD.
SUITE 1250
DALLAS, TX 75244

972-277-8585 (O)
972-277-8586 (F)

INFO@CLLEGAL.COM
CAMPBELLCHADWICK.COM

DISCIPLINARY ACTIONS

pension effective April 11, 2013. An evidentiary panel of the District 6 Grievance Committee found that Hodges failed to explain the criminal matter to the extent reasonably necessary to permit complainant and her son to make informed decisions regarding the representation of complainant's son. Hodges failed to keep the fees paid by complainant in a separate trust account, and upon termination of representation, failed to refund advance payments of fee that had not been earned. Hodges engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees.

Hodges violated Rules 1.03(b), 1.14(a), 1.15(d), and 8.04(a)(11). He was ordered to pay \$2,750 in restitution, \$3,328.75 in attorneys' fees, and \$297.35 in direct expenses.

PUBLIC REPRIMANDS

On March 8, 2013, **Cathy Jean Adams** [#00793226], 53, of Kaufman, received a judgment of public reprimand. An evidentiary panel of the District 1 Grievance Committee found that in representing complainant in a child support matter and divorce action, Adams neglected the legal matter entrusted to her. Adams failed to keep complainant reasonably informed about the status of the family law matter. Adams failed to promptly comply with reasonable requests for information from complainant. Upon termination of representation, Adams failed to surrender papers and property to which complainant was entitled and failed to refund advance payments of fee that had not been earned.

Adams violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). She was ordered to pay \$500 in restitution, \$1,230 in attorneys' fees, and \$229.45 in direct expenses.

On April 1, 2013, **James Wadkins Lee III** [#12144000], 74, of Dallas,

received an agreed judgment of public reprimand. An evidentiary panel of the District 6 Grievance Committee found that in representing complainant, Lee neglected the legal matter entrusted to him. Lee failed to keep the complainant reasonably informed about the status of his matter and comply with his requests for information. Lee failed to explain matters to the extent reasonably necessary to permit complainant to make informed decisions about the representation.

Lee violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). He was ordered to pay \$1,100 in attorneys' fees and costs.

On April 18, 2013, **Thomas H. Johnson** [#00796069], 46, of Texarkana, Ark., received an agreed judgment of public reprimand. An

**When your client becomes your adversary...
It's time to hire
Gaines West**

**State Bar of Texas
Grievance Oversight Committee**
Appointed by the Texas Supreme Court
*Chair, 2006-2010
Member, 2004-2010*

**Texas Board of
Disciplinary Appeals**
Appointed by the Texas Supreme Court
*Chairman, 2001-2003
Vice Chairman, 1994-1996/1998-2000
Member, 1992-1996, 1997-2003*

**State Bar of Texas
Disciplinary Rules of Professional
Conduct Committee**
Member, 1993-1996

**Disciplinary
Review Committee**
Member, 1991-1992

Texas Bar Foundation, Fellow
State Bar of Texas, Member
Brazos County Bar Association, Member

**WEST • WEBB
ALBERTSON
& GENTRY**

**EXPERIENCE,
DEPTH-OF-STAFF,
DIPLOMACY,
TENACITY**



Representing Attorneys
Principal Office – 979.694.7000
1515 Emerald Plaza • College Station, TX 77845
Austin – 512.501.3617
260 Addie Roy Rd., Suite 204 • Austin, TX 78746
www.westwebblaw.com



Have you heard?

We're Preferred.

**TLIE selected as a
Preferred Provider by
the State Bar of Texas**

Texas Lawyers' Insurance Exchange already has 33 years of experience and reliability providing malpractice insurance to Texas lawyers and judges. And, now the State Bar of Texas has selected TLIE as a preferred provider of Professional Liability Insurance – giving you even more reason to protect yourself against a claim.

Reliable, dependable coverage provided by a trusted carrier. TLIE has provided affordable legal malpractice protection to over 5,000 Texas lawyers and judges. Isn't it time that you protect yourself?

**512.480.9074
1.800.252.9332
INFO@TLIE.ORG
WWW.TLIE.ORG**



DISCIPLINARY ACTIONS

evidentiary panel of the District 1 Grievance Committee found that in representing complainant, Johnson failed to keep complainant reasonably informed about the status of the matter and promptly comply with her reasonable requests for information. In addition, Johnson 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.

Johnson violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$500 in attorneys' fees and costs.

On April 23, 2013, **Marty K. Cannedy** [#03743900], 58, of Wichita Falls, received an agreed judgment of public reprimand. An evidentiary panel of the District 14 Grievance Committee found that in representing complainants, Cannedy neglected

the legal matters entrusted him. Cannedy frequently failed to carry out completely the obligations Cannedy owed to complainants. In addition, Cannedy knowingly disobeyed an obligation under the standing rules of or a ruling by a tribunal.

Cannedy violated Rules 1.01(b)(1), 1.01(b)(2), and 3.04(d). He was ordered to pay \$1,961.08 in attorneys' fees.

PRIVATE REPRIMANDS

Listed below is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for nine attorneys, with the number in parentheses indicating the frequency of violation. Please note that an attorney may be reprimanded for more than one rule violation.

1.01(a)—for accepting or continuing employment in a legal matter which

the lawyer knew or should have known was beyond lawyer's competence (1)

1.01(b)(1)—for neglecting a legal matter entrusted to the lawyer (6)

1.03(a)—for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (4)

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

1.15(d)—for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property which belongs to the client (3)

BUILDING ON 50 YEARS OF SERVICE TO THE LEGAL COMMUNITY.



The **ABA RETIREMENT FUNDS PROGRAM** is proud to celebrate its 50th year of providing comprehensive and affordable retirement plans exclusively to the legal community. Your membership has made the Program a success. *Thank You.* Find out what thousands of Program member firms already know about saving for retirement.

Call an ABA Retirement Funds Program
Regional Representative today!
(866) 812-1510 | www.abaretirement.com
joinus@abaretirement.com

The Program is available through the State Bar of Texas as a member benefit. This communication shall not constitute an offer to sell or the solicitation of an offer to buy, or a request of the recipient to indicate an interest in, and is not a recommendation of any security. Securities offered through ING Financial Advisers, LLC (Member SIPC). The ABA Retirement Funds Program and ING Financial Advisers, LLC, are separate, unaffiliated companies and are not responsible for one another's products and services.

CN0311-8581-0415



State Bar of Texas
members are eligible
whether or not they
are members of
the American Bar
Association.

