

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.

REINSTATEMENTS

On Oct. 1, 2013, **McCuller C. Stephens III** [#19158750], 56, of Houston, filed a petition in the 295th District Court of Harris County (Cause No. 2013-58703) for reinstatement as a member of the State Bar of Texas.

DISBARMENTS

On June 28, 2013, **Craig F. Sandling** [#17621700], 59, of Austin, was disbarred. An evidentiary panel of the District 9 Grievance Committee found that complainant hired Sandling on or about March 9, 2012, to secure his release from jail and to represent him in five criminal cases. Complainant paid Sandling \$29,500,

of which \$20,000 was an advanced fee for Sandling to represent complainant in the criminal cases, and the remaining \$9,500 was paid to a bail bonds company to secure complainant's release from jail. Sandling did not deposit any of the fees paid for complainant's representation into a trust or escrow account. Complainant terminated the representation shortly thereafter and requested a refund of unearned fees. Sandling did minimal work to obtain complainant's release but did not enter a notice of appearance in any of his cases. Sandling failed to return any unearned fees.

Sandling violated Rules 1.14(a), 1.14(c), 1.15(d), and 8.04(a)(1). San-

dling was ordered to pay \$19,500 in restitution and \$9,551.94 in attorneys' fees and expenses.

Sandling has filed an appeal.

RESIGNATIONS

On Sept. 30, 2013, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Alto V. Watson III** [#20932800], 53, of Beaumont. While employed at a law firm, Watson wrongfully billed clients separately for his services and personally accepted client funds meant for the law firm and deposited the funds into his personal accounts for his own use and benefit. Additionally, on Aug. 5, 2013, Watson was placed on five years deferred adjudication for the offense of theft. As part of the terms of supervision, Watson was ordered to pay restitution in the amount of \$29,320 and was also ordered to surrender his law license to the State Bar of Texas.

Watson violated Rules 1.14(a), 1.14(b), 8.04(a)(2), and 8.04(a)(3).

SUSPENSIONS

On Aug. 21, 2013, **Stuart L. Leeds** [#12151500], 58, of El Paso, agreed to a five-month active suspension effective Aug. 1, 2013. The District 17 Grievance Committee found Leeds unreasonably increased the cost and burdens of the case or unreasonably delayed resolution of the matter.

Leeds violated Rule 3.02 and was ordered to pay \$1,500 in attorneys' fees and direct expenses.

On Aug. 6, 2013, **Allyson A. Egan Rowe** [#24030173], 48, of Round Rock, received a two-year partially probated suspension effective Oct. 1, 2013, with six months actively suspended and the remainder probated. An evidentiary panel of the District

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8 Grievance Committee found that on Feb. 7, 2012, Rowe was convicted of assault by strangulation/family violence, a third-degree felony, and was sentenced to 10 years in the Texas Department of Criminal Justice, said sentence being probated for a period of five years subject to conditions of supervision imposed by the court. In early April 2011, Rowe, knowing that a criminal investigation or official proceeding was pending or in progress on the above-referenced matter, prepared and presented an affidavit for a family member that contained materially false statements concerning evidence of the assault/family violence incident, with the intent to have the family member sign the affidavit and to present it to authorities during the investigation. The family member refused to sign the affidavit. The affidavit prepared by Rowe con-

tained materially false statements concerning evidence of the assault/family violence incident that resulted in Rowe's conviction as referenced above.

Rowe violated Rules 8.04(a)(2) and 8.04(a)(3). She was ordered to pay \$1,199.02 in direct expenses.

On Aug. 23, 2013, **Jacques Evan Trevino** [#00797571], 45, of Edinburg, received a seven-year partially probated suspension effective Oct. 8, 2013, with the first two years actively served and the remainder probated. The District 12 Grievance Committee found Trevino failed to keep client funds separate from his personal property, failed to promptly deliver funds, failed to ensure a non-lawyer staff member's conduct was compatible with his professional obligations, and engaged in conduct involving misrepresentation. Notice of appeal received.

Trevino violated Rules 1.14(a), 1.14(b), 1.14(c), 5.03(a), 5.03(b), and 8.04(a)(3) and was ordered to pay \$91,667 in restitution and \$3,477.60 in attorneys' fees and direct expenses.

On Sept. 13, 2013, **Brian Anthony Hamner** [#24041050], 37, of San Antonio, accepted an 18-month fully probated suspension effective Sept. 18, 2013. The District 10 Grievance Committee found Hamner neglected a client matter, failed to communicate with a client, and failed to refund the unearned portion of a legal fee.

Hamner violated Rules 1.01(b)(1), 1.03(a), 1.03(b), and 1.15(d) and was ordered to pay \$2,050 in restitution and \$800 in attorneys' fees and direct expenses.

On Aug. 21, 2013, **Jennifer Lee Parks** [#24056095], 32, of Fort Worth,

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received a five-year probated suspension effective Aug. 14, 2013. An evidentiary panel of the District 7 Grievance Committee found that Parks was hired to represent a client in a bankruptcy matter. Parks neglected the legal matter entrusted to her by failing to file the bankruptcy on her client's behalf. Further, Parks failed to keep the client reasonably informed about the status of the matter and failed to promptly comply with reasonable requests for information from the client. Upon termination of the representation, Parks failed to refund advance payments of fees that had not been earned.

Parks violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). She was ordered to pay \$2,650 in restitution, \$2,212.50 in attorneys' fees, and \$307.42 direct expenses.

On Sept. 11, 2013, **Perry Don Cortese** [#00790508], 50, of Little River Academy, received a three-month fully probated suspension effective Sept. 15, 2013. The 169th District Court of Bell County found that Cortese violated Rule 1.14(a) [requiring a lawyer to 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], Rule 1.15(d) [requiring a lawyer upon termination of representation to 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], and Rule 8.04(a)(1) [prohibiting lawyers from violating the disciplinary rules].

Cortese was ordered to pay \$700 in attorneys' fees and costs.

A notice in the October issue indicated that **David Patrick Smitherman** [#24027992], 39, of Houston, received a three-year partially probated suspension on July 19, 2013, and that Smitherman had filed a notice of appeal. As the result of an order signed by the trial judge, the sanctions set forth in the judgment have been stayed during the pendency of the appeal, so that Smitherman has not been placed on suspension. At all times since the judgment was signed on July 19, Smitherman has been in good standing with the Bar, and he remains in good standing at the present time.

On Sept. 6, 2013, **Rogelio Vargas** [#00791848], 46, of San Antonio, accepted a four-year fully probated suspension effective Oct. 31, 2013. The District 10 Grievance Committee found Vargas neglected client matters, failed to keep clients reasonably informed, failed to return unearned fees, and failed to timely respond to grievances.

Vargas violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(8) and was ordered to pay \$14,300 in restitution and \$800 in attorneys' fees and direct expenses.

On Aug. 19, 2013, **Stephen Mark Naslund** [#14812600], 56, of Amarillo, received an 18-month active suspension effective Aug. 9, 2013. An evidentiary panel of the District 13 Grievance Committee found that Naslund failed to pay attorneys' fees and costs as required under a Dec. 20, 2010, default judgment of partially probated suspension. Additionally, Naslund failed to complete five additional hours of continuing legal education in the area of ethics as required under the judgment. Finally, Naslund failed to furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure,

or assert any grounds for his failure to do so.

Naslund violated Rules 8.04(a)(7) and 8.04(a)(8). He was ordered to pay \$1,000 in attorneys' fees and \$707.37 in direct expenses.

On Sept. 5, 2013, **Quinon A. Brooker** [#24053771], 36, of Houston, accepted a one-year fully probated suspension effective Aug. 15, 2013. An evidentiary panel of the District 4 Grievance Committee found that in representing his client, Brooker neglected the legal matter entrusted to him. Brooker failed to keep his client reasonably informed about the status of her civil suit and failed to promptly comply with reasonable requests for information.

Brooker violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$2,500 in restitution and \$1,000 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On Aug. 30, 2013, **Joy M. Thomas** [#00798004], 48, of Fort Worth, accepted an agreed judgment of public reprimand. An evidentiary panel of the District 7 Grievance Committee found that on Feb. 1, 2008, Thomas was hired by complainant to represent her father in a personal injury matter. In representing complainant's father, Thomas neglected the legal matter entrusted to her by failing to completely and timely answer discovery, causing the case to be dismissed. In representing complainant's father, Thomas frequently failed to carry out completely the obligations Thomas owed to complainant's father. Thomas failed to keep complainant and her father reasonably informed about the status of the personal injury matter. Thomas failed to promptly comply with reasonable requests for information from complainant and her father about the personal injury matter. Thomas failed to explain the personal injury matter to the extent reasonably

necessary to permit complainant and her father to make informed decisions regarding the representation.

Thomas violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), and 1.03(b). She was ordered to pay \$1,373.91 in attorneys' fees and direct expenses.

On Sept. 11, 2013, **Glen M. Crocker** [#24001445], 43, of Beaumont, accepted an agreed judgment of public reprimand. An evidentiary panel of the District 3 Grievance Committee found that Crocker neglected his client's case and failed to keep his client reasonably informed about the status of the case. Upon termination of the representation, Crocker failed to refund any of the unearned fees.

Crocker violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). Crocker was ordered to pay \$1,500 in restitution and \$1,125.26 in attorneys' fees and

direct expenses.


On Sept. 11, 2013, **Mark Anthony Davis** [#24012509], 42, of Victoria, accepted a public reprimand. The District 11 Grievance Committee found Davis failed to refund unearned fees and failed to respond to the grievance.

Davis violated Rules 1.15(d) and 8.04(a)(8).

On Sept. 6, 2013, **Rene O. Oliveira** [#15254700], 58, of Brownsville, accepted a public reprimand. An evidentiary panel of the District 12 Grievance Committee found Oliveira engaged in an ex parte communication with a judge without notice to and outside the presence of counsel for the opposing party.

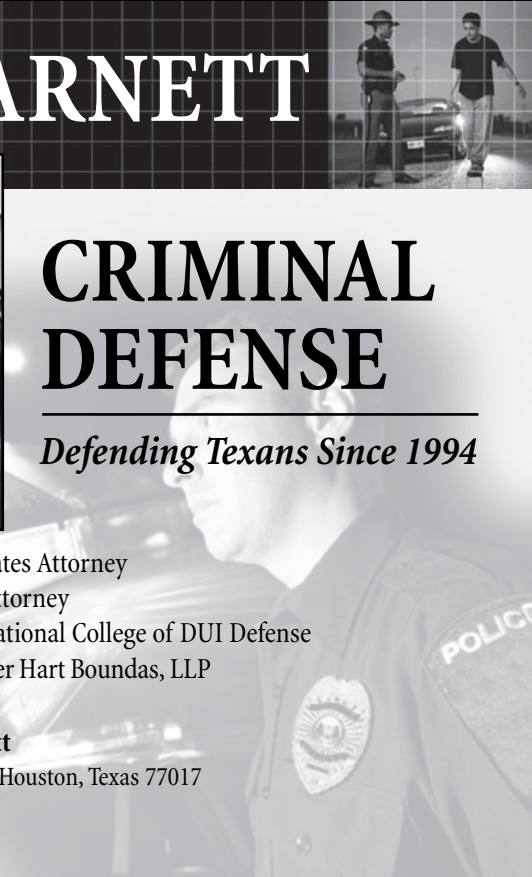
Oliveira violated Rule 3.05(b) and agreed to pay \$1,500 in attorneys' fees and direct expenses. **TBJ**

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