



# DISCIPLINARY ACTIONS

**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 [www.txboda.org](http://www.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

**Henry Gene Grun, Jr.** [#08556100], 55, of San Antonio, has petitioned the 73rd District Court of Bexar County for reinstatement as a member of the State Bar of Texas.

On Oct. 30, 2008, Judge Martin Lowy, of the 101st District Court in Dallas, signed an agreed judgment terminating the indefinite disability suspension of **Michael E. Harssema** [#24012794], 36, of Dallas.

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## DISBARMENTS

On Sept. 23, 2008, **Kimberly D. Ashley** [#01378200], 40, of Fort Worth, was disbarred. The 352nd District Court in Tarrant County found that on Dec. 8, 2006, Ashley presented to the deputy district clerk of the 360th District Court in Tarrant County a forged decree of annulment. The document purportedly bore the signature of the judge of that court. However, the judge did not sign the document, nor did he authorize Ashley to sign his name to the document. Ashley presented the false document intentionally, with knowledge of its falsity, and with the intent to defraud the court into thinking the document had actually been signed by the judge. The court subsequently set the decree of annulment aside.

On Sept. 20, 2007, Ashley was formally indicted by a grand jury for tampering with a government record with intent to defraud in Tarrant County as a result of her forgery of the judge's signature on the decree of annulment.

Ashley violated Rules 3.03(a)(1) and (a)(5), 3.04(b), 4.01(b), and 8.04(a)(2), (a)(3), and (a)(4). She was ordered to pay \$2,028.45 in attorney's fees.

Ashley did not file an appeal.

On Oct. 6, 2008, **Madelyn P. Bowman** [#00794449], 38, of Burleson, was disbarred. A panel of the District 7-A Grievance Committee found that in November 2005, the complainant gave Bowman a check for \$12,500 to be placed in Bowman's trust account as earnest money for a real estate purchase. The funds were to be held in escrow pending completion of the transaction. Bowman's trust account balance subsequently fell below the amount of the

deposit, and Bowman failed to maintain her trust account balance at or above that amount. On Aug. 12, 2006, the land purchase agreement was terminated, and Bowman was directed to return the earnest money to the complainant in the amount of \$12,500. Bowman subsequently failed to deliver the funds to the complainant.

Bowman violated Rules 1.14(a), (b), and (c). She was ordered to pay \$2,434.50 in attorney's fees and \$12,500 in restitution.

Bowman has until Jan. 4 to file an appeal.

## SUSPENSIONS

On Nov. 29, 2007, **John R. Perry** [#15803100], 56, of Corpus Christi, received a four and a half-year, partially probated suspension effective Oct. 1, 2007, with the first 15 months actively served and the remainder probated. The District 11-A Grievance Committee found Perry neglected a client's legal matter, failed to reasonably protect the client's interest upon withdrawal, engaged in the practice of law while suspended, violated the terms of an earlier disciplinary suspension, and engaged in conduct involving dishonesty, deceit, and misrepresentation.

Perry violated Rules 1.01(b)(1), 1.15(d), and 8.04(a)(3), (a)(7), and (a)(11). He was ordered to pay \$7,170 in attorney's fees and expenses and \$1,500 in restitution.

The Board of Disciplinary Appeals affirmed the partially probated suspension on Oct. 8, 2008.

On Sept. 19, 2008, **James J. Neel** [#14857500], 62, of Fort Worth, received a five-year, active suspension



effective March 6, 2009. A panel of the District 7-A Grievance Committee found that on Sept. 9, 2005, the complainant hired Neel to represent him on an agreed divorce. The complainant sent several letters to Neel requesting information regarding the status of his case. Neel subsequently failed to respond to the complainant's letters. Thereafter, Neel failed to complete any meaningful legal work on the complainant's case and failed to communicate with him in any manner. Neel also failed to refund any of the unearned portion of the fee. On Sept. 18, 2007, notice and a copy of the complaint were sent to Neel. Neel subsequently failed to file a written response to the complaint, as requested, and asserted no grounds for such failure.

Neel violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,040.31 in attorney's fees and \$627 in restitution.

Neel did not file an appeal.

On Oct. 20, 2008, **Hollie Vesla Greene** [#24006564], 33, of Grand Prairie, signed an agreed judgment of a one-year, partially probated suspension effective Dec. 1, 2008, with the first three months actively served and the remainder probated. In the first matter, the complainant hired Greene to represent her in a divorce. The divorce was granted, and the judge signed a qualified domestic relations order (QDRO), which granted the complainant a portion of her ex-husband's 401(k) fund. Greene failed to timely send the QDRO to the complainant's ex-husband's employer, as a result of which the ex-husband took a full distribution of the funds. Thereafter, Greene failed to return the complainant's telephone calls.

In the second matter, Greene was an associate attorney employed by the complainant. Greene filed a lawsuit on behalf of Greene's husband and paid the filing fee by signing the complainant's name to a check. In addition, Greene failed to respond to the complaint and asserted no grounds for such failure.

Greene violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$1,200 in attorney's fees and costs.

On Sept. 17, 2008, **Cyril Okey Chukwurah** [#24048394], 52, of Houston, received a two-year, fully probated suspension effective Oct. 1, 2008. A panel of the District 4-A Grievance Committee found that Chukwurah was hired to represent a client in child custody matters in Texas and North Carolina. During the representation, Chukwurah practiced law in North Carolina although not licensed to do so and failed to timely convey to his client the importance and necessity of finding local counsel in North Carolina. Chukwurah also consciously disregarded the responsibilities he owed to his client with regard to the proceedings in North Carolina and failed to timely notify his client of orders issued by the courts in North Carolina and Texas.

Chukwurah violated Rules 1.01(b)(1), 1.03(a), and 5.05(a). He was ordered to pay \$2,179.50 in attorney's fees and costs.

On Oct. 10, 2008, **Cornelius A. Long** [#00793182], 60, of Houston, accepted a one-year, active suspension, effective Aug. 10, 2007. The District 4-E Grievance Committee found that Long was retained in a criminal matter, but consciously disregarded his responsibilities to his client by failing to file routine pretrial motions and failed to appear timely for court dates. Long also failed to keep his client informed about the trial preparations. Additionally, Long failed to timely file responses to the grievances. This judgment of suspension replaces a judgment of disbarment previously reported in the April 2008 issue of the *Texas Bar Journal* (p. 320).

Long violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,340 in attorney's fees and direct expenses and \$4,000 in restitution.

On Oct. 17, 2008, **Roberto E. De La Garza** [#05646875], 56, of San Anto-

nio, accepted a three-year, partially probated suspension effective Nov. 1, 2008, with the first year actively served and the remainder probated. The District 10-A Grievance Committee found in connection with a criminal matter, De La Garza requested and received payments from his client and client's sister to hire experts and make restitution payments to the victims, but kept the payments and subsequently claimed the sums paid as additional fees. De La Garza also agreed to pursue a civil matter for the client and requested a \$5,000 retainer in addition to a contingent fee interest. De La Garza subsequently declined to pursue the civil claims but failed to refund any of the retainer or the filing fee.

In an immigration matter, De La Garza was paid a \$10,000 fee to obtain a

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## DISCIPLINARY ACTIONS

resident visa for his client. De La Garza was terminated within three months, did not complete the visa application, and failed to refund unearned fees.

De La Garza violated Rules 1.15(d) and 8.04(a)(3). He was ordered to pay \$2,500 in attorney's fees and expenses and \$23,000 in restitution.

On Oct. 27, 2008, **Jose Angel Becerra** [#24026790], 34, of Laredo, accepted a two-year, fully probated suspension effective Sept. 19, 2008. The District 12-A Grievance Committee found Becerra neglected his client's case, failed to communicate with his client, and failed to return the client's file timely upon the client's request.

Becerra violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), and 1.15(d). He was ordered to pay \$1,000 in attorney's fees and expenses.

On Oct. 30, 2008, **Charles A. Watson** [#20934900], 47, of Hempstead, accepted a two and a half-year, fully probated suspension effective Nov. 1, 2008. The 9th District Court in Waller County found that Watson failed to hold funds belonging in whole or in part to clients or third persons separate from his own property.

Watson violated Rule 1.14(a). He agreed to pay \$6,000 in attorney's fees and \$3,000 in expenses.

On Nov. 5, 2008, **Neil Bonavita** [#02580900], 43, of Austin, accepted a four-year, active suspension in the 126th Judicial District Court of Travis County. The active suspension is effective from Oct. 1, 2008 to Sept. 30, 2012. The Court found that while representing a client in a personal injury matter, Bonavita failed to keep his client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information, and failed to hold funds belonging to his client separate from his own funds.

Bonavita violated Rules 1.03(a) and 1.14(a) and (c).

On Oct. 10, 2008, **Christina H. Givaudan** [#09791320], 44, of Carrollton, received a judgment of a two-year, fully probated suspension effective Oct. 2, 2008. A panel of the District 6-A Grievance Committee found that Givaudan was hired to obtain permanent residence status for the complainant's wife and her two children. Givaudan forwarded the required fees to the National Visa Center to begin the application process. Thereafter, Givaudan failed to file the applications. As a result of that failure, the complainant had to pay the fees to begin the application process again. During the course of the representation, Givaudan failed to keep the complainant reasonably informed about the status of the matter and failed to promptly comply with reasonable requests for information. Givaudan was ordered to complete eight additional hours of continuing legal education in law practice management, with at least two hours in ethics.

Givaudan violated Rules 1.01(b)(1) and 1.03(a). She was ordered to pay \$1,440.10 in attorney's fees and costs and \$4,260 in restitution.

On Nov. 11, 2008, **Brian G. Dicus** [#05846100], 47, of Dallas, received a six-month, fully probated suspension effective Nov. 6, 2008. A panel of the District 6-A Grievance Committee found that on Sept. 29, 2006, and Nov. 7, 2006, Dicus practiced law while his license was administratively suspended. On June 6, 2006, the complainant hired Dicus to probate the estate of his son. During the course of the representation, Dicus failed to respond to the complainant's requests for information regarding the case.

Dicus violated Rules 1.03(a) and 8.04(a)(11). He was ordered to pay \$3,965.10 in attorney's fees.

Dicus had until Dec. 11, 2008, to file an appeal.

On Nov. 6, 2008, **Clyde E. Lee** [#12113300], 54, of Texarkana, received



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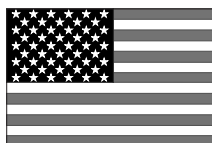


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an agreed judgment of a two and a half-year, partially probated suspension, effective Nov. 15, 2008. On Sept. 12, 2006, the complainant hired Lee for representation in a divorce. On May 13, 2007, the complainant informed Lee that he had reconciled with his wife and that he no longer needed a divorce petition to be filed. He also requested the return of any unearned fee. However, Lee failed to respond to the complainant's request.

On Sept. 25, 2006, Feb. 5, 2007, July 16, 2007, and Aug. 20, 2007, Lee practiced law while administratively suspended for failure to timely pay his required fees and assessments and/or comply with the mandatory continuing legal education requirements.

Lee violated Rules 1.03(a), 1.15(d), and 8.04(a)(11). He was ordered to pay \$1,200 in attorney's fees.

### REPRIMANDS

On Oct. 14, 2008, **Glen A. Nordt** [#15076600], 53, of Houston, accepted a public reprimand. The 270th District Court of Harris County found Nordt failed to communicate with his client.

Nordt violated Rule 1.03(a). He agreed to pay \$440 in attorney's fees and costs.

On Oct. 21, 2008, **James M. Sims** [#18425000], 66, of Houston, accepted a public reprimand. An evidentiary panel of the District 4-F Grievance Committee found that Sims knowingly represented his client while at the same time representing another client who was a witness against him in a substantially related matter.

Sims violated Rule 1.06(b)(1). He agreed to pay \$650 in attorney's fees and costs and \$3,000 in restitution.

On Oct. 19, 2008, **Reynaldo Cisneros** [#24034377], 32, of Brownsville, accepted a public reprimand. The District 12-B Grievance Committee found Cisneros neglected his client's interests and failed to communicate with his client.

Cisneros violated Rules 1.01(b)(1) and 1.03(a). He agreed to pay \$600 in attorney's fees and expenses and \$2,500 in restitution.

On Oct. 31, 2008, **Paul A. Hampel** [#00789342], 41, of San Antonio, accepted a judgment of public reprimand. The 57th District Court of Bexar County found Hampel failed to keep his client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

Hampel violated Rule 1.03(a). He was ordered to pay \$1,000 in attorney's fees and expenses.

On Oct. 31, 2008, **Elaine Hubbard-Palmer** [#00798269], 43, of Houston, accepted a public reprimand. An evidentiary panel of the District 4-C Grievance Committee found that on Oct. 23, 2003, Hubbard-Palmer was retained to represent the complainant in a personal injury matter. The complainant rejected an offer of settlement and instructed Hubbard-Palmer to proceed with a lawsuit. The complainant made several attempts to communicate with Hubbard-Palmer regarding the status of his case. Hubbard-Palmer failed to comply with this request for information and failed to file a lawsuit on behalf of the complainant prior to expiration of the statute of limitations.

Hubbard-Palmer violated Rules 1.01(b)(1) and 1.03(a). She was ordered to pay \$250 in attorney's fees and costs. ✪