



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 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.

RESIGNATION

On Dec. 31, 2008, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Richard L. Wright** [#22052700], 51, of Dallas. At the time of Wright's resignation, there were four matters pending against him. The allegations in the pending matters include failure to communicate or respond to reasonable requests for information from the client; failure to

promptly deliver funds belonging to the client; failure to promptly deliver funds belonging to a third party; failure to return documents to the client; conduct in violation of the rules of professional conduct; conduct involving dishonesty, fraud, deceit, or misrepresentation; and failure to respond to a grievance.

Wright violated Rules 1.03(a), 1.14(a) and (b), 1.15(d), and 8.04(a)(1), (a)(3), and (a)(8). He was ordered to pay \$2,437.50 in attorney's fees, \$132.55 in costs, and \$12,151.55 in restitution.

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 25 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

SUSPENSIONS

On Jan. 14, **Marc Joseph Fratter** [#24029973], 37, of Plano, agreed to a six-month, fully probated suspension effective Jan. 15. An evidentiary panel of the District 1-A Grievance Committee found that in October 2005, the complainant hired Fratter to represent her daughter in a federal criminal matter. In June 2006, Fratter filed a motion to withdraw from the complainant's daughter's case, citing that he was unable to effectively communicate with the complainant's daughter. At the hearing on the motion, the judge found that Fratter had made misrepresentations to the court in his motion to withdraw, as it was apparent that he was in communication with the complainant's daughter.

Fratter violated Rule 3.03(a)(1). He was ordered to pay \$1,075 in attorney's fees and costs.

On Jan. 7, **Erich L. Schenk** [#00797851], 38, of Pearland, accepted a one-year, fully probated suspension,

effective Nov. 20, 2008. The 270th District Court of Harris County found that Schenk made a false statement due to record-keeping deficiencies.

Schenk violated Rule 4.01(a). He agreed to pay \$500 in attorney's fees.

On Jan. 26, **John C. Ball** [#00792179], 47, of Fort Worth, received a 54-month, partially probated suspension effective Feb. 1, with the first 18 months actively served and the remainder probated. An evidentiary panel of the District 7-A Grievance Committee found that the complainant represented the husband in a divorce and Ball represented the wife. By a temporary order signed on Oct. 24, 2006, the husband was ordered to give his bonus/early-retirement check to Ball for deposit into Ball's IOLTA account. Ball subsequently failed to maintain this amount in trust. By a final decree of divorce, Ball was ordered to pay the husband his portion of the funds and to pay the complainant's attorney's fees. Ball subsequently failed to promptly pay the husband and the complainant.

On Dec. 5, 2007, notice and a copy of the complaint was sent to Ball by certified mail, return receipt requested, and delivered on Dec. 7, 2007. Ball was requested to file a written response within 30 days of receipt of the notice of complaint, but failed to do so and asserted no grounds for such failure.

Ball violated Rules 1.14(a) and (b), 3.04(d), and 8.04(a)(8). He was ordered to pay \$1,250 in attorney's fees and \$12,040.90 in restitution.

On Nov. 5, 2008, **Philip Earl Jones** [#24012928], 58, of San Antonio, received a three-year, partially probated suspension effective Nov. 10, 2008, with the first six months actively served and the remainder probated. The District 10-C Grievance Committee found in connection with two criminal law representations, Jones neglected the represen-



tations by failing to appear for court settings, failed to communicate with the clients, failed to withdraw from representation, and failed to return unearned fees. In a third criminal representation, Jones failed to return unearned fees. In a child custody representation, Jones neglected the representation, failed to communicate with his client, failed to withdraw from representation, and failed to return an unearned fee.

Jones violated Rules 1.01(b)(1), 1.03(a), and 1.15(a)(2) and (d). He was ordered to pay \$1,800 in attorney's fees and expenses and \$8,000 in restitution.

On Jan. 29, **Roddrick D. Murray** [#00793154], 40, of Houston, accepted a two-year, fully probated suspension, effective Feb. 1. The 269th District Court of Harris County found that Murray was hired for representation in three separate personal injury matters by clients solicited by a non-lawyer employee on his behalf. In addition, Murray failed to provide adequate information to one of the clients, which affected her ability to make informed decisions about her case.

Murray violated Rules 1.03(b), 5.03(a) and (b)(1), and 7.03(a). He was ordered to pay \$1,500 in attorney's fees and costs.

On Jan. 20, **Joseph R. McGoe**y [#13637420], 49, of Humble, accepted a two-year, fully probated suspension effective Feb. 1. An evidentiary panel of the District 4-F Grievance Committee found that McGoe y neglected his client's legal matter, failed to keep the client informed as to the status of his legal matter, and failed to comply with the client's reasonable requests for information. McGoe y failed to explain legal matters to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. While representing the client, McGoe y engaged in conduct involving

dishonesty, fraud, deceit, or misrepresentation.

McGoey violated Rules 1.01(b)(1), 1.03(a) and (b), and 8.04(a)(3). He agreed to pay \$1,077 in attorney's fees and costs and \$33,500 in restitution.

On Jan. 21, **Shanna Michelle Hennigan** [#24036756], 38, of Houston, accepted a two-year, fully probated suspension, effective Jan. 15. An evidentiary panel of the District 4-D Grievance Committee found that Hennigan, in two instances, neglected the legal matters entrusted to her and failed to keep her clients reasonably informed about the status of the matters. In one matter, Hennigan also failed to timely furnish to the Chief Disciplinary Counsel's office a response as required by the Texas Rules of Disciplinary Procedure.

Hennigan violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$800 in attorney's fees and \$4,300 in restitution and to complete six additional hours of continuing legal education in the area of Law Practice Management.

On Jan. 28, **John C. Lagrappe** [#11819580], 43, of Houston, accepted a two-year, fully probated suspension effective Nov. 1, 2009. An evidentiary panel of the 4-B District Grievance Committee found that Lagrappe failed to explain the client's legal matter to the extent reasonably necessary to permit the client to make informed decisions regarding her representation. Lagrappe failed to communicate to the client the basis or rate of fee before or within a reasonable time after commencing representation of the client. Lagrappe entered into a business transaction with the client, the terms of which were not fair and reasonable to the client and were not fully disclosed in a manner that could be reasonably understood by her. The client was not given a reasonable opportunity to seek the advice of

independent counsel in the transaction, and the client did not consent in writing to the business transaction. Lagrappe made an agreement with the client, giving Lagrappe literary or media rights to a portrayal or account based in substantial part on information relating to the representation. Lagrappe acquired a proprietary interest in the cause of action or subject matter of the litigation he was conducting for the client.

Lagrappe violated Rules 1.03(b), 1.04(c), and 1.08(a), (c), and (h). He agreed to pay \$837.77 in attorney's fees and costs.

On Feb. 5, **James M. Brooks** [#03069400], 51, of Houston, accepted a one-year, fully probated suspension effective March 1. The 127th District

GRIEVANCE DEFENSE & LEGAL MALPRACTICE



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

JENNIFER A. HASLEY

BOARD CERTIFIED, CIVIL TRIAL LAW
14 YEARS TRIAL EXPERIENCE,
OVER 8 YEARS WITH THE
STATE BAR OF TEXAS AS
ASSISTANT DISCIPLINARY COUNSEL

**THE FIRM'S STATEWIDE
PRACTICE FOCUSES ON
CIVIL LITIGATION,
ATTORNEY DISCIPLINE AND
DISABILITY LAW, AND
PROFESSIONAL LIABILITY.**

5252 WESTCHESTER, SUITE 125
HOUSTON, TEXAS 77005

P.O. Box 25371
HOUSTON, TEXAS 77265

713.667.6900
713.667.6904 FAX
jennifer@hasleyscarano.com

www.hasleyscarano.com

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

*With the **NEW PROCEDURAL RULES**,
it is more important than ever to hire
experienced counsel...*

GRIEVANCE DEFENSE

- **Make proper presentation
to avoid a hearing**

But, if necessary:

- **District court trial**
- **Evidentiary panel hearing**

JOHN GLADNEY

FORMER CHIEF OF LITIGATION
OFFICE OF GENERAL COUNSEL,
STATE BAR OF TEXAS

OVER 20 YEARS EXPERIENCE
IN DISCIPLINARY MATTERS

STATEWIDE PRACTICE

6901 CORPORATE DRIVE
SUITE 111
HOUSTON, TEXAS 77036

TEL.: (713) 995-6500 (O)
(713) 995-6503 (F)



DISCIPLINARY ACTIONS

Court of Harris County found that Brooks failed to communicate with a client, neglected the client's legal matter, and failed to return unearned fees. Additionally, Brooks failed to respond to the grievance filed against him.

Brooks violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He agreed to pay \$533 in attorney's fees and costs and \$500 in restitution.

On Jan. 5, **Clyde Miller** [#14061950], 53, of Houston, received a five-year, partially probated suspension effective Jan. 15, with the first six months actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found that in representing his client, Miller entered into an arrangement for, charged, or collected an unconscionable fee; failed to hold funds belonging in whole or in part to the client separate from his own funds; and failed to keep funds or other property in which both he and the client claimed an interest separate until there was an accounting and severance of their interests. After his services were terminated, Miller failed to refund an advance payment of fee that had not been earned. Miller engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation during his representation of the client.

Miller violated Rules 1.04(a), 1.14(a) and (c), 1.15(d), and 8.04(a)(3). He was ordered to pay \$4,858.94 in attorney's fees and costs and \$54,397.50 in restitution.

On Jan. 16, **Gilbert Medina, Jr.** [#13894975], 57, of Dallas, received a two-year, fully probated suspension effective Jan. 31, 2009. An evidentiary panel of the District 6-A Grievance Committee found that, in 2006, Medina was employed by three complainants to obtain temporary worker visas. He contracted with a paralegal experienced in immigration law. Medina failed to properly supervise the paralegal, who

failed to complete and file the necessary paperwork for the temporary visas. Medina failed to return documents to each complainant until after a grievance was filed and has failed to refund unearned fees.

Medina violated Rules 1.03(a), 1.15(d), and 5.03(a). He was ordered to pay \$5,900 in restitution, \$4,138.75 in attorney's fees, and \$351.10 in costs.

REPRIMANDS

On Jan. 22, **David Turner Duncan, Jr.** [#06211100], 50, of Austin, received a public reprimand. An evidentiary panel of the District 9-A Grievance Committee found that in a civil matter, Duncan failed to send letters as requested, failed to respond to requests for information, failed to provide an accounting for his fees, and failed to timely refund unearned fees. The panel further found that in a family law matter, Duncan failed to reduce a judgment to writing and no written judgment was filed with the court.

Duncan violated Rules 1.01(b)(1), 1.03(a), 1.14(b), 1.15(d), and 8.04(a)(1). He was ordered to pay \$967.55 in attorney's fees.

On Jan. 28, **C. Bruce Abraham** [#00819800], 58, of Jefferson, received a public reprimand. An evidentiary panel of the District 1-B Grievance Committee found that on Dec. 11, 2007, the complainant filed a grievance against Abraham with the State Bar of Texas. On Dec. 17, 2007, Abraham received notice and a copy of the complainant's grievance, via certified mail, return receipt requested. The notice advised Abraham that he was required to file a written response within 30 days of his receipt of the notice. Abraham failed to file the required response, and he failed to assert a privilege or other legal ground for his failure to do so.

Abraham violated Rule 8.04(a)(8). He was ordered to pay \$2,500 in attorney's fees. ⚡