



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.

CORRECTION

A disciplinary notice in the June issue regarding the resignation of **Bruce P. Garrison** [#24003914], 38, of Austin included inaccurate information about the appellate proceedings in a criminal matter. The summary incorrectly suggested that because Garrison failed to appear at a hearing to determine whether he had abandoned the appeal of a defendant, the Court of Appeals issued a mandate affirming the defendant's conviction. In fact, after Garrison failed to appear at

the hearing, the trial court appointed a new attorney to represent the defendant on appeal. The new attorney filed an appellate brief with the Court of Appeals.

JUDICIAL ACTIONS

On May 18, a Special Court of Review affirmed a public warning issued by the State Commission on Judicial Conduct against **Bruce Everett Priddy** [#16322700], 45, judge of the 116th Judicial District Court in Dallas County, for violations of the Texas Constitution, the Texas Government Code, and the Texas Code of Judicial Conduct. The Commission determined that Judge Priddy engaged in willful and persistent conduct in failing to file numerous financial reports, as the Texas Election Code requires, and failed to cooperate with the commission's investigation. In addition to the affirmation, the Court of Review instructed Priddy to timely file all future financial reports with the Texas Ethics Commission, to immediately file any reports that have not yet been filed, and to pay all fines and judgments associated with all matters against him.

Oliver violated Rules 1.14(a) and (b). She was ordered to pay \$2,116.65 in attorney's fees and costs and \$8,250 in restitution.

On April 15, **John C. Ball** [#00792179], 47, of Fort Worth, was disbarred. An evidentiary panel of the District 7-A Grievance Committee found that in two matters, Ball neglected his clients' family law cases and frequently failed to carry out completely the obligations owed to the clients. Ball failed to keep the clients reasonably informed about the status of their matters and failed to promptly comply with reasonable requests for information from the clients. In one of the matters, Ball failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. Ball also failed to timely furnish a response to the complaints.

Ball violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), and 8.04(a)(8). He was ordered to pay \$3,305.71 in attorney's fees and costs.

RESIGNATIONS

On May 12, the Supreme Court of Texas accepted the resignation, in lieu of compulsory discipline, of **Robert Dwayne Bennett** [#00783635], 46, of Gilmer. At the time of Bennett's resignation, there were six matters pending against him alleging neglect; failure to communicate; collection of an unconscionable fee; failure to safeguard funds; failure to promptly distribute funds to a client; failure to return any portion of an unused fee to a client; misappropriation of funds; and engaging in conduct involving dishonesty, fraud, deceit, and misrepresentation.

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DISBARMENTS

On April 8, **Beatrice E. Oliver** [#00789847], 54, of Montgomery, Ala., was disbarred. An evidentiary panel of the District 4-D Grievance Committee found that Oliver was hired for representation against a title company that had failed to properly record the deed on the clients' property. Oliver's clients won an award, which was sent to Oliver for disbursement. Oliver failed to hold the clients' funds separate from her funds and failed to remit any portion of the proceeds to the clients.

Oliver has filed a notice of appeal.



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Statewide Representation

On May 1, 2008, Bennett was indicted in one of the matters stemming from Cause No. 14,810 in the 115th Judicial District Court of Upshur County for the felony offense of misappropriation of fiduciary property. On April 9, Bennett entered a plea of guilty to said offense.

Bennett violated Rules 1.01(b)(1), 1.03(a), 1.04(a), 1.14(a)(b), 1.15(d), and 8.04(a)(2) and (a)(8).

On March 31, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Eric Amoako** [#01159860], 51, of Houston. The Court found that Amoako was found guilty of conspiracy to commit mail fraud; conspiracy to commit money laundering; and mail fraud, aiding and abetting in Case No. 4:07CR00351-003, styled *United States of America v. Eric Amoako*, in the U.S. District Court for the Southern District of Texas, Houston Division. Bennett was committed to the custody of the U.S. Bureau of Prisons for one and a half years and ordered, upon release from imprisonment, to be on supervised release for a term of three years and further ordered to pay \$171,711 in restitution and \$500 in an assessment, which would subject him to compulsory discipline.

On April 28, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Samuel B. Kent** [#11317300], 60, of Houston. The Court found that Kent pleaded guilty to obstruction of justice in violation of Title 18, U.S. Code, Section 1512(c)(2) in Case No. 4:08CR0596-RV, styled *United States of America v. Samuel B. Kent*, in the U.S. District Court for the Southern District of Texas, Houston Division, which would subject him to compulsory discipline.

SUSPENSIONS

On April 7, **Brian E. Overstreet** [#24000338], 39, of Houston, accepted

a two-year, fully probated suspension effective April 15. An evidentiary panel of the District 4-C Grievance Committee found that Overstreet engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Overstreet violated Rule 8.04(a)(11). He agreed to pay \$575 in attorney's fees and costs.

On March 26, **Bruce Everett Priddy** [#16322700], 45, of Dallas, received a two and a half-year, active suspension effective April 1. An evidentiary panel of the District 6-A Grievance Committee found that Priddy was employed by the complainant to handle an appeal. Priddy neglected the legal matter entrusted to him, failed to keep the complainant reasonably informed about the status of his case, and failed to promptly comply with reasonable requests for information about the matter. Priddy failed to timely 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 failure to do so. Priddy engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees.

Priddy violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and (a)(11). He was ordered to pay \$8,634 in attorney's fees and costs.

Priddy had until April 27 to file an appeal.

On May 1, **Patricia A. Cantu** [#24014862], 43, of Houston, accepted a one-year, fully probated suspension, effective May 1. An evidentiary panel of the District 4-A Grievance Committee found that Cantu was hired for representation in a Texas Deceptive Trade Practices Act action, but failed to send the demand letter and took no other action on behalf of her client. The client there-



after requested that Cantu either proceed with the case or refund the retainer fee. Cantu failed to do either.

Cantu violated Rules 1.01(b)(1) and 1.15(d). She was ordered to pay \$1,150 in attorney's fees and \$2,000 in restitution.

On Dec. 17, 2008, **Monica Lisa Caballero** [#00796288], 41, of San Antonio, accepted a three-year, partially probated suspension effective March 1, with the first two years actively served and the remainder probated. An evidentiary panel of the District 10-A Grievance Committee found that in connection with an immigration matter, Caballero failed to keep her client informed about the status of his case and moved her office without notifying the

client of her new address. Caballero also failed to furnish a written response to the grievance.

Caballero violated Rules 1.03(a) and 8.04(a)(8). She was ordered to pay \$2,000 in attorney's fees and expenses and \$2,815 in restitution.

On May 4, **Thomas A. Willbern III** [#21507700], 57, of Houston, accepted a one-year, fully probated suspension effective Sept. 1. An evidentiary panel of the District 4-D Grievance Committee found that Willbern neglected the client's legal matter, frequently failed to carry out completely the obligations owed to the client, failed to keep the client reasonably informed about the status of the legal matter, failed to promptly comply with reasonable requests for information from the client, and knowingly failed to respond to a lawful demand for information from the Chief Disciplinary Counsel.

Willbern violated Rules 1.01(b)(1) and (b)(2), 1.03(a), and 8.01(b). He agreed to pay \$500 in attorney's fees and costs.

On May 1, **Thomas M. Stanley** [#19050300], 59, of Houston, accepted a three-year, fully probated suspension effective May 15. An evidentiary panel of the District 4-E Grievance Committee found that Stanley neglected the client's case, failed to keep the client reasonably informed about the status of the case, and failed to promptly comply with the client's requests for information. Upon his termination, Stanley failed to take the steps reasonably practicable to protect the client's interests, such as surrendering papers and property to which the client was entitled.

Stanley violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He agreed to pay \$800 in attorney's fees and costs.

On May 11, **Tim Cook** [#04744670], 58, of Liberty, accepted a one-year, fully probated suspension effective June 1. An

evidentiary panel of the District 3-B Grievance Committee found that after representing multiple parties in a matter, Cook continued to represent one of the parties in a dispute among the parties arising out of the matter without obtaining prior consent from all of the parties.

Cook violated Rule 1.06(d).

On April 23, **Terry Levoy Marsaw** [#00786085], 53, of Dallas, received a two-year, partially probated suspension effective June 1, with the first six months actively served and the remainder probated. An evidentiary panel of the District 6-A Grievance Committee found that Marsaw failed to abide by the complainant's decision whether to accept an offer of settlement, failed to keep the complainant reasonably informed about the status of the complainant's case, and failed to promptly comply with reasonable requests for information from the complainant about the case. Upon receiving the settlement funds, Marsaw failed to promptly notify the complainant and failed to promptly deliver the funds to which the complainant was entitled.

Marsaw violated Rules 1.02(a)(2), 1.03(a), and 1.14(b). He was ordered to pay \$2,550 in attorney's fees.

Marsaw had until May 23 to file an appeal.

On Feb. 13, **Cris William Craft** [#04971250], 50, of Houston, received a two-year, partially probated suspension effective April 1, with the first three months actively served and the remainder probated. An evidentiary panel of the District 4-B Grievance Committee found that Craft neglected the legal matter entrusted to him and failed to keep his clients reasonably informed about the status of the matter. Upon termination of the representation, Craft failed to surrender his clients' documents to them and also failed to refund an advance fee payment that had not been earned. Craft also

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failed to respond to the complaint in this disciplinary proceeding.

Craft violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$760 in attorney's fees and expenses and \$1,000 in restitution.

Craft has appealed the judgment.

On April 7, **David A. Cantu** [#03767030], 45, of Edinburg, received a seven-year, partially probated suspension effective May 1, with the first eight months actively served and the remainder probated. An evidentiary panel of the District 12-B Grievance Committee found that Cantu failed to hold client funds separate from his own property, failed to timely disburse client funds, and failed to respond to the grievance.

Cantu violated Rules 1.14(a) and (b) and 8.04(a)(8). He was ordered to pay \$3,400 in attorney's fees and expenses and \$5,087.50 in restitution.

On April 20, **Philip Lee Reynolds** [#00784837], 41, of Corinth, received a one-year, fully probated suspension effective April 15. An evidentiary panel of the District 14B-2 Grievance Committee found that Reynolds 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. Reynolds did not in good faith timely assert a privilege or other legal ground for failure to do so. Reynolds engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Reynolds violated Rules 8.04(a)(8) and (a)(11). He was ordered to pay \$2,200.33 in attorney's fees and costs.

REPRIMANDS

On March 2, **Francisco Javier Guzman** [#00787610], 43, of El Paso, received a public reprimand. An evidentiary panel of the District 17-A Grievance Commit-

tee found that Guzman sent a solicitation letter that violated several advertising rules and failed to submit the letter for review to the State Bar Advertising Review Committee.

Guzman violated Rules 7.04(q), 7.05(b)(1) and (b)(5), and 7.07(a). He was ordered to pay \$1,645.13 in attorney's fees and expenses.

On March 30, **Albert A. Biel, Jr.** [#02301300], 58, of El Paso, accepted a public reprimand. An evidentiary panel of the District 17-A Grievance Committee found that Biel neglected his client's case and failed to keep his client informed.

Biel violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$750 in attorney's fees and expenses.

On April 22, **Kenneth Eric Baker** [#24045439], 44, of Alpine, Calif., accepted a public reprimand. An evidentiary panel of the District 10-A Grievance Committee found that Baker neglected a divorce case, failed to respond to his client's requests for information, moved to California without properly withdrawing from the divorce case, failed to inform the court or his client of his new contact information, failed to return the client's file and unearned fees, and failed to furnish a response to the grievance timely.

Baker violated Rules 1.01(b)(1), 1.03(a) and (b), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,000 in attorney's fees and expenses and \$815 in restitution. ☙

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