



**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

**Bradley David Wyatt** [#24010496], 46, of Bryan, has filed a petition for reinstatement in the 361st Judicial Court of Brazos County for reinstatement as a member of the State Bar of Texas.

**Allen Landerman** [#11863400], 61, of Addison, has filed a petition for reinstatement in the 366th District Court of Collin County for reinstatement as a member of the State Bar of Texas.

**Charles R. Lepley** [#12219050], 46, of Georgetown, has filed a petition for reinstatement in the 277th Judicial Court of Williamson County for reinstatement as a member of the State Bar of Texas.

## DISBARMENTS

On Oct. 15, 2009, **David Bonilla** [#02600200], 55, of Corpus Christi, was disbarred. An evidentiary panel of the District 11 Grievance Committee found that in connection with a personal injury case, Bonilla neglected the legal matter and failed to reasonably communicate with his client and to provide the client with a complete copy of his file. Bonilla also negotiated a settlement of the client's legal negligence claims against Bonilla when the client was not represented by counsel and without first advising the client in writing that independent counsel was appropriate.

Bonilla violated Rules 1.01(b)(1), 1.03(a) and (b), 1.08(a), and 8.15(d). He was ordered to pay \$2,600 in attorney's fees and costs.

On Sept. 15, 2009, **Dell Edward James** [#24002342], 38, of Frisco, was disbarred. An evidentiary panel of the District 6 Grievance Committee found that James failed to keep his client reasonably informed about the status of the client's wrongful death claim. Upon conclusion of the client's matter, James failed to provide the client with a written statement showing the remittance to the client and the method of its determination. Upon receiving funds in which the client had an interest, James failed to promptly notify the client and failed to promptly deliver the funds to the client.

James failed to keep separate from his own funds the funds that belonged to the client and disbursed the client's funds to persons not entitled to receive them by virtue of the representation or by law. James engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

James violated Rules 1.03(a), 1.04(d), 1.14(b) and (c), and 8.04(a)(3). He was ordered to pay \$9,863.22 in attorney's fees and costs and \$16,108.85 in restitution.

James filed an appeal on Dec. 14, 2009.

On Oct. 8, 2009, **Jeff Allen Harmon** [#09020750], 57, of San Antonio, was disbarred. An evidentiary panel of the District 10 Grievance Committee found that Harmon neglected a client's representation, resulting in its dismissal for want of prosecution. Harmon misrepresented to the client the case was pending when it had been dismissed. While still representing the client, Harmon filed a fraudulent affidavit of lien against properties owned or controlled by the client. Harmon failed to return the client's file as requested and failed to respond to the grievance.

Harmon violated Rules 1.01(b)(1), 1.03(a), 1.06(b)(2), 1.15(d), and 8.04(a)(3) and (a)(8). He was ordered to pay \$400 in attorney's fees and costs.

On Oct. 13, 2009, **Lauren C. LaRue** [#11960730], 50, of Dallas, was disbarred. An evidentiary panel of the District 6 Grievance Committee found that LaRue was retained by the complainant to prepare a living trust. LaRue failed to prepare the trust and failed to promptly comply with reasonable requests for information. LaRue was administratively suspended from the practice of law at the time she was retained by the complainant. LaRue failed to timely furnish to the Office of the Chief Disciplinary Counsel a response or other information

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as required by the Texas Rules of Disciplinary Procedure.

LaRue violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and (a)(11). She was ordered to pay \$3,996.35 in attorney's fees and \$545.97 in costs.

LaRue filed an appeal on Nov. 12, 2009.

## RESIGNATIONS

On Nov. 4, 2009, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Aaron Keiter** [#11185500], 63, of Houston. The Court found that Keiter pleaded guilty to conspiracy to conduct and attempt to conduct financial transactions affecting interstate and foreign commerce in violation of Title 21 U.S.C. §841(a)(1) and 846, in the U.S. District Court for the Southern District of Texas, which would subject him to compulsory discipline.

On Dec. 17, 2009, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Raymond Rutherford Telles** [#24048834], 53, of El Paso. The Court found that Telles entered a plea of guilty to conspiracy to commit mail fraud, wire fraud, and the deprivation of honest services in the U.S. District Court for the Western District of Texas, El Paso Division, which would subject him to compulsory discipline.

*Editor's Note:* **Raymond Luis Telles** [#24028036], 36, of El Paso, is not the attorney referred to in this disciplinary sanction.

## SUSPENSIONS

On Oct. 14, 2009, **Charles P. Jones** [#10866900], 62, of San Antonio, received a two-year, fully probated suspension effective Nov. 1, 2009. An evidentiary panel of the District 10-3 Grievance Committee found that Jones neglected a client's divorce case, unreasonably delayed resolution of the case, and failed to reasonably communicate with the client and to withdraw when

terminated. In connection with a traffic court representation, Jones neglected the legal matter and failed to keep his client adequately informed. In connection with his representation of a juvenile on a criminal charge, Jones neglected the legal matter and failed to keep the client adequately informed.

Jones violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), 1.15(a)(3), and 3.02. He was ordered to pay \$525 in restitution.

On Dec. 9, 2009, **Pamela Breed Bonavita** [#02940500], 49, of Austin, received a three-year, partially probated suspension effective Jan. 1, with the first year actively served and the remainder probated. An evidentiary panel of the District 9 Grievance District found that Bonavita agreed to represent the complainant in a suit for divorce on May 16, 2008. Bonavita told the complainant that she had filed a petition for divorce on his behalf when she had not. Bonavita failed to return phone calls or otherwise communicate with the complainant since June 2008. The complainant paid Bonavita \$2,331 for legal fees and expenses. Bonavita failed to place at least \$2,000 of that amount in a trust account. Bonavita failed to withdraw from the complainant's case and failed to return unearned fees.

Bonavita has been continuously suspended from the practice of law in Texas since March 30, 2007, for failing to complete the required Minimum Continuing Legal Education and for nonpayment of bar dues. Bonavita remained suspended during the time she represented the complainant.

On Aug. 6, 2008, the Office of Chief Disciplinary Counsel sent Bonavita a notice of the complaint directing her to furnish a written response to the complaint within 30 days of her receipt of the notice pursuant to the Texas Rules of Disciplinary Procedure. Bonavita failed to furnish a response to the complaint.

She violated Rules 1.01(b)(2); 1.03(a); 1.14(a); 1.15(d); and 8.04(a)(3), (a)(8), and (a)(11). Bonavita was ordered to pay \$963.61 in attorney's fees and \$2,331 in restitution.

On Nov. 25, 2009, **Nelda J. Ortiz** [#15324250], 53, of Boerne, accepted a four-year partially probated suspension effective Nov. 30, 2009, with the first year actively served and the remainder probated. An evidentiary panel of the District 10 Grievance Committee found that Ortiz failed to promptly distribute client funds and failed to hold client funds separate from her own personal property.

Ortiz violated Rules 1.14(a) and (b). She was ordered to pay \$800 in attorney's fees and expenses.

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# DISCIPLINARY ACTIONS

On Dec. 15, 2009, **John Carroll Osborne** [#15333200], 57, of Houston, accepted a four-year, fully probated suspension, effective Jan. 1, 2010. An evidentiary panel of the District 4-D Grievance Committee found that Osborne represented his client but after the representation reasonably appeared to be or became adversely limited by his own interests. Osborne failed to hold funds belonging to his client — as a successor executrix — that were in Osborne's possession in connection with the representation in a trust account separate from his own property. Osborne failed to refund advance payments of fee that had not been earned and knowingly disobeyed a ruling by a tribunal.

Osborne violated Rules 1.06(b)(2), 1.14(a), 1.15(d), and 3.04(d). He agreed to pay \$4,355 in attorney's fees and \$768.46 in costs.

On Dec. 7, 2009, **Joseph William Bailey** [#01529200], 65, of Shreveport, La., received a six-year, fully probated suspension effective Jan. 12. An evidentiary panel of the District 2 Grievance Committee found that on July 27, 1993, Bailey was appointed guardian ad litem for a minor child for purposes of a pending lawsuit. The lawsuit ultimately settled for \$40,000. The Court subsequently executed an order to allocate funds, which required Bailey to purchase an annuity for the minor child with the \$13,000 issued to her from the settlement. Bailey failed to safeguard the \$13,000 by maintaining it in either a trust or IOLTA account. In addition, he failed to provide an accounting of the funds to the minor child.

Bailey violated Rules 1.14(a) and (b). He was ordered to pay \$3,500 in attorney's fees and \$36,000 in restitution.

Bailey did not file an appeal.

On Aug. 28, 2009, **Steven Jay Rozan** [#17357000], 66, of Houston, received a one-year active suspension effective Jan.

1, 2010. An evidentiary panel of the District 4-A Grievance Committee found that Rozan was hired to defend his client in an asset forfeiture case. Rozan failed to communicate with his client about the status of the case and failed to respond to reasonable requests for information. After filing a verified claim on behalf of his client, Rozan failed to take any further action and in effect, abandoned the representation. Rozan did not withdraw from the case. A default judgment was entered against the client and Rozan failed to notify his client of said default judgment.

Rozan violated Rules 1.01(b)(1), 1.03(a), and 1.15(a)(1) and (d). He was ordered to pay \$1,925 in attorney's fees, \$2,500 in restitution, and \$836.70 in costs.

On Nov. 10, 2009, **Adjua Umoja** [#20377000], 50, of Houston, received a four-year, partially probated suspension effective Jan. 11, 2010, with the first two years actively served and the remainder probated. The 11th District Court of Harris County found that Umoja continued to practice law while she was administratively suspended from the practice of law.

Umoja violated Rule 8.04(a)(11). She was ordered to pay \$2,510 in attorney's fees and costs.

On Dec. 11, 2009, **Sharon G. Parr** [#15534300], 56, of Austin, accepted a six-month, fully probated suspension effective Jan. 1, 2010. An evidentiary panel of the District 9 Grievance Committee found that in a family law matter, Parr failed to respond to her client's numerous letters or return his telephone calls. After beginning initial work on the case, including pleadings, draft orders and negotiations, Parr failed to complete the matter. Further, Parr received notice of the complaint from the Chief Disciplinary Counsel and failed to furnish a written response as directed.



Parr violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8) and (a)(1). She was ordered to pay \$750 in attorney's fees.

## REPRIMANDS

On Dec. 11, 2009, **Don D. Becker** [#02012888], 55, of Houston, accepted a public reprimand. An evidentiary panel of the District 4-E Grievance Committee found that Becker was retained to appeal a criminal conviction. Becker ordered the trial transcript and filed the motion for new trial, but failed to perform any further legal services. Becker allowed the previous court-appointed attorney to handle the appeal. Becker further refused to refund the fees.

Becker violated Rules 1.01(b)(1) and 1.15(d). He was ordered to pay \$951.30 in attorney's fees and costs and \$7,000 in restitution.

On Dec. 10, 2009, **Carl Payne Tobey, Jr.** [#20082900], 66, of Boerne, accepted a public reprimand. The 150th District Court of Bexar County found that Tobey charged his client an unconscionable fee.

Tobey violated Rule 1.04(a). He was ordered to pay \$2,300 in attorney's fees and expenses and \$20,000 in restitution.

On Oct. 28, 2009, **Solomon Bedford** [#24040497], 37, of Austin, accepted a public reprimand. An evidentiary panel of the District 9 Grievance Committee found that in six cases, while enrolled on the list from which county judges make attorney appointments, Bedford failed to attend multiple court hearings during a seven-month period. The committee further found that in one case involving a bankruptcy matter, Bedford failed to timely file a Chapter 13 plan, bankruptcy schedules, and a statement of financial affairs, which led to the dismissal of his client's case. Due to a failure to adequately communicate with his client, Bedford then filed a second bankruptcy

petition based upon his mistaken assumptions about her intentions.


Bedford violated Rules 1.01(b)(1) and (b)(2), 1.03(a), and 8.04(a)(1). He was ordered to pay \$2,317.37 in attorney's fees and to complete six additional hours of continuing legal education in the area of Law Practice Management.

On Nov. 11, 2009, **Paul V. Enriquez** [#06630600], 62, of Dallas, received a public reprimand. An evidentiary panel of the District 6 Grievance Committee found that on Nov. 15, 2007, the complainant hired Enriquez to probate her son's will and paid Enriquez attorney's fees of \$750. Enriquez neglected to probate the will. Enriquez failed to respond to the complainant's requests for infor-

mation regarding the status of the matter. The complainant terminated the representation by letter dated Jan. 8, 2009, and Enriquez has not refunded the attorney's fees or returned the will as requested by the complainant.

Enriquez violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$805.18 in attorney's fees and \$750 in restitution. ☼

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