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TEXAS BAR JOURNAL DISCIPLINARY ACTIONS

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

George Meredith Bishop III [#02353000], 71, of Chappell Hill, has filed a petition in 21st District Court of Washington County for reinstatement as a member of the State Bar of Texas.

DISBARMENTS

On Aug. 23, 2012, **James Francis Sadler** [#00784893], 55, of Plano, was disbarred. An Evidentiary Panel of the District 1 Grievance Committee found that Sadler failed to hold funds belonging to the complainant that were in Sadler's possession in connection with the representation

separate from Sadler's own property until there was an accounting and severance of their interest. Sadler failed to promptly deliver to the complainant and the medical providers funds that the complainant and the medical providers were entitled to receive. Upon request by the complainant, Sadler failed to promptly render a full accounting regarding such settlement funds.

Sadler violated Rules 1.14(a), 1.14(b), and 1.14(c). He was ordered to pay \$5,833.09 in attorney's fees and costs, and \$11,182.32 in restitution.

SUSPENSIONS

On Oct. 3, 2012, **William Gary Nellis** [#90001643], 43, of Frisco, received a 42-month active suspension, effective Oct. 1, 2012. The District 1 Grievance Committee found that in representing the complainant, Nellis neglected the legal matter entrusted to him. Nellis failed to keep the complainant reasonably informed about the status of his matter and failed to promptly comply with reasonable requests for information from the complainant. Nellis also entered into an arrangement for, charged, or collected an unconscionable fee from the complainant. Upon termination of representation in the complainant's matter, Nellis failed to refund advance payments of fee that had not been earned.

Nellis was ordered to pay \$1,800 in attorney's fees and costs, and \$50,000 in restitution. Nellis violated Rules 1.01(b)(1), 1.03(a), 1.04(a), and 1.15(d).

On Nov. 28, 2012, **Bradley W. Shields** [#24002938], 41, of La Feria, accepted a two and a half year, partially probated suspension, effective Dec. 1, 2012, with the first 100 days actively served

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DISCIPLINARY ACTIONS

and remainder probated. The District 12-3 Grievance Committee found Shields neglected his client's case, failed to communicate with his client, failed to return the unearned portion of the fee, and failed to respond to the grievance.

Shields violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8), and was ordered to pay \$600 in restitution and \$500 in attorney's fees and direct expenses.

On Oct. 18, 2012, **Mark W. Racer** [#16448450], 52, of Wharton, accepted a public reprimand. Racer failed to keep two appellate clients reasonably informed about the status of their legal matters.

Racer violated Rule 1.03(a). He agreed to pay \$750 in attorney's fees and expenses.

On Nov. 1, 2012, **Everett J. McClain** [#00786850], 56, of Houston, accepted a two-year, fully probated suspension, effective Nov. 1, 2012. Upon termination of representation, McClain failed to surrender papers and property to which his client was entitled, failed to refund advance payments of fee that had not been earned, and failed to respond to the grievance.

McClain violated rules 1.15(d) and 8.04(a)(8). He agreed to pay \$950 in restitution and \$400 in attorney's fees.

On Sept. 19, 2012, **Chukwu Uwako** [#24007771], 49, of Houston, received a four-year, partially probated suspension, effective Oct. 19, 2012, with the first two years actively served and the remainder probated. The 129th District Court of Harris County found that Oko failed to keep a client reasonably informed about the status of the settlement of the client's personal injury case, and failed to explain the insurance company's settlement offer to the extent reasonably necessary to permit the client to make informed decisions regarding the settlement of his case. Also, Oko failed to promptly notify the client of Oko's receipt of the insurance

settlement funds; failed to maintain the settlement funds in trust; failed to promptly deliver to the client the client's portion of the settlement funds; and failed to disburse the settlement funds only to persons entitled to receive them by virtue of the representation or by law.

Oko violated Rules 1.03(a), 1.03(b), 1.14(a), 1.14(b), and 1.14(c). He was ordered to pay \$3,000 in restitution and \$7,955.20 in attorney's fees and costs. Oko filed a Notice of Appeal on Nov. 14, 2012.

On Nov. 6, 2012, **Stuart L. Leeds**, [#12151500], 58, of El Paso, agreed to a six-month, fully probated suspension, effective Nov. 15, 2012. The court found Leeds engaged in professional misconduct in violation of Texas Disciplinary Rules of Professional Conduct 3.04(d) and ordered Leeds to pay \$1,000 in fees and costs. Leeds violated Rule 3.04(d).

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Socrates did and how did that
turn out for him?*



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DISCIPLINARY ACTIONS

PRIVATE REPRIMANDS

Listed below is the breakdown of rule violations for 12 attorneys, with the number of attorneys violating each rule in parentheses. Please note that an attorney may be reprimanded for more than one rule violation. Texas Disciplinary Rules of Professional Conduct: **1.01(a)** — for accepting or continuing employment in a legal matter which the lawyer knew or should have known was beyond lawyer's competence (one); **1.01(b)(1)** — for neglecting a legal matter entrusted to the lawyer (one); **1.02(a)** — for failing to abide by a client's decisions concerning the objectives and general methods of representation (two); **1.03(a)** — for failure to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (three); **1.03(b)** — for failing to explain a matter to the extent reasonably nec-

essary to permit the client to make informed decisions regarding the representation (two); **1.14 (b)** — for failing, upon receiving funds or other property in which a client or third person has an interest, to promptly notify the client or third person and render a full accounting upon request (one); **1.15(a)(2)** — for failing to decline or withdraw from representation of a client if the lawyer's physical, mental, or psychological condition materially impairs the lawyer's fitness to represent the client (one); **1.15(d)** — for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, or surrender papers and property that belongs to the client (three); **7.07(b)** — except as provided in paragraph (d) of this rule, a lawyer shall file with the Lawyer Advertisement and Solicitation Review Committee of the State Bar of Texas, either before or concurrently with the dissemination of an advertisement in the public media, a copy of each of the lawyer's advertisements in the public media (one). **8.04(a)(7)** — for violating any disciplinary or disability order or judgment (one); **8.04(a)(8)** — for failing to timely furnish a district grievance committee a response or other information as required unless he/she timely asserts a privilege or other legal ground for failure to do so (one); **8.04(a)(11)** — for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to, situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments, or for failure to comply with Article XII of the State Bar rules relating to Mandatory Continuing Legal Education (one).

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