

General questions regarding attorney discipline should be directed to the Office of Chief Disciplinary Counsel, 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 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 are not necessarily licensed attorneys.

SUSPENSIONS

On Jan. 30, 2014, **Tara Nicole Long** [#24032680], 39, of Houston, received a one-year partially probated suspension effective April 1, 2014, with the first month actively suspended and the remainder probated. The 11th District Court of Harris County found that Long committed professional misconduct by violating Rules 1.14(a) [requiring a lawyer to keep funds belonging in whole or in part to a client or third person in a trust], 1.14(b) [requiring a lawyer to promptly deliver to the client or third person any funds that the client

or third person is entitled to receive], 8.04(a)(2) [prohibiting a lawyer from committing a serious crime or committing any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer], 8.04(a)(3) [prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation], and 8.04(a)(8) [failing to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure].

Long was ordered to pay \$1,000 in attorneys' fees and expenses.

On Feb. 14, 2014, **Gregory L. Phifer** [#15908580], 50, of Amarillo, received a six-month probated suspension effective Jan. 1, 2014. An evidentiary panel of the District 13 Grievance Committee found that in July 2011, Phifer was hired by complainant to seal her criminal records. In representing complainant, Phifer neglected the legal matter entrusted to him by failing to do any meaningful work on behalf of complainant. He failed to keep complainant reasonably informed about the status of her legal matter. Upon termination of representation, Phifer failed to refund advance payments of fee that had not been earned. He failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure. Phifer did not in good faith timely assert a privilege or other legal ground for failure to do so.

Phifer violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$200 in restitution and \$875 in attorneys' fees and direct expenses.

On Feb. 13, 2014, **Robert M. Jones** [#10951000], 69, of Dallas, agreed to a five-year partially probated suspension effective Feb. 11, 2014, with the first year actively suspended and the remainder probated. The 95th District Court of Dallas County found that Jones committed professional misconduct by violating Rules 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reason-

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able requests for information], and 1.15(d) [requiring a lawyer, upon termination of representation, to take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payments of fee that have not been earned].

Jones was ordered to pay \$1,500 in attorneys' fees and direct expenses.

On Jan. 29, 2014, **D. Craig Seldin** [#18005300], 61, of Houston, agreed to a three-year fully probated suspension effective Feb. 1, 2014. An evidentiary panel of the District 4 Grievance Committee found that Seldin committed criminal acts that reflected adversely on his fitness as a lawyer.

Seldin violated Rule 8.04(a)(2). He was ordered to pay \$600 in attorneys' fees.

On March 31, 2014, **Alberto Acevedo Jr.** [#00829720], 60, of San Antonio, accepted an interim suspension, effective March 31, 2014. The 224th Judicial District Court of Bexar County ordered Acevedo to be suspended from the practice of law pending the final disposition of a disciplinary proceeding.

On Feb. 12, 2014, **Allen R. Griffin** [#00784175], 48, of Dallas, agreed to a six-month probated suspension effective Feb. 10, 2014. The District 6 Grievance Committee found that, in representing complainant in her divorce and child custody matter, Griffin neglected the legal matter entrusted to him by failing to draft a proposed divorce decree or take any further action in the matter. Griffin failed to promptly comply with reasonable requests for information from complainant. Upon termination of representation, Griffin failed to return complainant's case file and refund

advance payments of fee that had not been earned. Griffin failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information 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.

Griffin violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,353.14 in attorneys' fees and \$2,500 in restitution.

On Feb. 20, 2014, Griffin agreed to a six-month probated suspension effective Feb. 10, 2014. The District 6 Grievance Committee found in representing complainant in her divorce matter, Griffin neglected the legal matter entrusted to him by failing to appear at two hearings and failing to answer written discovery from complainant's spouse. Griffin failed to

keep complainant reasonably informed about the status of her matter and failed to promptly comply with reasonable requests for information from complainant. Griffin failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information 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.

Griffin violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,133.50 in attorneys' fees and \$2,000 in restitution.

On Dec. 10, 2013, **Robert L. Hoffman** [#09788000], 68, of Dallas, received a two-year active suspension effective Jan. 1, 2014. The 134th District Court of Dallas County found that Hoffman committed professional

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DISCIPLINARY ACTIONS

misconduct by violating Rules 1.01(b)(1) [prohibiting a lawyer from neglecting a legal matter entrusted to the lawyer], 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], 1.03(b) [requiring a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation], 1.04(d) [requiring a contingent fee agreement to be in writing], 1.15(d) [requiring the return of the case file and any unearned portion of the fee upon termination of the representation], and 8.01(b) [requiring a response to any lawful demand for information from a disciplinary authority].

Hoffman was ordered to pay \$7,000 in restitution and \$4,149.50 in attorneys' fees and direct expenses.

Hoffman filed a notice of appeal on March 10, 2014.

On March 7, 2014, **Dominick J. Marsala** [#24054063], 36, of Denton, received a one-year fully probated suspension effective March 1, 2014. In 2006, in representing complainant in her personal injury matter, Marsala neglected the legal matter and failed to keep complainant reasonably informed about the status of her personal injury case. In addition, Marsala failed to furnish to the Office of Chief Disciplinary Counsel a response or assert any grounds for his failure to do so.

Marsala violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,235.22 in attorneys' fees and direct expenses.

On March 5, 2014, **Janice Payne Oviatt** [#24007789], 63, of Houston,

received an 18-month partially probated suspension effective March 10, 2014, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that, regarding three clients, the respondent failed to timely surrender papers and property to which the client was entitled or failed to timely refund advance payments of fee that had not been earned.

Oviatt violated Rule 1.15(d). She was ordered to pay \$2,500 in restitution and \$500 in attorneys' fees and direct expenses.

On Feb. 24, 2014, **Jon Phillip Thomas** [#24037593], 35, of Houston, received a 12-month fully probated suspension effective Feb. 12, 2014. An evidentiary panel of the District 4 Grievance Committee found that Thomas failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure.

Thomas violated Rules 8.04(a)(1) and 8.04(a)(8). He was ordered to pay \$2,395 in attorneys' fees and direct expenses.

Thomas has not filed an appeal.

PUBLIC REPRIMANDS

On Jan. 30, 2014, **William Basquette** [#01871400], 58, of San Antonio, received a public reprimand. An evidentiary panel of the District 10 Grievance Committee found that Basquette failed to communicate with his client and failed to return unearned fees and costs to his client.

Basquette violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$695 in restitution and \$1,562.50 in attorneys' fees and expenses.

On Feb. 24, 2014, **Jesse Aranda Herrera** [#00784261], 49, of El Paso, accepted a public reprimand. An evidentiary panel of the District 17

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Grievance Committee found that Herrera failed to obtain his client's written consent to share fees with another attorney.

Herrera violated Rule 1.04(f)(2) and agreed to pay \$1,000 in attorneys' fees and direct expenses.

On Feb. 7, 2014, **Craig A. Washington** [#20901000], 72, of Houston, received a public reprimand. The 335th District Court of Bastrop County found that Washington committed professional misconduct by violating Rules 1.04(f)(2) [requiring that a division or arrangement for division of a fee between lawyers who are not in the same firm be made only if the client consents in writing to the terms of the arrangement prior to the time of the association or referral proposed]; 1.14(a) [requiring a lawyer to hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property]; 1.15(d) [requiring a lawyer, upon termination of representation, to take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payments of fee that have not been earned]; and 8.04(a)(1) [prohibiting lawyers from violating the disciplinary rules].

Washington was ordered to pay \$23,568.67 in attorneys' fees and expenses.

Washington has filed an appeal.

PRIVATE REPRIMANDS

Listed below is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for seven attorneys, with the number in parentheses indicating the frequency of violation.

Please note that an attorney may be reprimanded for more than one rule violation.

1.01(b)(1)—for neglecting a legal matter entrusted to the lawyer (2).

1.01(b)(2)—for failing to carry out completely the obligations owed to a client (1).

1.03(a)—for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (5).

1.03(b)—for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding representation (1).

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 belong to the client (2). **TBJ**

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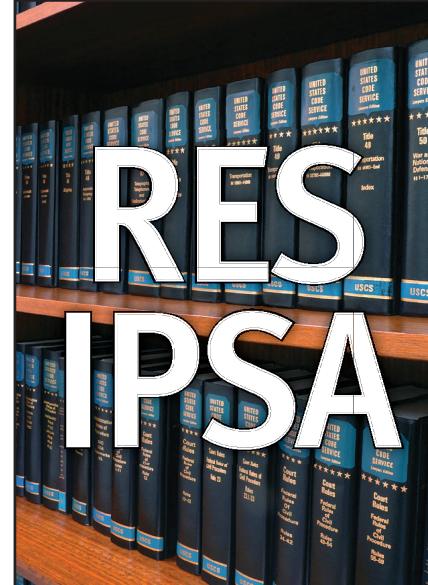
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