

► Contact the Office of Chief Disciplinary Counsel at (512) 453-5535, the Board of Disciplinary Appeals at (512) 475-1578 or txboda.org, or the State Commission on Judicial Conduct at (512) 463-5533.

JUDICIAL ACTIONS

To read the entire public sanction, go to scjc.texas.gov.

On January 28, 2016, the State Commission on Judicial Conduct issued a public admonition and order of additional education to Robert “Bobby” Contreras, justice of the peace of Precinct 2, Place 1 in Pharr, Hidalgo County. Contreras violated Canons 2A, 3B(2), and 3B(8) of the Texas Code of Judicial Conduct.

BODA

On February 2, 2016, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Houston attorney **William Topp Maxwell** [#24028775], 56. On or

about August 11, 2015, by amended judgment, Maxwell was convicted in *United States of America v. William Maxwell, Defendant*, Case No. 1:11-CR-00740, U.S. District Court for the District of New Jersey, of racketeering conspiracy, conspiracy to commit securities fraud, conspiracy to commit wire fraud, wire fraud, money laundering conspiracy, conspiracy to obstruct justice, and conspiracy to sell or transfer firearms and ammunition to a prohibited person—intentional crimes as defined in the Texas Rules of Disciplinary Procedure—and was sentenced to 240 months of incarceration. Upon release from imprisonment, he will be on supervised release for three years. Maxwell has appealed his criminal conviction. The board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 56591.

On February 2, 2016, the Board of Disciplinary Appeals signed a judgment of suspension against Dallas attorney **Mpatanishi Syanaloli Tayari-Garrett** [#24073090], 40. Garrett was indefinitely suspended from the practice of law and ineligible to apply for reinstatement for 120 days after the effective date of the order of suspension in a matter styled *In re Petition for Disciplinary Action against Mpatanishi Syanaloli Tayari-Garrett, A Minnesota Attorney*, Registration No. 342075, 866 N.W.2d 513, for willfully disobeying a court mandate, making a false or misleading statement to a tribunal, and being convicted of willfully disobeying a court mandate. Garrett is suspended from the practice of law in Texas for 120 days, from February 8, 2016, to June 7, 2016. BODA Cause No. 56589.

On February 2, 2016, the Board of Disciplinary Appeals affirmed the judgment of disbarment of St. Louis, Missouri, and Austin attorney **Charles Dee**

Septowski [#18032325], 61, signed on March 3, 2015, by the evidentiary panel of the District 9-03 Grievance Committee in Case No. 201400356. BODA Cause No. 55901.

On January 29, 2016, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against Edinburg attorney **Rodrigo Martinez Jr.** [#13144200], 59. On or about June 16, 2015, Martinez was convicted in *The State of Texas v. Rodrigo Martinez, Jr. Defendant*, Cause No. CR-2152-12-G in the 370th District Court of Hidalgo County, of theft of the value of \$200,000 or more, a first-degree felony; sentenced to seven years imprisonment; and ordered to pay court costs of \$228 as well as \$410,000 in restitution. Martinez has appealed his criminal conviction. The board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 56590.

On February 8, 2016, the Board of Disciplinary Appeals affirmed the judgment of disbarment of Caldwell attorney **Charles J. Sebesta Jr.** [#17970000], 75, signed on June 11, 2015, by the evidentiary panel of the District 8-2 Grievance Committee in Case No. 201400539. A copy of the opinion issued by the board in this matter may be found at txboda.org. BODA Cause No. 56406.

On January 7, 2016, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against Cameron attorney **Rique Don Bobbitt** [#02534000], 69, in accordance with Part XII of the Texas Rules of Disciplinary Procedure and section 8 of the Internal Procedural Rules of the Board of Disciplinary Appeals. BODA Cause No. 57117.

On January 12, 2016, the Board of

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STATEWIDE REPRESENTATION

Disciplinary Appeals signed an agreed interlocutory order of suspension against Houston attorney **Abraham M. Fisch** [#07039900], 57. On or about November 25, 2015, by amended judgment, Fisch was convicted in *United States of America v. Abraham Moses Fisch, aka Anthony Fisch*, Case No. 4:11CR722-001, U.S. District & Bankruptcy Court for the Southern District of Texas holding session in Houston of one count of conspiracy to commit obstruction of justice; four counts of obstruction of justice, aiding and abetting; one count of conspiracy to commit money laundering; seven counts of money laundering, aiding and abetting; and five counts of failure to file a tax return—intentional crimes as defined in the Texas Rules of Disciplinary Procedure—and was sentenced to 180 months of incarceration. Upon release from imprisonment, he will be on supervised release for five years. Fisch has appealed his criminal conviction. The board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 57005.

SUSPENSIONS

On February 9, 2016, **Laura Gayle Nelson** [#14903550], 56, of Seguin, accepted a one-year fully probated suspension effective February 22, 2016. The District 15 Grievance Committee found that Nelson failed to promptly comply with reasonable requests for information, failed to hold client funds separate from her own property, and engaged in the practice of law while her law license was administratively suspended.

Nelson violated Rules 1.03(a), 1.14(a), and 8.04(a)(11). She was ordered to pay \$2,537.85 in attorneys' fees and direct expenses.

On February 5, 2016, **Amanda Marie Payton** [#24079117], 29, of Plano, received a 24-month partially probated suspension, with one month active (February 15, 2016, through March 14, 2016) and 23 months probated (March 15, 2016, through February 14, 2018). An evidentiary panel of

the District 6 Grievance Committee found that Payton engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation.

Payton violated Rule 8.04(a)(3). She was ordered to pay \$1,800 in attorneys' fees and direct expenses.

On January 12, 2016, **Benjamin Robert Peppard** [#24083647], 31, of Fort Worth, received an 18-month probated suspension effective January 6, 2016. The District 7 Grievance Committee found that, in representing the complainant in a contract dispute, Peppard neglected the legal matter entrusted to him by failing to perform any legal services. Peppard failed to keep the complainant reasonably informed about the status of the contract dispute and failed to promptly comply with reasonable requests for information from the complainant about the contract dispute. Upon termination of representa-

tion, Peppard failed to surrender papers and property to which the complainant was entitled.

Peppard violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). He was ordered to pay \$1,000 in restitution, \$2,525 in attorneys' fees, and \$699.50 in direct expenses.

On January 22, 2016, **Harold Brandon Price** [#24049263], 44, of Dallas, received a fully probated suspension for a period of six months beginning March 1, 2016. An evidentiary panel of the District 6 Grievance Committee found that Price neglected a legal matter entrusted to him by his client and failed to keep the client reasonably informed about the status of her legal matter and failed to promptly comply with the client's reasonable requests for information regarding the case.

Price violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$3,109.50



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in attorneys' fees and \$890.50 in direct expenses.

On January 22, 2016, **Kelvin Larnard Roquemore** [#24002867], 48, of Dallas, received a 24-month partially probated suspension effective February 1, 2016, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that on or about February 3, 2012, the complainant hired Roquemore for representation in a civil matter. Roquemore failed to hold funds belonging to the complainant separate from Roquemore's own property. Roquemore failed to keep funds that belonged to the complainant in a separate trust account. Upon receiving funds in which the complainant had an interest, Roquemore failed to promptly notify the complainant. Roquemore failed to promptly deliver to the complainant

funds that the complainant was entitled to receive.

Roquemore violated Rules 1.14(a), 1.14(b), and 1.14(c). He was ordered to pay \$2,287 in restitution, \$3,000 in attorneys' fees, and \$483.50 in direct expenses.

Roquemore did not file an appeal.

On February 10, 2016, **Staci Jennifer Strong** [#24037564], 43, of Dallas, agreed to 30 months of probated suspension effective March 1, 2016. The District 6 Grievance Committee found that Strong failed to keep funds belonging in whole or in part to the complainant separate from her own property. Upon receiving funds in which the complainant had an interest, Strong failed to promptly notify the complainant. Strong failed to promptly deliver to the complainant funds that the complainant was entitled to receive. Strong engaged in conduct involving dishonesty, fraud, de-

ceit, or misrepresentation.

Strong violated Rules 1.14(a), 1.14(b), and 8.04(a)(3). She was ordered to pay \$25,359.67 in restitution and \$2,000 in attorneys' fees and direct expenses.

On January 20, 2016, **Brent M. Wasserstein** [#24039234], 40, of Houston, accepted a two-year fully probated suspension effective February 1, 2016. An evidentiary panel of the District 4 Grievance Committee found that Wasserstein neglected his client's case, failed to keep his client reasonably informed about the status of the case, and failed to promptly comply with his client's reasonable requests for information. Throughout the representation, Wasserstein engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Wasserstein further failed to timely respond to the grievance.

Wasserstein violated Rules 1.01(b)(1), 1.03(a), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$1,000 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On February 10, 2016, **Michael Andrew Casey** [#03958700], 60, of Arlington, received an agreed judgment of public reprimand. An evidentiary panel of the District 7 Grievance Committee found that Casey failed to keep the complainant reasonably informed about the status of his civil matter.

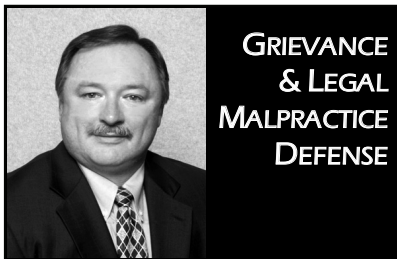
Casey violated Rule 1.03(a). He was ordered to pay \$713.25 in attorneys' fees and direct expenses.

On February 8, 2016, **Kelley Elise Cash** [#24001852], 43, of Dallas, received a public reprimand. An evidentiary panel of the District 6 Grievance Committee found that Cash engaged in the practice of law when her right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Cash violated Rule 8.04(a)(11). She was ordered to pay \$750 in attorneys' fees and direct expenses.

On February 8, 2016, **Viney K. Gupta** [#00790085], 67, of Orange, California,

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accepted a public reprimand. An evidentiary panel of the District 9 Grievance Committee found that while representing a client in an immigration case, Gupta failed to properly calendar a final hearing, failed to contact the court for additional information, and failed to attend the final hearing.

Gupta violated Rules 1.01(b)(1) and 8.04(a)(1). She was ordered to pay \$6,103.10 in attorneys' fees and direct expenses.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 14 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 (4).

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 (6).

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

1.04(d)—for entering into a contingent fee agreement prohibited by paragraph (e) or other law and/or failing to enter into a written contingency fee agreement that states the method by which the fee is to be determined (1).

1.06(b)(1)—for representing a person where the representation of that person involves a substantially related matter in which that person's interests are materially and directly adverse to the interests of another client (1).

1.07(a)(1)—A lawyer shall not act as intermediary between clients unless the lawyer consults with each client concerning the implications of the common representation, including the advantages and risks involved and the effect on the attorney-client privileges, and obtains each client's written consent to the common representation (1).

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 (2).

1.15(a)(1)—for failing to decline or withdraw from representation of a client if the representation will result in a violation of Rule 3.08, other applicable rules of professional conduct, or other law (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 (5).

8.04(a)(8)—for failing to timely furnish to a district grievance committee a response or other information as required unless he or she timely asserts a privilege or other legal ground for failure to do so (1). **TBJ**

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