

## DISCIPLINARY ACTIONS

### RESIGNATIONS

On November 17, 2015, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Robert Constantine Fafatas** [#24010017], 45, of The Woodlands. In the first three cases, Fafatas neglected the legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their matters, and failed to comply with reasonable requests for information. Fafatas also failed to refund any advance payments of fees that were not earned, and he engaged in the practice of law while on administrative suspension. In the fourth case, Fafatas failed to refund any advance payments of fees that were not earned and failed to respond to the grievance. In the final

matter, Fafatas neglected the legal matter, failed to keep his client reasonably informed about the status of the matter, failed to comply with reasonable requests for information, and failed to explain the matter to the extent reasonably necessary to permit his client to make informed decisions. Fafatas also failed to respond to the grievance and engaged in the practice of law while on administrative suspension.

Fafatas violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(8), and 8.04(a)(11).

### SUSPENSIONS

On November 10, 2015, **Christopher Dante Demerson** [#24066913], 32, of Houston, accepted an 18-month fully probated suspension effective

November 5, 2015. An evidentiary panel of the District 4 Grievance Committee found that Demerson neglected the legal matters entrusted to him, failed to keep the complainants reasonably informed about the status of their matters, failed to promptly comply with reasonable requests from complainants for information about the matters, and failed to explain the matters to the extent reasonably necessary to permit the complainants to make informed decisions regarding the representation.

Demerson violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). He was ordered to pay \$1,261 in attorneys' fees and direct expenses.

On November 10, 2015, **Stephen Kenneth Howard** [#10079420], 52,

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of Hurst, received a 10-year partially probated suspension effective December 1, 2015, with the first five years actively suspended and the remainder probated. An evidentiary panel of the District 7 Grievance Committee found that in the first matter, Howard failed to keep the complainant reasonably informed about the status of her personal injury matter; failed to hold funds belonging in whole or in part to the complainant separate from his own property; failed to promptly deliver funds that the complainant was entitled to receive; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. In the second matter, Howard failed to keep the complainant reasonably informed about the status of his personal injury matter; failed to hold funds belonging in whole or in part to the complainant separate from his own property; failed to promptly deliver funds that the complainant was entitled to receive; and

engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. In the final matter, Howard failed to keep the complainant reasonably informed about the status of her personal injury matter; failed to hold funds belonging in whole or in part to the complainant separate from his own property; failed to promptly deliver funds that the complainant was entitled to receive; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Howard violated Rules 1.03(a), 1.14(a), 1.14(b), and 8.04(a)(3). He was ordered to pay \$46,500 in restitution and \$337.50 in attorneys' fees and direct expenses.

On November 18, 2015, **Randall A. Parker** [#15495300], 67, of San Antonio, agreed to a six-month probated suspension effective December 1, 2015. The District 10 Grievance Committee found that Parker failed

to communicate with a client and failed to respond to the grievance.

Parker violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$800 in attorneys' fees and direct expenses.

On October 7, 2015, **Randall Dale Parker** [#24025583], 44, of Dallas, received a 12-month partially probated suspension effective October 15, 2015, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that after Parker was hired as legal counsel on August 25, 2009, he failed to abide by the complainant's decisions concerning the objectives and general methods of representation, failed to keep the complainant reasonably informed about the case, and failed to promptly comply with reasonable requests for information about the status of the civil matter. Parker also failed to

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explain the civil matter to the extent reasonably necessary to permit the complainant to make informed decisions regarding the legal representation. He further failed to timely furnish to the Office of the Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure. He did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Parker violated Rules 1.02(a)(1), 1.03(a), 1.03(b), and 8.04(a)(8).

He was ordered to pay \$3,000 in restitution and \$3,000 in attorneys' fees and direct expenses.

On October 16, 2015, **Terresha Deneen Wile Stevens** [#24043939], 38, of Arlington, received a one-year fully probated suspension effective October 1, 2015. In the first matter, Stevens engaged in the practice of law when her right to practice had been

administratively suspended for failure to repay student loans. In the second matter, Stevens failed to keep the complainant reasonably informed about the status of her family law case.

Stevens violated Rules 1.03(a) and 8.04(a)(11). She was ordered to pay \$1,500 in restitution.

On November 12, 2015, **Andrew E. Toscano** [#00786832], 46, of San Antonio, accepted a two-year fully probated suspension effective November 15, 2015. The 37th Civil District Court of Bexar County found that Toscano committed professional misconduct by violating Rule 1.15(a) [failing to decline or withdraw from representation of a client].

Toscano was ordered to pay \$5,500 in attorneys' fees and direct expenses.

On November 20, 2015, **Beverly Lynn Gaines Towery** [#24039354], 53, of Plano, agreed to a two-year active suspension effective November 15, 2015. The District 1 Grievance Committee found that Towery failed to explain the civil matter to the extent reasonably necessary to permit the complainant to make informed decisions regarding the representation and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Towery violated Rules 1.03(b) and 8.04(a)(3). She was ordered to pay \$2,500 in attorneys' fees and direct expenses.

## PUBLIC REPRIMANDS

On November 4, 2015, **Terry Levoy Marsaw** [#00786085], 60, of Dallas, received a public reprimand. An evidentiary panel of the District 6 Grievance Committee found that Marsaw filed a motion for continuance with the Dalworthington Gardens Municipal Court stating that he was detained in another court. Marsaw did not appear in the second court.

Marsaw violated Rule 3.03(a)(1). He was ordered to pay \$925 in attorneys' fees and direct expenses. **TBJ**

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