

DISCIPLINARY ACTIONS

JUDICIAL ACTIONS

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On May 9, 2017, the State Commission on Judicial Conduct issued a public reprimand to **Russell B. Casey**, justice of the peace of precinct 3 in Hurst and Southlake, Tarrant County. Casey violated Canon 3(b)(4) of the Code of Judicial Conduct and Article V, Section 1-a(6)(A) of the Texas Constitution.

On March 28, 2017, the State Commission on Judicial Conduct issued a public warning and order of additional education to **Jim L. Alford**, justice of the peace, Mount Vernon, Franklin County. Alford violated Canons 2A, 3B(2), and 3B(4) of the Texas Code of Judicial Conduct.

On May 8, 2017, the State Commission

on Judicial Conduct issued an amended public reprimand and order of additional education to **James Oakley**, county judge, Burnet, Burnet County. Oakley violated Canon 4A(1) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution.

On March 17, 2017, the State Commission on Judicial Conduct issued a public reprimand and order of additional education to **Esequiel "Cheque" De La Paz**, justice of the peace of precinct 4, place 1, Kingsville, Kleberg County. De La Paz violated Canons 2A, 2B, 3B(2), 3B(4), 3B(6), and 6C(2) of the Texas Code of Judicial Conduct.

RESIGNATIONS

On May 30, 2017, the Supreme Court of Texas accepted the resignation in lieu of discipline of **D. Lee Alford IV** [#01011450], 53, of Bryan. At the time of Alford's resignation, five disciplinary cases were pending alleging that he failed to promptly deliver to his clients funds that the clients were entitled; failed to file a response to complaints; failed to keep clients reasonably informed about the status of their matters; failed to promptly comply with reasonable requests for information; failed to provide a full accounting of property; failed to surrender papers and property to which clients were entitled; failed to refund advanced payments of fees that had not been earned; engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; violated disciplinary judgments; and practiced law while suspended.

Alford violated Rules 1.01(b)(1), 1.03(a), 1.14(b), 1.15(d), 8.04(a)(3), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11).

On May 30, 2017, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Kevin D. Fine** [#00790682], 50, of Houston. At the time of his resignation, Fine had one grievance pending alleging that he failed to return an unearned fee, failed to render an accounting, and charged or collected an illegal or unconscionable fee.

Fine violated Rules 1.04(a), 1.14(b),

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and 1.15(d).

On May 2, 2017, the Supreme Court of Texas accepted the resignation in lieu of discipline of **John Greuner** [#08450900], 56, of Grapevine. At the time of Greuner's resignation, there were eight disciplinary actions pending alleging that he neglected clients' matters, failed to complete probate of estates, failed to prepare estate planning documents, failed to keep clients reasonably informed of the status of their legal matters and to promptly comply with reasonable requests for information, failed to promptly deliver funds or property the client or third party was entitled to receive, failed to refund advance payments of fees that had not been earned, and failed to respond to notice of complaint.

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

On May 30, 2017, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Ezekiel Hurd Jr.** [#24062791], 42, of Houston. At the time of his resignation, Hurd had three grievances pending alleging that he neglected legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their legal matters and to promptly comply with reasonable requests for information, and failed to respond to the grievances.

Hurd violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8).

On May 2, 2017, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Frank Anthony Knight III** [#11598500], 65, of Baytown. At the time of Knight's resignation, there were seven disciplinary matters pending alleging that Knight neglected legal matters entrusted to him; failed to keep his clients reasonably informed about the status of their legal matters and to promptly comply with reasonable requests for information; failed to refund advanced payments of fees that had not been earned; failed to surrender papers and property to which clients were entitled; made false statements of material fact or

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law to a tribunal and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; failed to timely furnish to the Office of Chief Disciplinary Counsel responses or other information as required by the Texas Rules of Disciplinary Procedure; engaged in the practice of law when he was on inactive status or when the right to practice had been suspended or terminated; and violated disciplinary judgments.

Knight violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 3.03(a)(1), 8.04(a)(3), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$23,200 in restitution and \$1,000 in attorneys' fees and direct expenses.

On May 30, 2017, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Hugh Lappe Scott Jr.** [#17924500], 66, of San Antonio. At the time of Scott's resignation, one disciplinary matter was pending alleging that he engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Further, an amended judgment in a criminal case had been entered in Cause No. 5:13-CR-00636-XR(1), styled *United States of America v. Hugh Lappe Scott, Jr., a/k/a Hugh L. Scott, Hugh Lappe Scott, Hugh Scott, Hugh L. Scott, Jr., Defendant*, in the U.S. District Court for the Western District of Texas in San Antonio, wherein Scott pleaded guilty to accessory after the fact, was committed to the custody of the Federal Bureau of Prisons for six months, and ordered to pay an assessment in the amount of \$100 and restitution in the amount of \$1,025,613.01. It was further ordered that upon release from prison, Scott shall be on supervised release for a term of three years, with six months in the home confinement program, and was ordered to tender the resignation of his law license. This conviction would subject Scott to compulsory discipline.

Scott violated Rules 8.04(a)(3) and 8.04(a)(1).

SUSPENSIONS

On May 9, 2017, **Kimberly Lynn Bush** [#24047231], 52, of San Antonio, accepted a one-year fully probated suspension effective May 1, 2017. An evidentiary panel of the District 10 Grievance Committee found that Bush failed to

return the unearned portion of a fee and failed to respond to the grievance.

Bush violated Rules 1.15(d) and 8.04(a)(8). She was ordered to pay \$500 in restitution and \$800 in attorneys' fees and direct expenses.

On May 23, 2017, **Maria Damisela Chavira-Brown** [#24045190], 52, of San Antonio, accepted a six-month fully probated suspension effective October 1, 2017. An evidentiary panel of the District 10 Grievance Committee found that Chavira-Brown failed to keep her client reasonably informed, failed to promptly provide an accounting of funds to her client, failed to deliver funds to her client, and failed to return the unearned portion of the fee.

Chavira-Brown violated Rules 1.03(a), 1.03(b), 1.14(b), and 1.15(d). She was ordered to pay \$800 in attorneys' fees and direct expenses.

On May 4, 2017, **Howard Willis Gaddis Jr.** [#00784094], 63, of San

Antonio, accepted an 18-month active suspension effective May 19, 2017. An evidentiary panel of the District 10 Grievance Committee found that Gaddis engaged in a habitual pattern of failure to comply with federal district court orders regarding admission to practice law in federal court, misrepresented facts, and failed to disclose information in a motion to appear pro hac vice.

Gaddis violated Rules 3.03(a)(1), 3.03(a)(3), 3.04(c)(1), and 8.04(a)(3). He was ordered to pay \$2,675 in attorneys' fees and direct expenses.

On May 10, 2017, **Gina Lynn Giblin** [#00787532], 49, of Dallas, agreed to an 18-month fully probated suspension effective May 15, 2017. An evidentiary panel of the District 6 Grievance Committee found that in the first case, Giblin neglected the legal matter entrusted to her, failed to keep her clients reasonably informed about the status of their matter, and failed to promptly comply with reasonable requests for information.



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In the second case, Giblin neglected the legal matter entrusted to her, failed to keep her client reasonably informed about the status of the matter, and failed to promptly comply with reasonable requests for information from her client. Upon termination of representation, Giblin failed to take steps to the extent reasonably practicable to protect her clients' interest and failed to refund advance payments of fees that had not been earned.

Giblin violated Rules 1.01(b)(1), 1.03(a), and 1.15(d). She was ordered to pay \$1,196.21 in restitution and \$1,974.50 in attorneys' fees and direct expenses.

On April 27, 2017, **James P. Grissom** [#08511900], 69, of McAllen, accepted a one-year fully probated suspension effective May 1, 2017. An evidentiary panel of the District 12 Grievance Committee found that Grissom failed to keep his client reasonably informed.

Grissom violated Rule 1.03(b). He

was ordered to pay \$1,200 in attorneys' fees and direct expenses.

On May 16, 2017, **James P. Grissom** [#08511900], 69, of McAllen, accepted a 54-month partially probated suspension effective August 1, 2017, with the first 20 months actively served and the remainder probated. An evidentiary panel of the District 12 Grievance Committee found that Grissom neglected a client's matter and failed to keep a client reasonably informed.

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

On May 24, 2017, **Cyrus Daniel Herrin** [#24065409], 34, of Dallas, received a 30-month fully probated suspension effective May 1, 2017. An evidentiary panel of the District 6 Grievance Committee found that Herrin represented clients in bankruptcy proceedings even though the representations reasonably appeared to be

adversely limited by Herrin's own interests, accepted compensation from a third party for client representations without their consent and even though the acceptance interfered with Herrin's independence of professional judgment, and knowingly permitted a partner in his law firm to accept compensation from a third party for client representations without their consent.

Herrin violated Rules 1.06(b)(2), 1.08(e), and 5.01(a). He was ordered to pay \$3,531.25 in attorneys' fees and direct expenses.

On May 15, 2017, **John Joseph Hopkins** [#00796775], 51, of New Ulm, accepted a 12-month partially probated suspension effective May 1, 2017, with the first three months actively served and the remainder probated. An evidentiary panel of the District 11 Grievance Committee found that Hopkins neglected client matters, failed to keep a client reasonably informed, and failed to return the client's file.

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

On May 10, 2017, **Frederick Dewayne Kelly** [#11218600], 57, of Houston, accepted a one-year partially probated suspension effective June 1, 2017, with the first six months actively served and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Kelly failed to keep clients reasonably informed about the status of their personal injury matters.

Kelly violated Rule 1.03(a). He was ordered to pay \$800 in attorneys' fees and direct expenses.

On May 5, 2017, **Pascual Madrigal** [#12802150], 62, of San Antonio, accepted a two-year partially probated suspension effective November 17, 2017, with the first 90 days actively served and the remainder probated. An evidentiary panel of the District 10 Grievance Committee found that Madrigal failed to return a client's file, failed to return unearned fees, and failed to communicate with a client.

Madrigal violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$4,000

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in restitution and \$800 in attorneys' fees and direct expenses.

On May 16, 2017, **Rene Ramirez** [#16475600], 56, of McAllen, accepted a two-year fully probated suspension effective May 15, 2017. An evidentiary panel of the District 12 Grievance Committee found that Ramirez failed to hold client funds in a trust account and failed to deliver funds to a third party entitled to receive the funds.

Ramirez violated Rules 1.14(a) and 1.14(b). He was ordered to pay \$2,500 in attorneys' fees and direct expenses.

On April 3, 2017, **Edward Eugene Winfrey** [#24033349], 52, of Fort Worth, received a three-year partially probated suspension, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 7 Grievance Committee found that Winfrey engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. Winfrey further 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 his failure to do so.

Winfrey violated Rules 8.04(a)(3) and 8.04(a)(8). He was ordered to pay \$275,000 in restitution and \$3,000 in attorneys' fees and direct expenses.

On March 2, 2017, **Oscar John Zevallos** [#24013798], 48, of Plano, received a 24-month partially probated suspension effective February 9, 2017, with the first six months actively served and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that on August 7, 2013, a complainant hired Zevallos to represent him in a personal injury matter. Zevallos failed to keep the complainant reasonably informed about the status of his case, failed to

promptly comply with reasonable requests for information, and 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.

Zevallos violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$5,715.65 in attorneys' fees and \$551.90 in direct expenses.

PUBLIC REPRIMANDS

On March 1, 2017, **Wilford A. Anderson** [#01232300], 69, of Houston, received a judgment of public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Anderson frequently failed to carry out completely the obligations that a lawyer owes to his or her client.

Anderson violated Rule 1.01(b)(2). He was ordered to pay \$1,000 in attorneys' fees and direct expenses.

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On May 5, 2017, **S. Bruce Hiran** [#00785965], 57, of Houston, accepted a public reprimand. An evidentiary panel of the District 4 Grievance Committee found that upon his receipt of settlement funds on behalf of three separate clients, Hiran failed to promptly deliver funds to the medical provider.

Hiran violated Rule 1.14(b). He was ordered to pay \$5,974 in restitution and \$1,000 in attorneys' fees and direct expenses.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 10 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 (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 (4).

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).

1.04(a)—A lawyer shall not enter into an arrangement for, charge, or collect an illegal fee or unconscionable fee. A fee is unconscionable if a competent lawyer could not form a reasonable belief that the fee is reasonable (1).

1.04(f)(2)—A division or agreement for division of a fee between lawyers who are not in the same firm shall not be made unless the client is advised of, and does not object to, the participation of all the lawyers involved (1).

5.03(b)(1)—a lawyer shall be in violation if the lawyer orders, encourages, or permits the conduct involved of a non-lawyer to be in violation of the rules of the Texas Disciplinary Rules of Professional Conduct (1).

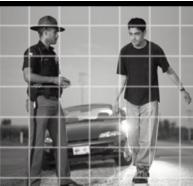
8.04(a)(8)—for failing to timely furnish to a district grievance committee a response or other information as required unless he or she timely asserts a privilege or other legal ground for failure to do so (3). **TBJ**

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