

## DISCIPLINARY ACTIONS

### JUDICIAL ACTIONS

To read the entire public sanctions, go to [scjc.texas.gov](http://scjc.texas.gov).

On April 18, 2018, the State Commission on Judicial Conduct issued a public admonition and order of additional education to **Kelly Cross**, judge of Probate Court No. 1 in San Antonio, Bexar County.

On April 18, 2018, the State Commission on Judicial Conduct issued a public reprimand and order of additional education to **Homer Jasso Sr.**, justice of the peace for Precinct 4, Place 2 in Edinburg, Hidalgo County.

On April 18, 2018, the State Commission on Judicial Conduct issued a public warning and order of additional

education to **Christopher Lee**, justice of the peace for Precinct 3 in Riviera, Kleberg County.

On April 23, 2018, the State Commission on Judicial Conduct issued an order of suspension, without pay, to **John Lovett Jr.**, county judge of San Jacinto County.

### BODA

On March 21, 2018, the Board of Disciplinary Appeals signed an agreed judgment of public reprimand of Nashville, Tennessee, attorney **Robin Jeffrey Gordon** [#08206200], 53. On April 4, 2017, Gordon was reprimanded by Disciplinary District V of the Board of Professional Responsibility of the Supreme Court of Tennessee in a matter styled *In Re: Robin Jeffrey Gordon*,

#14618, Respondent, an attorney licensed to practice law in Tennessee (Davidson County), File No. 40240c-5-ES on October 31, 2012, for violations of Rule 1.3 (diligence) and 3.2 (expediting litigation) of the Tennessee Rules of Professional Conduct. Gordon is currently suspended from the practice of law in Texas. BODA Cause No. 59478.

On April 23, 2018, the Board of Disciplinary Appeals signed a final judgment of disbarment against Edinburg attorney **Rodrigo Martinez Jr.** [#13144200], 61. 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, and sentenced to seven years imprisonment and ordered to pay court costs of \$228 and restitution in the amount of \$410,000. On January 29, 2016, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against Martinez, suspending Martinez while he appealed his criminal conviction. On March 9, 2017, the 13th Court of Appeals in Corpus Christi affirmed his conviction, modifying the amount of restitution to \$416,000 and issued its mandate on December 28, 2017. BODA Cause No. 56590.

On April 23, 2018, after considering the briefs of the parties, the record, and hearing oral argument, the Board of Disciplinary Appeals affirmed the public reprimand of Dallas attorney **Lloyd Eugene Ward** [#20845100], 56, signed on August 17, 2017, by an evidentiary panel of the State Bar of Texas District 6-2 Grievance Committee in Case No. 201401402. The panel found that Ward violated Texas Disciplinary Rules of Professional Conduct Rule 8.04(a)(3) when he engaged in conduct involving dishonesty, fraud, deceit, and/or misrepresentation in the course of handling various debt settlement matters. BODA Cause No. 59515.

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On April 23, 2018, the Board of Disciplinary Appeals signed a judgment disbarring Colorado Springs, Colorado, attorney **Philip M. Kleinsmith** [#11567650], 78. On December 23, 2016, the Supreme Court of Colorado entered an order and notice of disbarment against Kleinsmith in a matter styled *Complainant, People of the State of Colorado, Respondent: Philip M. Kleinsmith* in Case No. 16PDJ031 for failing to promptly deliver to a third person funds belonging to the third person and converting those funds to his own use. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Kleinsmith is disbarred in Texas. BODA Cause No. 60098.

On April 24, 2018, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against Sweetwater attorney **John S. Young** [#22197800], 57. On November 13, 2017, Young was found guilty of two counts of forgery of a financial instrument (counts one and two), theft of property in a value of \$200,000 or more (count three), and money laundering in a value greater than \$100,000 and less than \$200,000 (count four), intentional crimes as defined in the Texas Rules of Disciplinary Procedure, in the case styled *The State of Texas v. John Stacy Young*, Cause No. 30544B-17-0081-SB in the 119th Judicial District Court of Tom Green County. Young was sentenced to prison for 730 days as to counts one and two and 11 years as to counts three and four, to run concurrently, and ordered to pay a fine in the amount of \$10,000. Young has appealed his criminal conviction. The board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 59818.

#### RESIGNATIONS

On March 27, 2018, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Burrel Rowe** [#17332000], 81, of Livingston. At the time of Rowe's resignation, two pending grievances alleged that he neglected the legal matter entrusted to him, failed to

refund unearned fees, failed to withdraw from representation due to a physical impairment, and failed to properly ensure that the conduct of the non-lawyer under his authority was compatible with the professional obligations of a lawyer, which also subjected Rowe to discipline for permitting the conduct.

Rowe violated Rules 1.01(b)(1), 1.15(d), 1.15(a)(2), 5.03(a), and 5.03(b)(1).

On April 10, 2018, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Carlos Ismael Uresti** [#00785132], 54, of San Antonio. On February 22, 2018, Uresti was found guilty on five counts of wire fraud, one count of conspiracy to commit wire fraud, one count of conspiracy to launder monetary instruments, one count of engaging in monetary transactions in property derived from specified unlawful activity, two counts of securities fraud, and one count of acting as an unregistered

securities broker in Case No. 5:17-cr-00381-DAE-1, in the U.S. District Court, Western District of Texas.

Uresti violated Rules 8.04(a)(2) and 8.04(a)(3).

#### SUSPENSIONS

On March 28, 2018, **Maria Damisela Chavira-Brown** [#24045190], 53, of San Antonio, accepted an 18-month fully probated suspension effective April 1, 2018. An evidentiary panel of the District 10 Grievance Committee found that Chavira-Brown neglected a client's matter.

Chavira-Brown violated Rule 1.01(b)(1). She was ordered to pay \$800 in attorneys' fees and direct expenses.

On March 8, 2018, **Rayan D. Ganesh** [#24068728], 34, of Coppell, received a 12-month fully probated suspension effective March 1, 2018. An evidentiary panel of the District 6

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Grievance Committee found that on June 3, 2016, Ganesh engaged in conduct that constitutes barratry and prohibited solicitation when he approached the complainant, who did not seek Ganesh's advice, regarding employment, offering to represent the complainant for a fee in the two misdemeanor cases in which she was waiting to appear in court for that day. Thereafter, Ganesh failed to keep the complainant reasonably informed about the status of her cases and failed to promptly comply with reasonable requests for information from the complainant about her legal matter.

Ganesh violated Rules 1.03(a), 7.03(a), and 8.04(a)(9). He was ordered to pay \$600 in restitution and \$3,241.50 in attorneys' fees and direct expenses.

On March 15, 2018, **Rayshun Jackson** [#00797754], 49, of Dallas, received a 36-month fully probated suspension effective April 2, 2018. An evidentiary

panel of the District 6 Grievance Committee found that on November 15, 2016, Jackson was actively suspended from the practice of law for six months. On November 22, 2016, Jackson appeared telephonically at a hearing before a federal magistrate, thereby engaging in the practice of law while he was suspended. Jackson violated a disciplinary judgment by appearing as counsel in a proceeding in federal court, failing to notify the judge of his suspension, failing to notify opposing counsel and complainant in writing of his suspension, and by holding himself out as an attorney.

Jackson violated Rules 8.04(a)(7) and 8.04(a)(11). He was ordered to pay \$2,925 in attorneys' fees and \$200 in direct expenses.

On April 12, 2018, **Thomas Henry Johnson** [#00796069], 51, of Frisco, received a 12-month fully probated

suspension effective April 15, 2018. An evidentiary panel of the District 1 Grievance Committee found that on August 21, 2013, the complainant hired Johnson to defend him in two civil matters. In representing the complainant, Johnson neglected the legal matters entrusted to him, failed to notify the complainant of possible settlement so that the complainant could decide whether to accept an offer of settlement, failed to inform the complainant of the judgments against him, failed to keep the complainant reasonably informed about the status of his matters, and failed to promptly comply with reasonable requests for information.

Johnson violated Rules 1.01(b)(1), 1.02(a)(2), and 1.03(a). He was ordered to pay \$1,671 in attorneys' fees and direct expenses.

On April 2, 2018, **J. Esequiel Ramos Jr.** [#16508030], 58, of Corpus Christi, accepted a two-year active suspension effective May 14, 2018. The 28th District Court of Nueces County found that Ramos violated Rules 5.04(a) [sharing or promising to share legal fees with a non-lawyer], 8.04(a)(8) [failing to respond to a grievance in a timely fashion], and 8.01 (b) [failing to respond to a lawful demand for information from a disciplinary authority].

Ramos violated Rules 5.04(a), 8.04(a)(8), and 8.01(b). He was ordered to pay \$1,400 in restitution and \$6,000 in attorneys' fees and direct expenses.

### PUBLIC REPRIMANDS

On March 20, 2018, **Victoria V. Ochsner** [#24051129], 45, of Houston, received a judgment of public reprimand. An evidentiary panel of the District 4 Grievance Committee found that Ochsner neglected her client's matter.

Ochsner violated Rule 1.01(b)(1). She was ordered to pay \$1,292.37 in attorneys' fees and direct expenses.

Ochsner has filed a notice of appeal.

### PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for three attorneys,

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Member, 1992-1996, 1997-2003

#### State Bar of Texas

Disciplinary Rules of Professional Conduct Committee

Member, 1993-1996

#### Disciplinary Review Committee

Member, 1991-1992

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with the number in parentheses indicating the frequency of the 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).

1.03(a)—for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (1).

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).

1.14(b)—Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or

third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property (1).

8.04(a)(2)—A lawyer shall not commit a serious crime or commit any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects (1).

8.04(a)(3)—for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation (1).

8.04(a)(8)—for failing to timely furnish to the Office of Chief Disciplinary Counsel or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so (1). **TBJ**

# Exclusive. (But here for all.)

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