



DISCIPLINARY ACTIONS

General questions regarding attorney discipline should be directed to the Chief Disciplinary Counsel's Office, 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 actual 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 on Judicial Conduct are not necessarily licensed attorneys.

DISBARMENT

On Jan. 26, **Carol Bowling Jackson** [#00794934], 62, of Bedford, was disbarred. An evidentiary panel of the District 7-3 Grievance Committee found that Jackson failed to abide by a client's decisions concerning the objectives and general methods of representation in a divorce matter, to keep the client reasonably informed about the status of the matter, and to return the file to the client upon request. In addition, Jackson failed to file a response with the Office of the Chief Disciplinary Counsel.

Jackson violated Rules 1.02(a)(1),

1.03(a), 1.15(d) and 8.04(a)(8). She was ordered to pay \$1,556.12 in attorney's fees and costs.

RESIGNATIONS

On Feb. 15, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **John M. Merritt** [#13967425], 73, of Oklahoma City, Okla. The Court found that on June 27, 2011, an order approving resignation from the Oklahoma Bar Association pending disciplinary proceedings was entered in the Supreme Court of Oklahoma in a matter styled: SCBD #5755, *State of Oklahoma ex rel, Oklahoma Bar Association, Complainant, v. John M. Merritt, Respondent*.

This resignation would subject Merritt to reciprocal discipline.

SUSPENSIONS

On Jan. 19, **Jeffrey S. Barry** [#24036193], 38, of Houston, accepted a two-year, partially probated suspension effective Feb. 1, with the first three months actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found that Barry failed to timely respond to a motion for summary judgment, resulting in a dismissal of his client's civil case; to file a brief, resulting in the dismissal of his client's appeal; and to return his client's phone calls and keep him informed of the status of his case.

Barry violated Rules 1.01(b)(1) and 1.03(a). He agreed to pay \$1,000 in attorney's fees and expenses.

On Jan. 23, **Ray W. Hill** [#09667000], 71, of Crowley, accepted a one-year, fully probated suspension effective Feb. 1. An evidentiary panel of the District 7-3 Grievance Committee found that Hill engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees.

Hill violated Rule 8.04(a)(11). He was ordered to pay \$872.36 in attorney's fees and costs.

On Jan. 23, **Mitchell D. Collins** [#24025301], 42, of Tyler, received a four-year, partially probated suspension effective Feb. 1, with the first two years actively served and the remainder probated. An evidentiary panel of the District 2-3 Grievance Committee found that during the course of his representation of the complainant, Collins failed to adequately communicate with her. In addition, upon the conclusion of the complainant's contingent fee matter, Collins failed to provide the complainant with a settlement disbursement

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STATEWIDE REPRESENTATION

On Jan. 24, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Stephen J. Jabbour** [#10444700], 58, of Victoria. The Court found that on June 9, 2011, a judgment in a criminal case was entered in Case No. 6:10CR00090-S-001, styled *United States of America v. Stephen Jabbour*, in the U.S. District Court for the Southern District of Texas, Victoria Division, wherein Jabbour pleaded guilty to receipt of child pornography and possession of child pornography. Jabbour was committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a total term of 170 months and was ordered upon release from imprisonment to be on supervised release for life and to comply with special conditions of supervision in connection with sex offender registration, restrictions, and treatment and to pay a fine of \$25,000 and an assessment of \$200.

This conviction would subject Jabbour to compulsory discipline.



sheet. Finally, Collins failed to safeguard the complainant's funds.

Collins violated Rules 1.03(a), 1.04(d), and 1.14(a). He was ordered to pay \$1,500 in attorney's fees and costs and \$3,679.25 in restitution.

On Dec. 15, 2011, **Kirby J. Roberts** [#17012900], 55, of Port Aransas, received a 30-day, active suspension effective July 1. An evidentiary panel of the District 14-4 Grievance Committee found that Roberts neglected the client's legal matter and failed to keep the client reasonably informed regarding the status of the matter and to promptly comply with reasonable requests for information. Roberts failed to furnish a response to the complaint.

Roberts violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$3,168.24 in attorney's fees and costs.

On Dec. 30, **Robert Paul Buss** [#03507550], 65, of Plano, received a five-year, active suspension effective Dec. 21, 2011. An evidentiary panel of the District 1-2 Grievance Committee found that Buss engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees or assessments and to respond to the grievance.

Buss violated Rules 8.04(a)(8) and (a)(11). He was ordered to pay \$1,531.99 in attorney's fees and costs.

On Jan. 30, **Michael Maldonado** [#12855260], 52, of Corpus Christi, accepted a two-year, fully probated suspension effective Feb. 1. An evidentiary panel of the District 11-1 Grievance Committee found that in connection with a personal injury case settled in 2008, Maldonado failed to supervise his non-lawyer staff, to promptly pay settlement funds to medical providers, to maintain client funds in a trust account separate from his own property, and to communicate with his client.

Maldonado violated Rules 1.03(b), 1.14(a) and (b), and 5.03(a). He was

ordered to pay \$1,200 in attorney's fees and expenses and \$8,625 in restitution.

On Feb. 7, **Raymond Lamar Fisher** [#07057700], 60, of Houston, accepted a six-month, fully probated suspension effective Feb. 15. The 55th District Court of Harris County found that Fisher permitted a non-lawyer associate to make numerous telephone calls from Fisher's office to patient rooms at Memorial Hermann Hospital during a three-month period for the purpose of soliciting business on behalf of Fisher.

Fisher violated Rule 5.03(b)(1). He was ordered to pay \$6,377 in attorney's fees and expenses.

On Jan. 30, **Keith Brian Kozura** [#24015150], 40, of Denton, agreed to a two-year, fully probated suspension effective Jan. 30, 2012. An evidentiary panel of the District 14-2 Grievance Committee found that Kozura failed to fully comply with the terms of a judgment of partially probated suspension, a judgment of active suspension, and a default judgment of public reprimand.

Kozura violated Rule 8.04(a)(7). He was ordered to pay \$1,260 in attorney's fees and costs.

On Nov. 21, 2011, **Cyril O. Chukwurah** [#24048394], 55, of Houston, received a five-year, partially probated suspension effective Nov. 10, 2011, with the first three years actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found that Chukwurah accepted employment in a legal matter that he knew or should have known was beyond his competence. Chukwurah failed to give his client straightforward advice. Chukwurah brought a proceeding, or asserted or controverted an issue, that he knew to be frivolous. Chukwurah engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Chukwurah violated Rules 1.01(a), 2.01, 3.01, and 8.03(a)(3). He was ordered to pay \$3,016.40 in attorney's fees and costs.

Chukwurah has filed an appeal.

On Jan. 10, **Gerald G. Staton** [#24000064], 43, of Fort Worth, received a three-year, partially probated suspension effective Jan. 10, with the first six months actively served and the remainder probated. An evidentiary panel of the District 7-3 Grievance Committee found that in one matter, Staton failed to keep his clients reasonably informed about the status of their civil matter.

In a second matter, Staton, upon termination of representation, failed to refund advance payments of fee that had not been earned to his client.

In a third matter, Staton failed to keep his client reasonably informed about the status of a civil matter. Upon termination of representation, Staton failed to surrender papers and property to which the client was entitled and to

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refund advance payments of fee that had not been earned. In addition, Staton failed to timely furnish a response in all three matters.

Staton violated Rules 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$6,435.70 in attorney's fees and costs.

On Jan. 12, **Ikechukwu Nweze** [#00792725], 59, of Houston, received a two-year, partially probated suspension effective March 1, with the first year actively served and the remainder probated. An evidentiary panel of the District 4-B Grievance Committee found that Nweze neglected the legal matter entrusted to him and failed to keep his client reasonably informed about the status of her legal matter, to promptly comply with reasonable requests for information, to hold in a trust account funds belonging to his client, and to

promptly deliver to his client funds that she was entitled to receive.

Nweze violated Rules 1.01(b)(1), 1.03(a), and 1.14(a) and (b). He was ordered to pay \$1,725 in attorney's fees.

On Feb. 16, **John-Paul Chidgey** [#24035419], 38, of Fort Worth, received a two-year, probated suspension effective Feb. 15. An evidentiary panel of the District 7-3 Grievance Committee found that Chidgey neglected a client's legal matter entrusted to him by failing to appear at a pretrial conference and the final hearing and failed to keep the client reasonably informed about the status of her family law matter. Chidgey also failed to timely furnish a response to the complaint or other information as required by the Texas Rules of Disciplinary Procedure or assert any grounds for such failure.

Chidgey violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,034.53 in attorney's fees and costs and \$1,500 in restitution.

On Feb. 15, **Charles Shavers, Jr.** [#18138000], 71, of Dallas, received a four-year, fully active suspension effective Feb. 29. The 162nd District Court found that while representing a client in a civil matter, Shavers failed to make reasonable efforts to ensure that the conduct of his non-lawyer employee was compatible with Shavers' professional obligations as a lawyer.

Shavers violated Rule 5.03(a). He was ordered to pay \$7,992.45 in attorney's fees and \$8,300 in restitution.

Shavers filed an appeal on Feb. 23.

On Feb. 22, **John D. Nation** [#14819700], 59, of Dallas, agreed to a two-year, partially probated suspension effective March 1, with the first three months actively served and the remainder probated. The 191st District Court of Dallas County found that Nation neglected a legal matter entrusted to him.

Nation was ordered to pay \$3,000 in attorney's fees and costs. Nation violated Rule 1.01(b)(1).

On Jan. 25, **Barbara Wylie** [#22096500], 60, of Weatherford, received a one-year, partially probated suspension effective Jan. 18, with the first six months actively served and the remainder probated. An evidentiary panel of the District 14-3 Grievance Committee found that in representing the complainant, Wylie neglected the legal matter entrusted to her, frequently failed to carry out completely the obligations owed to the complainant, and failed to keep the complainant reasonably informed about the status of his civil matter and to promptly comply with reasonable requests for information from the complainant about his matter. Wylie failed to respond to the grievance.

Wylie violated Rules 1.01(b)(1) and (b)(2), 1.03(a), and 8.04(a)(8). She was ordered to pay \$3,655.34 in attorney's fees and costs and \$2,500 in restitution.

On Nov. 29, 2011, **Robert T. Wallace** [#20776400], 72, of Houston, received a four-year, partially probated suspension effective Jan. 1, with the first year actively served and the remainder probated. The 152nd District Court of Harris County found that Wallace asserted an issue in court proceedings that he could not reasonably believe was not frivolous and that his position unreasonably delayed the resolution of the matter.

Wallace violated Rules 3.01 and 3.02. He was ordered to pay \$4,815 in attorney's fees and expenses.

Wallace has filed an appeal.

On March 1, **Shane Michael Brooks** [#24031765], 36, of Austin, accepted a four-year, partially probated suspension, with the first two months served and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Brooks was hired to represent a client in a criminal matter but failed to take any meaningful action on the client's case. Subsequently, the client terminated the representation and hired alternate counsel. Brooks failed to return any unearned payment of fees.

Brooks violated Rules 1.01(b)(1), 1.15(d), and 8.04(a)(1). Brooks paid \$538.62

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in attorney's fees and costs and \$1,000 in restitution.

On Feb. 16, **Humberto Saldana III** [#24026460], 42, of San Antonio, accepted a one-year, fully probated suspension effective March 1. An evidentiary panel of the District 10-2 Grievance Committee found that Saldana failed to carry out completely the obligations owed to a client and to keep the client reasonably informed.

Saldana violated Rules 1.01(b)(2) and 1.03(a). He was ordered to pay \$1,500 in attorney's fees and direct expenses.

On Jan. 24, **Stephen T. Leas** [#12095255], 57, of McAllen, accepted a three-year, fully probated suspension effective Nov. 23, 2011. An evidentiary panel of the District 12-3 Grievance Committee found that Leas failed to supervise non-lawyer staff and ensure that the non-lawyer's conduct was compatible with the professional obligations of a lawyer.

Leas violated Rule 5.03(a). He was ordered to pay \$500 in attorney's fees and direct expenses.

PUBLIC REPRIMANDS

On Jan. 5, **Brian Yusef Bernard** [#24001728], 40, of Austin, accepted a public reprimand. An evidentiary panel of the District 9 Grievance Committee found that on Sept. 23, 2010, the complainant requested that Bernard provide her with an accounting as well as return her file. On Nov. 15, 2010, Bernard provided the complainant with an incomplete copy of her file. Additionally, Bernard never provided the complainant with an accounting. Bernard received a \$2,000 advanced fee from the complainant but did not deposit the check into his trust account. Further, Bernard failed to maintain trust account records for those funds for five years.

Bernard violated Rules 1.14(a), (b), and (c); 1.15(d); and 8.04(a)(1). He was ordered to pay \$3,242.47 in attorney's fees and costs and to complete continuing legal education in law practice management.

On Jan. 5, **Melissa Segundo-Moreno** [#24033173], 41, of San Antonio, accepted a public reprimand. An evidentiary panel of the District 10-1 Grievance Committee found that Segundo-Moreno neglected a client representation and failed to respond to a client's requests for information, to return the unearned portion of the fee, and to respond to the grievance.

Segundo-Moreno violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She agreed to pay \$500 in attorney's fees and expenses and \$1,200 in restitution.

On Jan. 23, **Paula R. Cundiff** [#24010350], 38, of League City, accepted a public reprimand. An evidentiary panel of the District 5-B Grievance Committee found that Cundiff practiced law while administratively suspended from the practice of law for non-compliance with her Minimum Continuing Legal Education requirements.

Cundiff violated Rule 8.04(a)(11). She agreed to pay \$350 in attorney's fees and costs.

On Feb. 14, **Christopher J. Pettit** [#15861150], 44, of San Antonio, accepted a public reprimand. An evidentiary panel of the District 10-1 Grievance Committee found that Pettit failed to ensure that his non-lawyer associate's conduct was compatible with the professional obligations of a lawyer.

Pettit violated Rules 5.03(a) and (b)(1). He agreed to pay \$850 in attorney's fees and direct expenses.

On Feb. 10, **Richard H. Martin** [#24037034], 36, of McKinney, received a public reprimand. An evidentiary panel of the District 1-1 Grievance Committee found that on May 10, 2010, Martin pleaded guilty to the criminal offense of abuse of official capacity for conduct committed while he was serving as the city manager of the City of Oak Point.

Martin violated Rules 8.04(a)(2) and (a)(3). He was ordered to pay \$1,400 in attorney's fees.

Martin did not file an appeal.

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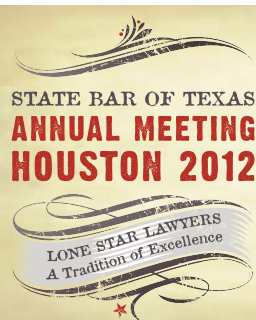
On Feb. 22, **Randall B. Wilburn** [#24033342], 50, of Austin, accepted a public reprimand. An evidentiary panel of the District 9 Grievance Committee found that Wilburn was employed as an associate at a firm from June 2004 to February 2006. While employed at the firm, Wilburn represented a company regarding a proposed land development in Jarrell. During the representation, Wilburn joined a limited partnership that provided him with a financial interest in the company's development project.

Wilburn violated Rule 1.08(h). He paid \$4,500 in attorney's fees and costs.

PRIVATE REPRIMANDS

Listed below is the breakdown of rule violations for 21 attorneys, with the number of attorneys violating each rule in parentheses. Please note that an attorney may be reprimanded for more than one rule violation. Texas Disciplinary Rules of Professional Conduct: 1.01(b)(1) — neglecting a legal matter (seven); 1.01(b)(2) — failing to carry out completely the obligations owed to a client (three); 1.02(a)(1) — for failing to abide by a client's decisions concerning the objectives and general methods of representation (three); 1.03(a) — failing to keep a client reasonably informed about the status of a case (five); 1.03(b) — failing to explain a matter to the extent reasonably necessary to permit a client to make informed decisions (three); 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 material-

ly and directly adverse to the interests of another client (one); 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 (two); 1.15(a)(3) — for failing to decline or withdraw from representation of a client if the lawyer is discharged, with or without good cause (one); 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 belongs to the client (one); 8.04(a)(1) — for violating these Rules, knowingly assisting, or inducing another to do so or doing so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship (one); 8.04(a)(3) — engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation (one); 8.04(a)(8) — failing to timely furnish the chief disciplinary counsel or a district grievance committee a response or other information as required by the Texas Disciplinary Rules of Professional Conduct (three); and 8.04(a)(11) — for engaging in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education (six). ★



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