



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 www.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.

RESIGNATIONS

On April 25, 2007, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **William H. Mitchell III** [#14225980], 52, of Frisco.

On April 12, 2007, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Eugene V. Burd**, [#03362900], 43, of Houston.

The court found that on June 24, 2005, Burd pleaded guilty to count nine [making a false statement on an income tax return in violation of 26 U.S.C. §7206(1) of the Superseding Indictment in Case No. 4:04CR00143-001, styled *United States of America v. Gene Burd*, in the U.S. District Court for the Southern District of Texas, Houston Division].

As a result of such plea to an intentional and serious crime as defined in Rules 1.06(T) and 1.06(Z), Texas Rules of Disciplinary Procedure, Burd would be subject to compulsory discipline under Part VIII of the Rules.

On April 5, 2007, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Dwight Edward Denman** [#00790578], 52, of North Richland Hills. At the time of Denman's resignation, there were six matters pending against him before an evidentiary panel of the District 7-A Grievance Committee. The allegations in the six pending matters include neglect, failure to communicate or respond to reasonable requests for information from clients, failure to explain a matter to the extent necessary to permit the client to make informed decisions, failure to return unearned fees, failure to properly supervise non-lawyer employees, and failure to comply with grievance committee subpoenas.

Denman violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), 1.15(d), 5.03(a), and 8.04(a)(8).

DISBARMENTS

On March 21, 2007, **Thomas Alan Owen** [#15372450], 47, of Arlington, was disbarred from the practice of law after a finding of professional misconduct by a panel of the District 7-A Grievance Committee.

In the first matter, the complainant sold a home to Owen's client. Owen altered the contract, which caused the complainant to receive less money than he would have received under the original contract. After the complainant called the mortgage company to tell them his account was short, Owen called the complainant and threatened to file a lawsuit against him.

In the second matter, Owen was hired to represent a client in a personal injury matter. Owen failed to timely respond to discovery from the defendants, resulting in admissions being deemed and monetary sanctions being issued against his client for a pattern of discovery abuse. Further, Owen failed to appear at the sanctions hearing in May 2005. During the representation, Owen failed to keep his client advised as to the status of his case and failed to explain the matter to the extent reasonably necessary for him to make informed decisions regarding the representation. The client sent Owen written requests for the return of his file, but received no response. In addition, Owen failed to respond to notice of the complaints.

Owen violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), 3.02, 4.04(a), and 8.04(a)(3) and (a)(8). He

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was ordered to pay \$1,772.50 in attorney's fees and \$359.28 in costs. He has appealed the decision.

On March 8, 2007, **Jeffrey T. Hubbard**, [#00784301], 49, of Phoenix, Ariz., was disbarred by an evidentiary panel of the District 9-A Grievance Committee.

The panel found that Hubbard knowingly failed to respond to a lawful demand for information from a disciplinary authority, violated a disciplinary judgment, and failed to timely furnish responses to the Chief Disciplinary Counsel's office or a district grievance committee as required by the Texas Rules of Disciplinary Procedure.

Hubbard violated Rules 8.01(b) and 8.04(a)(7) and (a)(8) of the Texas Disciplinary Rules of Professional Conduct. He was ordered to pay \$1,880 in attorney's fees and costs.

SUSPENSIONS

On March 26, 2007, **George D. McDonald** [#13546500], 61, of Granbury, received a one-year, fully probated suspension effective April 1, 2007. A panel of the District 14-B Grievance Committee found that in March 2004, the complainant filed suit seeking an accounting in connection with certain trusts for which McDonald was serving as trustee. In June 2004, a default judgment was entered in favor of the complainant, and McDonald was ordered to provide the complainant's attorney with a full and complete accounting of all financial transactions relating to the trusts on or before July 14, 2004. McDonald failed to obey the order.

McDonald violated Rule 3.04(d). He was ordered to pay \$302.62 in costs.

On April 5, 2007, **Gilbert Corrigan** [#00792429], 43, of Pasadena, agreed to a one-year, partially probated suspension, effective May 15, 2007, with six months to be actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found that Corrigan failed to appear in court in each of the cases. Additionally, Corrigan failed to respond to requests for information in each case and failed to timely respond to State Bar of Texas grievances.

Corrigan violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), 1.15(d), and 8.04(a)(8). He agreed to pay \$1,181 in restitution to one complainant, \$795 in restitution to another complainant, and 1,712.40 in attorney's fees and costs.

On April 12, 2007, **William Ross Teter** [#19811000], 66, of Dallas, accepted a three-year, fully probated suspension effective May 1, 2007. The 191st Judicial District Court found that in the first matter, Teter sent solicitation letters to thousands of individuals who had not received bail refunds from Dallas County after their criminal cases had been disposed of. In sending these letters, Teter failed to comply with the advertising rules. A temporary injunction enjoined Teter from soliciting clients to represent them in obtaining bail bonds, which Teter failed to obey. A permanent injunction was issued, stating that Teter filed false and fraudulent documents with courts purporting to represent parties he does not represent, intending that the courts treat those documents as legitimate claims. Teter also failed to respond to the grievance in the first matter.

In the second matter, Teter was hired to represent the complainant to collect on a bond refund. After the complainant filed a grievance against Teter, he filed a complaint against the complainant, who was a notary public, with the Secretary of State's office concerning a document the complainant notarized. Teter also sent a copy of the notary public complaint to the complainant's employer.

Teter violated Rules 1.05(b)(1)(ii), 3.03(a)(1), 3.04(b) and (d), 4.04(a) and (b)(2), 7.02(a)(1), 7.04(b)(3), (c), and (h), 7.05(a)(1), (a)(2), (a)(3), (b)(2), (b)(3), (b)(6), (b)(7), and (c), 7.07(a)(1) and (b)(1), and 8.04(a)(8). He was ordered to pay \$5,000 in attorney's fees and costs.

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On Feb. 26, 2007, **E.O. Rick Romero** [#17223950], 46, of Dallas, received a one-year, partially probated suspension effective March 1, 2007, with the first two months actively served and the remainder probated. A panel of the District 6-A Grievance Committee found that in the first matter, on March 20, 2004, the complainant retained Romero to represent him in a child custody matter. The complainant gave Romero a check for his share of the cost of a social study, as well as the documents to be copied and submitted to Dallas County Family Services. Romero failed to promptly forward the money and documents to Dallas

County Family Services. Romero failed to respond to the complainant's requests for information and failed to promptly return the complainant's file.

In a second matter, on May 5, 2004, the complainant retained Romero to represent her in a divorce matter. Romero neglected the matter and took no action on the complainant's case for the next seven months. Romero failed to respond to the complainant's requests for information or keep her informed about the status of her case.

In a third matter, on Feb. 11, 2004, the complainant retained Romero to file suit to establish paternity of his children. Romero filed a petition to adjudicate parentage on Feb. 27, 2004. Romero failed to respond to the complainant's requests for information and the return of his file.

Romero violated Rules 1.01(b)(1), 1.03(a) and (b), 1.14(b), and 1.15(d). He was ordered to pay \$1,000 in restitution, \$1,787.50 in attorney's fees, and \$508.60 in costs.

On April 26, 2007, **Catherine Shelton** [#13902800], 58, of Dallas, received an order revoking probation and imposing a three-year suspension, effective May 15, 2007. The 162nd Judicial District Court found that Shelton, during the term of her probation, engaged in professional misconduct in violation of the terms and conditions of a judgment of suspension entered on Dec. 8, 2003.

REPRIMANDS

On Jan. 29, 2007, **Thomas J. Barry** [#01835850], 51, of Yorktown, received a public reprimand. An evidentiary panel of the District 11-C Grievance Committee found that

Barry failed to timely file a response to the grievance with the Office of the Chief Disciplinary Counsel.

Barry violated Rules 8.04(a)(8). He was ordered to pay \$250 in attorney's fees.

On March 15, 2007, **Kristina Kimberlee Laurel** [#24001044], 35, of Laredo, accepted a public reprimand. An evidentiary panel of the District 12-A Grievance Committee found that Laurel neglected a family law representation and failed to respond to her client's requests for information.

Laurel violated Rules 1.01(b)(1) and 1.03(a). She was ordered to pay \$300 in attorney's fees.

On Feb. 12, 2007, **Ricardo Rodriguez Amador** [#00790225], 41, of Corpus Christi, received a public reprimand. An evidentiary panel of the District 11-A Grievance Committee found Amador failed to timely respond to a grievance.

Amador violated Rule 8.04(a)(8). He was ordered to pay \$1,000 in attorney's fees and costs.

On Feb. 15, 2007, **Donald R. McDermitt** [#13531250], 54, of McKinney, received a public reprimand after a finding of professional misconduct by the District 1-A Grievance Committee.

In the first matter, on March 24, 2005, McDermitt was appointed by the court to represent the complainant in a criminal matter. McDermitt failed to meet with the complainant, who was incarcerated in jail, regarding his case and failed to respond to the complainant's phone calls and correspondence requesting information about the status of his case.

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In a second matter, on Feb. 18, 2005, McDermitt was appointed by the court to represent the complainant in a criminal matter. McDermitt failed to contact the complainant regarding his case after the appointment was made. McDermitt also failed to respond to the complainant's numerous requests for information about the status of his case. Further, McDermitt set the matter for a jury trial without consulting the complainant.

In a third matter, on Dec. 1, 2004, the court appointed McDermitt to represent the complainant in a criminal matter. The complainant had been detained in the Collin County Detention Center since Nov. 11, 2004, and had seen McDermitt only once prior to the date the grievance was filed. McDermitt failed to communicate with the complainant either by mail or in person, other than the initial visit. The complainant and his family called and wrote to McDermitt to no avail.

McDermitt violated Rules 1.01(b)(1), 1.02(a)(3), and 1.03(a). He was ordered to pay \$2,475 in attorney's fees.

On April 19, 2007, **Juan Carlos Martinez** [#13142475], 49, of San Antonio, accepted a public reprimand. An evidentiary panel of the District 10-A Grievance Committee found that Martinez engaged in the practice of law while his law license was administratively suspended.

Martinez violated Rule 8.04(a)(11). He was ordered to pay \$500 in attorney's fees.

On March 21, 2007, **Elizabeth A. Darnall** [#18577100], 57, of Dallas, received a judgment of public reprimand after a finding of professional misconduct by a panel of the District 6-A Grievance Committee. Darnall failed to timely file a response to the complainant's complaint and failed to assert any grounds for such failure to do so.

Darnall violated Rule 8.04(a)(8).

On March 27, 2007, **Leo Bierwirth** [#02304000], 86, of Houston, accepted an agreed judgment of public reprimand. An evidentiary panel of the District 4-E Grievance Committee found that Bierwirth failed to keep the complainant's portion of settlement funds in a trust account pending the accounting and severance of the complainant's interest in the funds. Bierwirth further failed to properly supervise his non-lawyer employee in the handling of the described funds.

Bierwirth violated Rules 1.14(a), (b), and (c) and 5.03(a) and (b)(1). He agreed to pay \$600 in attorney's fees and costs.

On April 12, 2007, **Michael J. Williams** [#24025717], 47, of Wylie, accepted an agreed judgment of public reprimand after a finding of profes-

sional misconduct by a panel of the District 6-A Grievance Committee.

The complainant hired Williams to obtain an alien labor certification and paid Williams' \$2,000 fee. Williams failed to keep the complainant informed of the status of her matter. The U.S. Department of Labor terminated the processing of the complainant's application due to Williams' failure to respond to inquiries regarding whether the complainant's case was still active. Williams failed to respond to the grievance.

Williams violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$2,000 in restitution and \$2,068.75 in attorney's fees and costs. ☆

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