

General questions regarding attorney discipline should be directed to the Office of Chief Disciplinary Counsel, 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 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.

BODA

On April 17, 2014, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Addison attorney **Ray Galvan Jr.** [#07599300], 51, from a judgment of probated suspension signed by an evidentiary panel of the District 6-5 Grievance Committee of the State Bar of Texas on Nov. 6, 2013, in Case No. S01010124356. Galvan did not file a brief, and the board issued an order to show cause to Galvan on March 12, 2014. The show cause order gave him 30 days to respond and show cause as to why the appeal should not be dismissed for want of prosecution. Galvan did not respond. BODA Cause No. 53368.

On April 17, 2014, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Harlingen attorney **Alberto Posada** [#24039360], 43, from a judgment of probated suspension signed by an evidentiary panel of the District 7 Grievance Committee of the State Bar of Texas on Oct. 31, 2013, in Case No. D0031142509. Posada did not file a brief, and the board issued an order to show cause to Posada on March 12, 2014. The show cause order gave him 30 days to respond and show cause as to why the appeal should not be dismissed for want of prosecution. Posada did not respond. BODA Cause No. 53427.

In the first matter, on or about Oct. 24, 2012, the District 6C Grievance Committee of the State Bar of Texas signed an agreed judgment of a four-year partially probated suspension against Lafuente. The judgment found that Lafuente committed professional misconduct by violating Texas Disciplinary Rules of Professional Conduct 1.15(d), 8.04(a)(3), and 8.04(a)(7) and suspended him from the practice of law for four years with the last 24 months of the suspension, beginning Dec. 1, 2014, and ending on Nov. 30, 2016, probated on certain terms and conditions.

In the second matter, on or about Nov. 5, 2012, the District 6A Grievance Committee of the State Bar of Texas signed a two-year partially probated suspension, also an agreed judgment, against Lafuente. The judgment found that Lafuente committed professional misconduct by violating Texas Disciplinary Rules of Professional Conduct 1.01(b)(1), 1.03(a), and 1.15(d) and suspended him from the practice of law for two years with the last 12 months of the suspension, beginning Dec. 1, 2013, and ending on Nov. 30, 2014, probated on certain terms and conditions.

The Board of Disciplinary Appeals found that Lafuente materially violated the terms and conditions of both agreed judgments of probated suspension. BODA Cause No. 53998.

On May 7, 2014, the Board of Disciplinary Appeals signed a judgment of disbarment against Sheridan, Wyoming, attorney **Caron Denean Avery** [#00789135], 52. On or about Nov. 13, 2013, Avery pled guilty to two counts of forgery, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, and was sentenced to serve not less than

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On April 17, 2014, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Frisco attorney **Gregory Lance Williams** [#24053550], 43, from a judgment of partially probated suspension by the evidentiary panel of the District 1-1 Grievance Committee of the State Bar of Texas signed on Nov. 15, 2013, in Case No. 201300225. Williams did not file a brief and the board issued an order to show cause to Williams on March 12, 2014. The show cause order gave him 30 days to respond and show cause as to why the appeal should not be dismissed for want of prosecution. Williams did not respond. BODA Cause No. 53500.

On April 29, 2014, the Board of Disciplinary Appeals revoked the probation of Dallas attorney **Steven Ryan Lafuente** [#24032522], 45, and suspended him from the practice of law for 31 months, beginning April 29, 2014, and ending Nov. 30, 2016.

three years and not more than five years in the Wyoming Department of Corrections. The sentence was suspended and she was placed on supervised probation for five years and ordered to pay restitution in the amount of \$2,921.48 in *The State of Wyoming v. Caron Denean Avery*, Case No. CR-2012-107, in the District Court of the Fourth Judicial District for the County of Sheridan, State of Wyoming. Her conviction is final. BODA Cause No. 53872.

On May 7, 2014, the Board of Disciplinary Appeals signed a judgment of disbarment against McAllen attorney **Najmeh Vahid-Dastjerdi** [#24075200], 39. On or about Jan. 24, 2014, Vahid-Dastjerdi pled guilty to conspiracy to commit healthcare fraud and conspiracy to violate the Iranian sanctions, intentional crimes as defined in the Texas Rules of Disciplinary Procedure, in *United States of America v. Najmeh Vahid-Dastjerdi*, Case No. 4:11CR00030-002, in the U.S. District Court for the Southern District of Texas, Holding Session in Houston. She was sentenced to serve 12 months and one day in the custody of the United States Bureau of Prisons followed by supervised release for three years and ordered to pay an assessment of \$200, a fine of \$1,250,000, and restitution of \$703,524.74. Her conviction is final. BODA Cause No. 53874.

On May 12, 2014, the Board of Disciplinary Appeals signed a final judgment of disbarment against Corpus Christi attorney **Eugene X. Mercier** [#13946700], 55. On May 13, 2013, the Court of Appeals for the Thirteenth District of Texas issued a mandate to the 332nd District Court of Hidalgo County in Cause No. CR-3680-01-F, *The State of Texas v. Eugene X. Mercier*, affirming Mercier's criminal felony conviction for conspiracy to commit barratry, a state jail felony, and an intentional

crime as defined in the Texas Rules of Disciplinary Procedure. On Nov. 3, 2006, the Board of Disciplinary Appeals originally entered an interlocutory order of suspension pending the appeal of Mercier's criminal conviction. Mercier appealed the interlocutory order of the board to the Supreme Court of Texas. The Supreme Court affirmed the finding that Mercier was convicted of an intentional crime and the interlocutory suspension. *In re Mercier*, 242 S.W.3d 46, 48 (Tex. 2007) (per curiam). BODA Cause No. 38020.

On May 7, 2014, the Board of Disciplinary Appeals granted the parties' joint motion to remand this matter for a rendition of an agreed judgment in an appeal by Houston attorney **Ricardo A. Baca** [#24048333], 37, of a judgment of a partially probated suspension signed on Feb. 12, 2014, by an evidentiary panel of the District 4-4 Grievance Committee of the State Bar of Texas in Case Nos. H0081235624 and H0111236093. Baca violated Texas Disciplinary Rules of Professional Conduct 1.03(a), 1.14(a), and 8.04(a)(8). He is suspended from the practice of law for three years, beginning June 1, 2014, with the last two years of the suspension probated. BODA Cause No. 53798.

On May 7, 2014, the Board of Disciplinary Appeals affirmed the appeal by Stafford attorney **John O. Mukoro** [#24041539], 56, of a modified judgment of a partially probated suspension signed on March 5, 2013, by an evidentiary panel of the District 4-3 Grievance Committee of the State Bar of Texas in Case Nos. D0030936871 and D0050937419. Mukoro violated Texas Disciplinary Rules of Professional Conduct 5.03(a), 5.03(b)(1), and 5.04(a). He is suspended from the practice of law for four years, with the last 42 months of the suspension probated. The active portion of his

suspension is stayed pending any further appeal. BODA Cause No. 52049.

On May 7, 2014, the Board of Disciplinary Appeals signed a default judgment of disbarment of Shreveport, Louisiana, attorney **Joseph Wm. Bailey** [#01529200], 69. Bailey was disbarred by the Louisiana Supreme Court on or about April 12, 2013, in *In Re: Joseph W. Bailey*, No. 2012-B-2536, for violating Louisiana Rules of Professional Conduct 1.5, 1.7, 1.15, 5.3, and 8.4(c). Although cited to appear, Bailey did not appear. BODA Cause No. 52881.

On May 7, 2014, the Board of Disciplinary Appeals signed a default judgment of disbarment of San Marcos, California, attorney **Dean Gregory Chandler** [#24071146], 49. Chandler was disbarred by the Supreme Court



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of California on or about Sept. 11, 2013, in *In re Dean Gregory Chandler*, State Bar Court Nos. 10-O-02926; 10-O-03052; 10-O-06693; 10-O-06694; 10-O-06699; 10-O-7029; 10-O-07384; 10-O-07904; 10-O-07920; 10-O-07931; 10-O-07967; 10-O-07970; 10-O-07972; 10-O-07973; 10-O-07974; 10-O-08521; 10-O-08526; 10-O-08529; 10-O-08716; 10-O-08717; 10-O-08721; 10-O-08722; 10-O-08926; 10-O-08927; 10-O-08933; 10-O-09117; 10-O-09119; 10-O-09497; 10-O-09499; 10-O-09500; 10-O-09502; 10-O-09552; 10-O-09555; 10-O-10125; 10-O-10127; 10-O-10132; 10-O-10133; 10-O-10137; 10-O-10140; 10-O-10142; 10-O-10144; 10-O-10338; 10-O-10339; 10-O-10342; 10-O-10403; 10-O-10408; 10-O-10453; 10-O-10454; 10-O-10455; 10-O-10457; 10-O-10458; 10-O-

10536; 10-O-10610; 10-O-10897; 10-O-10900; 10-O-10901; 10-O-11081; 10-O-11082; 10-O-11114; 10-O-11118; 10-O-11180; 10-O-11181; 10-O-11182; 11-O-10021; 11-O-10024; 11-O-10026; 11-O-10237; 11-O-10238; 11-O-10239; 11-O-10242; 11-O-10244; 11-O-10285; 11-O-10288; 11-O-10370; 11-O-10521; 11-O-10535; 11-O-10664; 11-O-10668; 11-O-10774; 11-O-10781; 11-O-10807; 11-O-10816; 11-O-11005; 11-O-11007; 11-O-11195; 11-O-11206; 11-O-11215; 11-O-11356; 11-O-11358; 11-O-11439; 11-O-11544; 11-O-11595; 11-O-11598; 11-O-11599; 11-O-11600; 11-O-11603; 11-O-11692; 11-O-11695; 11-O-11699; 11-O-11871; 11-O-11986; 11-O-11996; 11-O-12005; 11-O-12275; 11-O-12404; 11-O-12467; 11-O-12468; 11-O-12472; 11-O-12515; 11-O-12516; 11-O-12517; 11-O-12666; 11-O-12786; 11-O-12824; 11-O-12828; 11-O-12928) S211687, for 116 counts of violating California Rules of Professional Conduct 1-300(B) and 4-200(A) and one count of violating California Business and Professions Code sec. 6106 in 118 matters. Although cited to appear, Chandler did not answer or appear. BODA Cause No. 53928.

On May 14, 2014, the Board of Disciplinary Appeals signed an agreed judgment of fully probated suspension of Westminster, Colorado, attorney **Juliet Carol Gilbert** [#17224050], 62. Gilbert was suspended from the practice of law, stayed upon the successful completion of six months' probation by the Colorado Supreme Court on or about Oct. 18, 2013, in *The People of the State of Colorado, Respondent: Juliet Carol Gilbert*, Case No. 12PDJ085, for violating Colorado Rules of Professional Conduct 1.15(a), 1.15(c), and 1.5(f). Gilbert is suspended from the practice of law in Texas for three months, probated for six months,

beginning May 14, 2014, and ending Nov. 13, 2014. BODA Cause No. 54242.

DISBARMENTS

On March 20, 2014, **Kirby J. Roberts** [#17012900], 57, of Port Aransas, was disbarred. The District 11-2 Grievance Committee found that respondent engaged in the practice of law while his law license was administratively suspended. He failed to respond to the grievance.

Roberts violated Rules 8.04(a)(8) and 8.04(a)(11) and was ordered to pay \$1,630 in attorneys' fees and direct expenses.

On Jan. 27, 2014, **Keith Alan Ward** [#00797625], 42, of Irving, was disbarred. An evidentiary panel of the District 9 Grievance Committee found that Ward represented his client in three lawsuits concerning the construction of a commercial building, but after filing an answer in the first case, Ward provided no further legal services in the matter. Specifically, Ward failed to respond to discovery requests and numerous motions. In the second case, Ward entered into a Rule 11 Agreement without the knowledge or consent of his client. In the third case, Ward filed a petition on behalf of his client against several defendants, asserting various claims for defective construction.

Thereafter, Ward did not respond to discovery requests or to summary judgment motions, and failed to appear at scheduled hearings. His client attempted multiple times to obtain information regarding the status of the case, but Ward failed to provide the requested information. Additionally, Ward was a fact witness in the cases, and his testimony was necessary to establish essential facts to support his client's claims in the lawsuit. Ward also failed to furnish a written response to the complaint as directed.

Ward violated Rules 1.01(b)(2), 1.02(a)(2), 1.03(a), 3.08(a), 8.04(a)(1),

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and 8.04(a)(8). He was ordered to pay \$7,150 in attorneys' fees and direct expenses.

RESIGNATIONS

On April 15, 2014, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Gregory Lance Williams** [#24053550], 43, of Frisco. At the time of respondent's resignation, there were five pending matters against him alleging neglect of legal matters; failure to keep clients reasonably informed; failure to respond to reasonable requests for information from clients; failure to safe-keep client property; violating a disciplinary judgment; and failure to respond to grievances.

Williams violated Rules 1.01(b)(1), 1.03(a), 1.14(b), 1.14(c), 8.04(a)(7), and 8.04(a)(8).

SUSPENSIONS

On April 21, 2014, **Samuel Bakhtavar** [#24059412], 37, of Irving, received a two-year partially probated suspension effective May 1, 2014, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that Bakhtavar neglected the products liability matter entrusted to him by failing to appear at trial. Bakhtavar failed to abide by his client's decisions concerning the objectives and general methods of representation in his civil matter. Further, Bakhtavar failed to keep his client reasonably informed about the status of his case. Finally, Bakhtavar failed to furnish to the Office of Chief Disciplinary Counsel a response as required by the Texas Rules of Disciplinary Procedure or assert any grounds for his failure to do so.

Bakhtavar violated Rules 1.01(b)(1), 1.02(a)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,052.60 in attorneys' fees and direct expenses and \$1,500 in restitution.

On March 20, 2014, **Don D. Becker** [#02012888], 60, of Houston, received a four-year partially probated suspension effective May 1, 2014, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that in representing two separate clients, Becker neglected legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their cases and failed to promptly comply with reasonable requests for information, and, upon termination of representation, failed to refund advance payments of fees that had not been earned. Becker also failed to timely furnish to the Office of Chief Disciplinary Counsel responses or other information as required by the Texas Rules of Disciplinary Procedure.

Becker violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,650 in attorneys' fees, \$70 in direct expenses, and \$5,000 in restitution.

On April 2, 2014, **Dane William Bennett** [#24039271], 51, of Houston, received a 30-day fully probated suspension effective April 1, 2014. The 164th District Court of Harris County found that Bennett violated Rule 1.03(a) [requiring a lawyer to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information].

Bennett was ordered to pay \$800 in attorneys' fees and direct expenses.

On April 14, 2014, **Alicia R. Martinez** [#24014390], 45, of San Antonio, received a 24-month partially

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probated suspension effective May 1, 2014, with the first 12 months actively served and the remainder probated. The District 10 Grievance Committee found that Martinez knowingly disobeyed a court order and failed to respond to the grievance. The committee also found Martinez to be in default in the disciplinary proceeding.

Martinez violated Rules 3.04(d) and 8.04(a)(8) and was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On March 10, 2014, **Michael Gregory McCoy** [#24037062], 43, of Hazard, Kentucky, received a 10-year partially probated suspension effective March 7, 2014, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that McCoy agreed to assist the complainant in obtaining a patent on a medical device to be used in scoliosis surgery. Complainant prepaid respondent \$10,250 for expenses to perform prior art searches and file the patents. Respondent failed to hold the funds separate from his own property. Complainant requested that respondent provide an accounting, as well as a copy, of his file, but respondent failed to do so.

McCoy violated Rules 1.14(a), 1.14(b), 1.15(d), and 8.04(a)(1). He was ordered to pay \$2,357.25 in attorneys' fees and direct expenses and \$10,250 in restitution.

On March 20, 2014, **Andres Aaron Ramos** [#24005926], 42, of Laredo, accepted a two-year fully probated suspension. The District 12 Grievance Committee found that Ramos

engaged in the practice of law while his license was suspended.

Ramos violated Rule 8.04(a)(11) and was ordered to pay \$200 in attorneys' fees and direct expenses.

On July 29, 2013, **Joseph R. Willie II** [#21633500], 58, of Houston, received a 12-month fully probated suspension effective Aug. 1, 2013. The 165th District Court of Harris County found that Willie violated Rules 3.01 [prohibiting a lawyer from bringing or defending a proceeding, or asserting or controverting an issue therein, unless the lawyer reasonably believes that there is a basis for doing so that is not frivolous], 3.03(a)(1) [prohibiting a lawyer from making a false statement of material fact or law to a tribunal], and 8.04(a)(3) [prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation].

Willie has filed a notice of appeal.

Willie was ordered to pay \$12,428.16 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On March 31, 2014, **Richard Abram Roman** [#00789595], 50, of El Paso, accepted a public reprimand. The District 17 Grievance Committee found that Roman failed to completely carry out the obligations owed to a client, failed to keep the client reasonably informed, and, upon termination of the representation, failed to take steps to protect his client's interests.

Roman violated Rules 1.01(b)(2), 1.03(b), and 1.15(d) and agreed to pay \$850 in attorneys' fees and direct expenses. **TBJ**

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