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JUDICIAL ACTIONS

On September 22, 2015, the State Commission on Judicial Conduct issued a public warning and order of additional education to **Jacqueline Wright**, justice of the peace of Precinct 4 in Fort Worth, Tarrant County. Wright violated Canons 2A and 4A(1) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution.

RESIGNATIONS

On August 28, 2015, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Peter A. Bergman** [#02198400], 65, of Houston. At the time of Bergman's resignation, there were five disciplinary

matters pending against him alleging that he neglected the legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their legal matters, and failed to promptly comply with reasonable requests for information. Bergman also failed to explain a matter to the extent reasonably necessary to permit his client to make an informed decision regarding the representation. Bergman also entered into a business transaction with a client without advising the client to seek the advice of independent counsel, failed to refund advance payments of fees that had not been earned, and failed to respond to grievances.

Bergman violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.08(a), 1.15(d), and 8.04(a)(8).

On October 20, 2015, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Walter E. Demond** [#05736600], 68, of Austin. At the time of Demond's resignation, two judgments of conviction by jury had been entered in case numbers CR-1016 Counts I and III, styled *The State of Texas v. Walter Demond*, in the 424th District Court of Blanco County, wherein the respondent was found guilty of misapplication of fiduciary property and money laundering and was committed to the custody of the Correctional Institutions Division of the Texas Department of Criminal Justice to be imprisoned for a total term of 10 years to be served concurrently. The court suspended the confinement and placed Demond on community supervision for 10 years to be served concurrently and ordered him to pay a fine of \$10,000, court costs of

\$378, and restitution of \$212,000. These convictions would subject Demond to compulsory discipline.

On October 20, 2015, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Eric Lee Fredrickson** [#00790715], 52, of Tacoma, Washington. Fredrickson previously resigned from the practice of law in Washington before the Disciplinary Board of the Washington State Bar Association in a matter styled *In re Eric Lee Fredrickson, Lawyer, Bar No. 44759*, Proceeding No. 15#00020. That resignation in lieu of discipline would subject Fredrickson to reciprocal discipline.

On October 20, 2015, the Supreme Court of Texas accepted the resignation in lieu of discipline of **James Robert Smith** [#18621500], 72, of Houston. At the time of Smith's resignation, there were 13 disciplinary matters pending against him alleging that he neglected the legal matters entrusted to him, failed to keep his clients reasonably informed about the status of their legal matters, and failed to promptly comply with reasonable requests for information. Smith also entered into a business transaction with a client without giving an opportunity for the client to seek the advice of independent counsel, failed to hold funds and other property belonging in whole or in part to his clients that were in his possession separate from his own property, and upon termination of the representation, failed to refund advance payments of fees that had not been earned. Smith also engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation and failed to respond to grievances.

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Smith violated Rules 1.01(b)(1), 1.03(a), 1.08(a), 1.14(a), 1.15(d), 8.04(a)(3), and 8.04(a)(8).

SUSPENSIONS

On October 19, 2015, **William L. Baskette** [#01871400], 60, of San Antonio, agreed to a six-month fully probated suspension effective November 1, 2015. The District 10 Grievance Committee found that Baskette neglected a client matter and failed to keep a client reasonably informed.

Baskette violated Rules 1.01(b)(1) and 1.03(b). He was ordered to pay \$3,000 in restitution and \$500 in attorneys' fees and direct expenses.

On October 5, 2015, **Adam Thomas Froeschl** [#24076390], 30, of San Antonio, agreed to a two-year partially probated suspension effective October 1, 2015, with the first six months actively served and the remainder probated. The District 10 Grievance Committee found that Froeschl neglected client matters, failed to keep clients reasonably informed, failed to return unearned fees paid to him, and failed to respond to grievances.

Froeschl violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,800 in restitution and \$800 in attorneys' fees and direct expenses.

On September 15, 2015, **Willie Stephen Graves** [#08313010], 62, of San Antonio, accepted a six-month fully probated suspension effective September 1, 2015. The 45th Civil District Court of Bexar County found that Graves committed professional misconduct by violating Rules 1.03(a) [failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], 1.14(a) [failing to hold funds and other property belonging in whole or part to clients or third

persons in a lawyer's possession separate from the lawyer's own property], and 1.14(b) [failing to promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive].

Graves was ordered to pay \$1,100 in attorneys' fees and direct expenses.

On September 21, 2015, **Paul H. Guillotte Jr.** [#08597100], 52, of Athens, received a 24-month fully probated suspension effective October 1, 2015. On March 12, 2013, Guillotte was hired to defend a personal injury matter and was paid \$10,000. Upon request, Guillotte failed to promptly render a full accounting of the attorneys' fees paid. Upon termination of representation, Guillotte failed to refund advance payments of fees that had not been earned.

Guillotte violated Rules 1.14(b) and 1.15(d). He was ordered to pay \$5,000 in restitution and \$1,500 in attorneys' fees and direct expenses.

On October 21, 2015, **Brian Anthony Hamner** [#24041050], 40, of San Antonio, agreed to a two-year partially probated suspension with the first seven months actively served and the remainder probated. The District 10 Grievance Committee found that Hamner neglected a client matter, failed to communicate with a client, failed to return the unearned portion of the fees, and engaged in conduct involving misrepresentation.


Hamner violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), and 8.04(a)(3). He was ordered to pay \$5,200 in restitution and \$1,100 in attorneys' fees and direct expenses.

On August 24, 2015, **Gary A. Hinchman** [#09684350], 60, of Houston, received a one-year fully probated suspension effective August 24, 2015. An evidentiary panel

of the District 4 Grievance Committee found that Hinchman failed to keep his client reasonably informed about the status of her divorce and further failed to promptly comply with her reasonable requests for information. In addition, upon termination of his representation, Hinchman failed to refund advance payments of fees that had not been earned and also failed to comply with requests for the return of the client's file.

Hinchman violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$2,000 in restitution and \$1,396.95 in attorneys' fees and direct expenses.

On September 23, 2015, **Scott K. Huber** [#24013905], 48, of Dallas, received a 12-month partially probated suspension effective October 15, 2015, with the first three months actively suspended and the remain-



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der probated. An evidentiary panel of the District 6 Grievance Committee found that on or about June 26, 2009, the complainant hired Huber in connection with a civil matter. In representing the complainant, Huber neglected the legal matter entrusted to him by failing to perform any work on the matter and failing to promptly comply with reasonable requests for information from the complainant. Huber 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. He did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Huber violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,000 in restitution; \$2,120 in attorneys' fees; \$250 in attorneys' fees as ordered in the

Order Granting Petitioner's Motion for Discovery Sanctions entered on March 11, 2015; and \$972.88 in direct expenses.

On October 7, 2015, **Randall Dale Parker** [#24025583], 44, of Dallas, received a 12-month partially probated suspension effective October 15, 2015, with the first three months actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that after Parker was hired as legal counsel on August 25, 2009, he failed to abide by the complainant's decisions concerning the objectives and general methods of representation, failed to keep the complainant reasonably informed about the case, and failed to promptly comply with reasonable requests for information about the status of the civil matter. Parker also failed to

explain the civil matter to the extent reasonably necessary to permit the complainant to make informed decisions regarding the legal representation. Parker 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. He did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Parker violated Rules 1.02(a)(1), 1.03(a), 1.03(b), and 8.04(a)(8). He was ordered to pay \$3,000 in restitution and \$3,000 in attorneys' fees and direct expenses.

On August 12, 2015, **Jon Phillip Thomas** [#24037593], 37, of Houston, received a three-year partially probated suspension effective March 12, 2015, with the first year actively suspended and the remaining two years probated. An evidentiary panel of the District 4 Grievance Committee found that Thomas neglected the legal matter entrusted to him, failed to keep his client reasonably informed about the status of his legal matter, and failed to promptly comply with reasonable requests for information. Upon termination of representation, Thomas failed to surrender papers and property to which the client was entitled and failed to refund advance payments of fees that had not been earned. Thomas practiced law in a jurisdiction where doing so violated the regulation of the legal profession in that jurisdiction; engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; 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.

Thomas was ordered to pay \$1,300 in restitution and \$220 in attorneys' fees and direct expenses.

Thomas has filed a notice of appeal.

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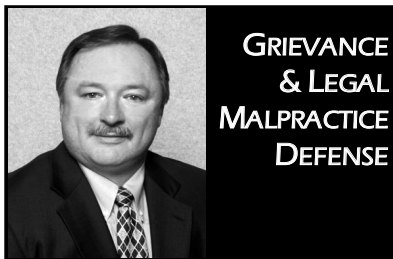
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On October 6, 2015, **Jon Phillip Thomas** [#24037593], 37, of Houston, agreed to a 12-month partially probated suspension effective September 28, 2015, with the first 30 days actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Thomas failed to timely furnish a response or other information to the Office of Chief Disciplinary Counsel as required by the Texas Rules of Disciplinary Procedure. Thomas did not in good faith timely assert a privilege or other legal ground for his failure to do so and violated a disciplinary judgment.

Thomas violated Rules 8.04(a)(7) and 8.04(a)(8). He was ordered to pay \$1,720 in attorneys' fees.

PUBLIC REPRIMANDS

On October 16, 2015, **Melissa Ann Deutsch** [#24063946], 33, of Austin, accepted a public reprimand. An evidentiary panel of the District 9 Grievance Committee found that on or about July 8, 2011, the complainant hired Deutsch to represent the complainant and his daughter for a deceptive trade practices suit. Deutsch prepared and filed a petition on August 30, 2011. From July 27, 2012, to July 17, 2013, Deutsch failed to respond to telephone calls, letters, and emails from the complainant seeking information regarding the status of the complainant's case. When the complainant hired new counsel, Deutsch failed to respond to the new attorney's attempts to contact her.

Deutsch violated Rules 1.03(a) and 8.04(a)(1) and Article X, Section 9 of the State Bar Rules. She was ordered to pay \$1,096.91 in attorneys' fees and direct expenses.

On October 6, 2015, **Walter C. Prentice** [#16249400], 68, of Austin, accepted a public reprimand. An evidentiary panel of the

District 9 Grievance Committee found that on or about February 10, 2014, the complainant hired Prentice to represent her son in a DWI case. Prentice sent a letter of representation to the Texas Department of Public Safety on or about February 24, 2014. He went to two pre-trial hearings and reset the criminal matter. An administrative license revocation hearing before DPS was set for April 17, 2014, but Prentice failed to notify the complainant or her son of the hearing date. Prentice did not attend the hearing. On or about April 20, 2014, the complainant's son was informed that his driver's license was suspended. Thereafter, the complainant attempted to contact Prentice repeatedly via telephone, text message, and email. Prentice only responded to one of these attempts at communication wherein

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he instructed the complainant to tell her son to drive carefully to work and to not drive at night.

Prentice violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(1) and Article X, Section 9 of the State Bar Rules. He was ordered to pay \$487.35 in attorneys' fees and direct expenses.

PRIVATE REPRIMANDS

Listed below is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 13 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 (8).

1.01(b)(2)—for failing to carry out completely the obligations owed to a client (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 (7).

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).

1.14(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 (2).

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 belong to the client (2).

8.04(a)(1)—for violating these rules, knowingly assisting or induc-

ing 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 (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 (1).

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 (1). **TBJ**



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