

DISCIPLINARY ACTIONS

General questions regarding attorney discipline should be directed to the Office of Chief Disciplinary Counsel, toll free at (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 at (877) 228-5750 or (512) 463-5533. Please note that persons disciplined by the commission are not necessarily licensed attorneys.

BODA

On Oct. 7, 2014, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against El Paso attorney **H. Tati Santiesteban** [#17644000], 81, in accordance with Part XII of the Texas Rules of Disciplinary Procedure and Section 8 of the BODA Internal Procedural Rules. BODA Cause No. 55094.

On Oct. 2, 2014, the Board of Disciplinary Appeals signed an agreed judgment of suspension against Oklahoma City, Oklahoma, attorney **James David Ogle** [#24047540], 46. On or about Oct. 1, 2013, Ogle was suspended from the practice of law for two years and one day by the

Supreme Court of Oklahoma in *State of Oklahoma, ex rel, Oklahoma Bar Association, Complainant v. James David Ogle, Respondent*, SCBD 5940 Comp. w/SCBD 5902 for charges that arose out of actions that led to Ogle's plea of guilty to the misdemeanor crime of obstruction of a public officer. Ogle is suspended from the practice of law in Texas for two years and one day, from Oct. 2, 2014, to Oct. 2, 2016. BODA Cause No. 54879.

On Oct. 2, 2014, the Board of Disciplinary Appeals signed an agreed judgment of fully probated suspension against Broomfield, Colorado, attorney **John William Tinder II** [#24003060], 43. On or about April 10, 2014, Tinder was suspended from the practice of law for six months, stayed upon the successful completion of a two-year probation by the Colorado Supreme Court in *Complainant: The People of the State of Colorado, Respondent: John William Tinder*, in Case No. 14 PDJ 032. Tinder is suspended from the practice of law in Texas for six months, suspension stayed upon the successful completion of a two-year probation from Oct. 2, 2014, to Oct. 1, 2016. BODA Cause No. 54878.

On Oct. 24, 2014, the Board of Disciplinary Appeals signed a judgment of disbarment against Boerne attorney **Mark Adrian Clark** [#04292200], 58. On or about Feb. 7, 2011, Clark was found guilty of attempted sexual performance of a child, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in case number CR2010-276 styled, *The State of Texas v. Mark A. Clark*, in the 207th Judicial District Court of Comal County. Clark was sentenced to seven years in the custody of the Correctional Institutions Division of

the Texas Department of Criminal Justice and ordered to pay a fine in the amount of \$10,000 and court costs in the amount of \$533. On March 28, 2011, BODA signed an agreed interlocutory order of suspension pending the appeal of his conviction. On July 28, 2014, the 3rd Court of Appeals in Texas affirmed the criminal conviction and issued its mandate. Clark did not answer the motion for entry of final judgment or appear at the hearing. BODA Cause No. 48191.

On Oct. 24, 2014, the Board of Disciplinary Appeals signed a default judgment of disbarment against El Paso attorney **Antonio Reyes** [#24071139], 35. On June 26, 2014, Reyes was sentenced to 33 months in prison, followed by supervised release for three years after pleading guilty to conspiracy to commit wire fraud and the deprivation of honest services, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in *United States of America v. Antonio Reyes*, Case No. EP-13-CR-2384-KC in the U.S. District Court for the Western District of Texas, El Paso Division. Reyes did not answer or appear. BODA Cause No. 54881.

On Oct. 24, 2014, the Board of Disciplinary Appeals signed a judgment of disbarment against Houston attorney **Buffy Marie Lawrence** [#24052821], 43. On April 1, 2014, Lawrence was sentenced to 12 months and one day in prison, followed by supervised release for three years after pleading guilty to conspiracy to commit wire fraud, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in *United States of America v. Buffy Marie Lawrence*, Case No. H-11-575 in the U.S. District Court for the Southern District

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of Texas, Houston Division. BODA Cause No. 54395.

On Oct. 28, 2014, the Board of Disciplinary Appeals affirmed the judgment of disbarment against Austin attorney **Craig F. Sandling** [#17621700], 60, signed by an evidentiary panel of the District 9-3 Grievance Committee on July 1, 2013, in Case No. A0041214451. The board affirmed the findings that Sandling violated Texas Disciplinary Rules of Professional Conduct 1.14(a), 1.14(c), 1.15(d), and 8.04(a)(1). BODA Cause No. 53112.

On Oct. 28, 2014, the Board of Disciplinary Appeals affirmed the judgment of public reprimand against San Antonio attorney **William L. Baskette** [#01871400], 59, signed by an evidentiary panel of the District 10-4 Grievance Committee on Jan. 30, 2014, in Case No. 201301252. The board affirmed the findings that Baskette violated Texas Disciplinary Rules of Professional Conduct 1.03(a) and 1.15(d). BODA Cause No. 53819.

On Oct. 29, 2014, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Houston attorney **Jon Phillip Thomas** [#24037593], 36, from a judgment of fully probated suspension signed on Feb. 24, 2014, by an evidentiary panel of the District 4-6 Grievance Committee in Case No. A0021214319. Thomas did not file a brief, and the board issued an order to show cause to Thomas on Aug. 15, 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. Thomas did not respond. BODA Cause No. 53980.

On Oct. 28, 2014, the Board of Disciplinary Appeals affirmed the judgment of disbarment against Houston attorney **Elene B. Glassman** [#08016000], 72, signed by an evidentiary panel of the District 4-6

Grievance Committee on June 18, 2013, in Case No. H0051132998. The board affirmed the findings that Glassman violated Texas Disciplinary Rules of Professional Conduct 3.01 and 3.02. BODA Cause No. 53021.

DISBARMENTS

On Oct. 24, 2014, **Michael Edward Harssema** [#24012794], 42, of Dallas, was disbarred. The 14th Judicial District Court of Dallas County found that Harssema committed professional misconduct by violating Rules 1.03(a) [a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information], 1.14(a) [a lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own

property], and 1.15(a) [upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee that has not been earned].

Harssema was ordered to pay \$3,454.82 in attorneys' fees and direct expenses.

Harssema had until Nov. 23, 2014, to file an appeal.

SUSPENSIONS

On Oct. 29, 2014, **Rosendo Almaraz Jr.** [#24010645], 41, of Weslaco, accepted a one-month fully probated suspension effective Dec. 1, 2014. The 93rd District Court of Hidalgo County found that Almaraz



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violated Rules 1.04(f)(2) [a division or arrangement for division of a fee between lawyers who are not in the same firm may be made only if the client consents in writing to the terms of the arrangement prior to the time of the association or referral proposed]; 1.04(g) [every agreement that allows a lawyer or law firm to associate other counsel in the representation of a person, or to refer the person to other counsel for such representation, and that results in such an association with or referral to a different law firm or a lawyer in such a different firm, shall be confirmed by an arrangement conforming to paragraph (f) consent by a client or a prospective client without knowledge of the information specified in subparagraph (f)(2) does not constitute a confirmation within the meaning of this rule. No attorney shall collect or seek to collect fees or

expenses in connection with any such agreement that is not confirmed in that way]; and 5.03 [a non-lawyer employed or retained by or associated with a lawyer, a lawyer having direct supervisory authority over the non-lawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer].

Almaraz was ordered to pay \$1,500 in attorneys' fees.

On May 29, 2014, **George Michael Barnes** [#01767100], 60, of Fort Worth, received a three-year active suspension effective June 1, 2014. The District 7 Grievance Committee found that Barnes neglected the legal matter entrusted to him, frequently failed to completely carry out the obligations owed to complainant by failing to appear at a court hearing and allowing the case to be dismissed

for want of prosecution. Barnes failed to keep complainant reasonably informed about the status of her matter; failed to promptly comply with reasonable requests for information from complainant; failed to explain the matter to the extent reasonably necessary to permit complainant to make informed decisions regarding the representation; 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 and did not in good faith timely assert a privilege or other legal ground for failure to do so. Barnes engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Barnes violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$3,909.96 in attorneys' fees and \$1,100 in restitution.

On Nov. 13, 2014, **Thomas Dain Bracey** [#02805200], 62, of San Antonio, accepted a one-year fully probated suspension effective Dec. 1, 2014. The District 10 Grievance Committee found that Bracey engaged in the practice of law while his law license was administratively suspended.

Bracey violated Rule 8.04(a)(11) and was ordered to pay \$500 in attorneys' fees and direct expenses.

On Nov. 3, 2014, **Raymond L. Hopson Jr.** [#00795426], 61, of Royse City, received a six-month fully probated suspension effective Nov. 1, 2014. An evidentiary panel of the District 6 Grievance Committee found that Hopson filed pleadings in the County Court at Law No. 1 of Hunt County that contained false statements of material fact.

Hopson violated Rule 3.03(a)(1). He was ordered to pay \$3,500 in attorneys' fees.

On Oct. 20, 2014, **Raul H. Loya** [#00791142], 50, of Dallas, received

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a one-year partially probated suspension effective Oct. 31, 2014, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that in the course of representing complainant, Loya failed to withdraw from the representation when he was discharged, failed to surrender papers and property to which complainant was entitled, and failed to refund any advance payment of fee that had not been earned.

Loya violated Rules 1.15(a)(3) and 1.15(d). He was ordered to pay \$1,500 in attorneys' fees and \$1,500 in restitution.

On Oct. 7, 2014, **H. Tati Santi-esteban** [#17644000], 81, of El Paso, agreed to an indefinite disability suspension effective Oct. 7, 2014.

On Nov. 17, 2014, **Eduardo Ramon Vasquez** [#00789703], 63, of El Paso, accepted a 10-month fully probated suspension effective Nov. 1, 2014. The District 17 Grievance Committee found that Vasquez failed to hold client funds separate from his own property.

Vasquez violated Rule 1.14(a) and was ordered to pay \$800 in attorneys' fees and direct expenses.

On Nov. 12, 2014, **Martha C. Wright** [#22048800], 56, of Grand Prairie, received a one-year fully probated suspension effective Dec. 1, 2014. An evidentiary panel of the District 6 Grievance Committee found that Wright engaged in the practice of law when her right to practice had been administratively suspended for failure to comply with Article XII of the State Bar Rules relating to mandatory continuing legal education. Wright failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Proce-

dures. Wright did not in good faith timely assert a privilege or other legal ground for failure to do so.

Wright violated Rules 8.04(a)(8) and 8.04(a)(11). She was ordered to pay \$1,687.48 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On Oct. 10, 2014, **Maria Damisela Chavira-Brown** [#24045190], 50, of San Antonio accepted a judgment of public reprimand. The District 10 Grievance Committee found that Chavira-Brown failed to keep a client reasonably informed and failed to explain a matter to the extent reasonably necessary to permit a client to make informed decisions.

Chavira-Brown violated Rules 1.03(a) and 1.03(b) and was ordered to pay \$1,500 in restitution and \$900 in attorneys' fees and direct expenses. **TBJ**

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