



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.

REINSTATEMENTS

Michael Timothy LeJune [#12188300], 58, of Houston, has petitioned the 270th District Court of Harris County for reinstatement as a member of the State Bar of Texas.

BODA ACTIONS

On April 4, 2008, the Board of Disciplinary Appeals signed a judgment affirming a judgment of public reprimand in the appeal of **William J. Sames III** [#17555000], 80, of Lufkin. An eviden-

tiary panel of the District 11-A Grievance Committee issued a public reprimand in Case No. S0050616912 on June 13, 2007. BODA cause number 40711.

On April 4, 2008, the Board of Disciplinary Appeals signed a judgment affirming a judgment in part and reversing judgment in part and reversing sanction and remanding for new hearing on sanctions in the appeal of **Joseph O. Onwuteaka** [#15291300], 49, of Houston, of a judgment of partially probated suspension issued by an evidentiary panel of the District 4-D Grievance Committee in Case Nos. H0090520614 and H0090521059 on May 4, 2007. The findings of violations of TDRPC 1.01(b)(1), 3.03(a)(1), 8.01(b), and 8.04(a)(3) (in H0090520614 only) and 8.04(a)(8) are reversed. The findings of violations of TDRPC 3.03(a)(5) and 8.04(a)(3) (in H0090521059 only) are affirmed. The matter is remanded to the grievance committee for a hearing on the sanctions consistent with the Board's judgment. BODA cause number 40142.

On April 10, 2008, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against **Natalya Spector** [#24027879], 32, of Houston, in accordance with Part XII of the Texas Rules of Disciplinary Procedure and Section 8 of the Internal Procedural Rules of the Board of Disciplinary Appeals. BODA cause number 41837.

On April 9, 2008, the Board of Disciplinary Appeals signed a final judgment disbarring **C. Tom Zaratti** [#22247500], 63, of Houston. On April 14, 2005, the Board signed an interlocutory order suspending Zaratti from the

practice of law pending the appeal of his criminal conviction for possession of child pornography, a third-degree felony and an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in Cause No. 952417 styled, *The State of Texas v. C. Tom Zaratti*, in the 180th District Court of Harris County. Zaratti was sentenced to 10 years in the custody of the Institutional Division of the Texas Department of Criminal Justice. He was also assessed a fine of \$10,000 and ordered to pay court costs in the amount of \$563. On Aug. 31, 2006, the 1st Court of Appeals for the State of Texas issued a mandate affirming the judgment in the criminal case. BODA cause number 34105.

On Feb. 12, 2008, the Board of Disciplinary Appeals signed an order granting a joint motion to reverse and remand for rendition and entry of an agreed judgment in the appeal of **Jeffrey Mark Bragg** [#02859100], 45, of Plano, of a judgment of probated suspension issued by an evidentiary panel of the District 1-A Grievance Committee in Case No. D0070527220 on May 29, 2007. The partially probated suspension is reversed and the committee is ordered to render judgment according to the agreed judgment suspending from the practice of law for six months from March 1, 2008 until Aug. 31, 2008, with the entire six months being fully probated. BODA cause number 40184.

DISBARMENTS

On March 20, 2008, **Imevbore Michael Ojo** [#00788140], 45, of Pearland, was disbarred. An evidentiary panel of the District 4-A Grievance Committee found that Ojo was retained

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to represent two complainants in personal injury cases. Ojo was retained to represent a third complainant in an immigration matter and a fourth complainant in a civil litigation matter. In one of the personal injury cases, Ojo settled the case without the client's knowledge or consent. Ojo failed to disburse any of the settlement funds to or on behalf of the client and failed to provide the client with an accounting of the funds. In the other three matters, Ojo neglected the cases and failed to communicate with the clients. In all four matters, Ojo was served with notice of the pending grievance against him, which required that he provide a written response to the grievance within 30 days of receipt. Ojo, however, failed to furnish any response to the grievances.

Ojo violated Rules 1.01(b)(1) and (b)(2); 1.03(a) and (b); 1.14(a), (b), and (c); 1.15(d); and 8.04(a)(3) and (a)(8). He was ordered to pay \$707.50 in attorney's fees and costs and \$4,244 in restitution.

On Feb. 25, 2008, **Michael L. Glover** [#00787551], 46, of Houston, was disbarred. An evidentiary panel of the District 4-D Grievance Committee found that Glover was hired to represent a client in a child custody matter. The client agreed to pay Glover a \$1,000 retainer and gave Glover a \$43,000 settlement check from an unrelated matter, from which the \$1,000 was to be deducted. Instead, Glover converted \$5,582.55 of the funds for his own use without the client's permission. The committee further found that Glover neglected his client's legal matter, failing to perform any services on her behalf and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation when he commingled the client funds with his own and converted a portion of the funds for his own use.

Glover violated Rules 1.01(b)(1) and (b)(2), 1.14(a) and (c), and 8.04(a)(3). He was ordered to pay \$3,447.32 in attorney's fees and costs and \$6,582.55 in restitution to the client.

Also on Feb. 25, 2008, Glover received a two-year, partially probated suspension effective Feb. 7, 2008, with the first year to be actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found that Glover was hired regarding a child custody matter and was paid a retainer. Glover neglected the case and failed to render any legal services. Upon the termination of his services, Glover failed to return the unearned portion of the fee until after the grievance was filed.

Glover violated Rules 1.01(b)(1) and 1.15(d). He was ordered to pay \$1,936.16 in attorney's fees and costs.

Also on Feb. 25, 2008, Glover received a three-year, partially probated suspension effective Feb. 7, 2008, with the first year actively served and the remainder probated. An evidentiary panel of the District 4-D Grievance Committee found in the first matter that Glover was paid \$325 by his client to represent her in a post-judgment criminal matter. Glover neglected the client's matter, failing to perform any legal work on her behalf and failing to keep her informed as to the status of her matter.

In the second matter, Glover was retained on a contingency basis by his client to pursue personal injury litigation. Subsequent to filing the petition, Glover failed to perform any work on his client's case and failed to keep her informed as to the status of her matter. Glover's inactivity caused his client's case to be summarily dismissed. Glover also failed to furnish the Chief Disciplinary Counsel's office with a written response to the grievance.

Glover violated Rules 1.01(b)(1), 1.03(a), 1.04(d), and 8.01(a)(8) and (b). He was ordered to pay \$2,155.92 in attorney's fees and costs and \$325 in restitution.

On Feb. 4, 2008, **Chad Alan Cox** [#24000366], 38, of Hampton, Iowa, was disbarred. The District 15-A Grievance Committee found Cox had committed professional misconduct in five

separate client matters. In three personal injury cases, Cox neglected the representations, failed to communicate with his clients, moved his office without providing a forwarding address and telephone number, failed to return client files, and failed to respond to the grievances.

In an employment law matter, Cox neglected the representation, failed to communicate with his client, moved his office without providing a forwarding address and telephone number, failed to return the client's advance payment of case expenses, and failed to respond to the grievance.

In the fifth matter, Cox failed to respond to his client's requests for information, negotiated a settlement check and signed his client's name to the settlement check without authority to do so, failed to maintain funds belonging to the

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client and medical providers in a trust account, misrepresented to the client he was negotiating reductions with her medical providers when he was not, failed to promptly deliver to the client the net settlement funds, and misappropriated client funds.

Cox violated Rules 1.01(b)(1) and (b)(2); 1.03(a) and (b); 1.04(d) and (f); 1.14(a), (b), and (c); 1.15(d); and 8.04(a)(2), (a)(3), and (a)(8). He was ordered to pay \$3,873.29 in attorney's fees and costs and \$25,834.43 in restitution.

On Feb. 29, 2008, **Jean Sudduth** [#00795674], 59, of Fort Worth, was disbarred. A panel of the District 7-A Grievance Committee found that on Dec. 3, 2003, Sudduth filed a motion to modify the parent-child relationship. At the time Sudduth filed the motion, she

was administratively suspended from the practice of law. Sudduth failed to respond to the grievance.

Sudduth violated Rules 8.04(a)(8) and (a)(11). She was ordered to pay \$1,713.93 in attorney's fees.

On April 4, 2008, **Sherrie Johnson** [#24030365], 40, of Weatherford, was disbarred. A panel of the District 14-B Grievance Committee found that in February 2004, the complainant hired Johnson to represent her in a personal injury matter that resulted from an automobile accident. Thereafter, Johnson failed to communicate with the complainant and failed to keep her reasonably informed regarding the status of her case. Johnson settled the complainant's case for \$20,000 with the insurer. Johnson subsequently failed to notify the complainant of the total amount of the settlement or the date it was received, and paid the complainant only \$5,000 of the settlement proceeds. Johnson subsequently failed to maintain the funds in her trust account and periodically allowed her trust balance to fall below the amount of the settlement. Johnson also failed to pay any of the complainant's medical bills as provided for in the letters of protection issued by Johnson.

Johnson violated Rules 1.03(a) and 1.14(a) and (b). She was ordered to pay \$1,942.52 in attorney's fees and \$15,000 in restitution.

On Feb. 6, 2008, **David Aaron Pina** [#00792761], 39, of Austin, was disbarred. An evidentiary panel of the District 9-A Grievance Committee found that in a matter involving child custody and child support, Pina neglected the client's case by failing for more than four years to reduce the court's ruling to writing and obtain a written, enforceable order despite repeated queries from his client.

In a second matter involving child custody, Pina neglected the case by failing to complete the paperwork necessary to complete a change of custody for his client. Pina further allowed the case to be

dismissed for want of prosecution and failed to respond to repeated requests for information from his client.

In a third case involving a criminal matter, Pina neglected the client's case, failed to keep the client informed about the status of the case, and failed to promptly comply with reasonable requests for information. Upon termination, Pina failed to return any unearned fees. Pina further failed to furnish a response to the complaint to the Chief Disciplinary Counsel's office.

Pina violated Rules 1.01(b)(1) and (b)(2), 1.03(a), 1.15(d), and 8.04(a)(1) and (a)(8). He was ordered to pay \$5,888.74 in attorney's fees and costs and \$6,500 in restitution.

RESIGNATIONS

On March 19, 2008, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Jose Antonio Villalon** [#20540700], 59, of Missouri City. The court found that Villalon was charged with and subsequently pleaded guilty to concealment of assets in Case Number H-07-017, styled *United States of America v. Jose Antonio Villalon*, 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, Villalon would be subject to compulsory discipline under Part VIII of the Rules.

SUSPENSIONS

On Feb. 29, 2008, **Carlos L. Correa** [#04839000], 64, of Houston, received an immediate interim suspension effective April 4, 2008. The 80th District Court of Harris County ordered the suspension pending the final disposition of an underlying disciplinary complaint. Correa may not accept any new client matters, hold himself out as an attorney at law, perform any legal service for others, accept any fee directly or indirectly for legal services, or appear as counsel in a proceeding in any Texas court or before any Texas administrative body.

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On Oct. 22, 2007, **Daniel A. Bass** [#01875695], 51, of San Antonio, received a three-year, fully probated suspension effective Nov. 1, 2007. The District 15-C Grievance Committee found that in connection with a property damage claim, Bass neglected the representation, resulting in the case being dismissed for want of prosecution. Bass failed to withdraw from the representation when personal issues impaired his ability to represent his client. Bass failed to keep his client reasonably informed about the status of the case and failed to respond to his client's requests for information. After the judgment of probated suspension was signed, Bass filed a motion for new trial that was subsequently overruled by operation of law.

Bass violated Rules 1.01(b)(1), 1.03(a) and (b), and 1.15(a)(2). He was ordered to pay \$780 in attorney's fees and expenses and \$500 in restitution.

On Dec. 3, 2007, **Chukwu Oko** [#24007771], 45, of Houston, received a two-year, active suspension effective Dec. 10, 2007. An evidentiary panel of the District 4-E Grievance Committee found that Oko was incompetent to represent his client in a medical malpractice case and charged an unconscionable fee when he charged both a flat fee and a contingent fee. In addition, Oko made misrepresentations regarding his qualification to represent his client, neglected his client's case by failing to attend hearings, failed to timely answer discovery, and failed to seek or obtain a supporting expert witness. Oko's neglect resulted in the imposition of sanctions against his client.

Oko violated Rules 1.01(a), (b)(1), and (b)(2); 1.03(a) and (b); 1.04(a) and (d); and 7.02(a)(3). He was ordered to pay \$5,221.44 in attorney's fees and costs and \$17,800 in restitution.

On Feb. 16, 2008, **William D. Marion** [#00792667], 40, of Galveston, received a one-year, fully probated suspension effective Feb. 11, 2008. An evidentiary

panel of the District 5-B Grievance Committee found that Marion neglected his client's probate case and failed to carry out the responsibilities owed to his client. Because of the ongoing neglect, Marion's services were terminated and an accounting and refund was requested. Marion failed to provide the accounting or return any unearned fees. Marion failed to furnish the Chief Disciplinary Counsel's office with a written response to the grievance.

Marion violated Rules 1.01(b)(1), 1.02(b)(2), 1.15(d), and 8.04(a)(8). He was ordered to pay \$3,300 in attorney's fees and costs and \$800 in restitution.

On March 27, 2008, **Craig F. Sandling** [#17621700], 53, of Austin, accepted a three-year, fully probated suspension effective April 1, 2008. An evidentiary panel of the District 9-A Grievance Committee found that in representing a client in a child custody and child support matter, he failed to keep the client reasonably informed about the status of the matter, failed to promptly comply with reasonable requests for information, and failed to withdraw from representation when he was discharged.

Sandling violated Rules 1.03(a) and 1.15(a)(3). He was ordered to pay \$800 in attorney's fees.

On Feb. 5, 2008, **Jacqueline R. Salinas** [#24027947], 32, of McAllen, received a six-month, fully probated suspension effective Feb. 1, 2008. The District 12-B Grievance Committee found Salinas neglected a property seizure case, failed to return the client's file upon termination, and failed to respond to the grievance.

Salinas violated Rules 1.01(b)(1), 1.15(d), and 8.04(a)(8). She was ordered to pay \$1,500 in attorney's fees and expenses and \$600 in restitution.

On Jan. 23, 2008, **Michael Robert Beliveau** [#24031732], 49, of San Antonio, received a 41-month and 15-day, partially probated suspension effective

Sep. 15, 2007, with the first six and a half months actively served and the remainder probated. The District 10-A Grievance Committee found that in a family law case, Beliveau neglected the case, failed to respond to reasonable requests for information, failed to keep his client informed, and moved his office without providing an address or telephone number.

Beliveau violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$1,160 in attorney's fees and costs and \$500 in restitution.

On March 3, 2008, **Keith Brian Kozura** [#24015150], 37, of Denton, received a four-year, partially probated suspension, effective Oct. 1, 2008, with the first three years actively served and the remainder probated. A panel of the

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14-B Grievance Committee found that in the first matter, on Feb. 23, 2005, the complainant employed Kozura to modify her divorce decree and increase the amount of child support. Thereafter, Kozura neglected the complainant's legal matter by his failure to perform any substantial legal work on her behalf.

In a second matter, in March 2005, the complainant employed Kozura to represent her in a divorce case. Kozura failed to file the petition until April 21, 2005. On July 19, 2005, the complainant sent Kozura written notice of the termination of his representation and requested a copy of her file. However, Kozura failed to respond to the complainant's request.

In a third matter, in July 2004, the complainant employed Kozura to represent her in a child support and divorce decree modification. In June 2005, the complainant notified Kozura in writing of the termination of his services and requested a return of her file. However, Kozura failed to respond to the complainant's request.

In each of the three matters and in a fourth matter, Kozura failed to respond in writing to the complaint.

Kozura violated Rules 1.01(b)(1) and (b)(2), 1.15(d), and 8.04(a)(8). Kozura was ordered to pay \$6,762.53 in attorney's fees and costs and \$400 in restitution.

On March 12, 2008, **James J. Neel** [#14857500], 61, of Fort Worth, received a one-year, active suspension effective March 6, 2008. An evidentiary panel of the District 7-A Grievance Committee found that in May 2006, the complainant hired Neel to handle traffic tickets and warrants on behalf of her husband. Thereafter, Neel neglected the legal matter and failed to return the complainant's phone calls regarding the status of the case. The complainant called the court on several occasions and was informed that nothing had been done on her husband's traffic ticket matter. Neel subsequently failed to complete any meaningful legal work on behalf of

the complainant's husband. Neel was requested to file a written response within 30 days of receipt of the notice of complaint, but failed to do so and asserted no grounds for such failure.

Neel violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$2,060 in attorney's fees.

On April 8, 2008, **John C. Ball** [#00792179], 46, of Fort Worth, received a one-year, fully probated suspension effective March 14, 2008. An evidentiary panel of the District 7-A Grievance Committee found that on Nov. 29, 2005, the complainant employed Ball to defend him in a defamation suit brought by a businessman against the complainant in the Dallas County Court.

On Feb. 17, 2006, the plaintiff filed a motion for summary judgment against the complainant. Ball failed to file a response to the summary judgment motion and failed to appear at the hearing. The motion for summary judgment was subsequently granted against the complainant. Additionally, the plaintiff filed a supplemental application for turnover and request to appoint receiver seeking to collect on the summary judgment against the complainant. Ball failed to appear at the hearing on the turnover application, resulting in the turnover application being entered against the complainant and the appointment of a receiver.

On April 19, 2007, notice and copy of the complaint were sent to Ball by certified mail, return receipt requested, and delivered on April 23, 2007. Ball was directed to reply in writing within 30 days of receipt, but failed to do so and asserted no grounds for such failure.

Ball violated Rules 1.01(b)(1) and 8.04(a)(8). He was ordered to pay \$1,635 in attorney's fees and \$2,500 in restitution.

On April 16, 2008, **David Valetutto** [#00786453], 42, of Houston, accepted a two-year, fully probated suspension

effective April 17, 2008. The District 4-A Grievance Committee found that Valetutto was hired for representation in a personal injury matter that later settled in mediation. Valetutto and his client entered into an arrangement wherein the client would immediately receive the majority of the net proceeds and the remaining settlement proceeds would be held in trust for one year to pay any third-party claim. One year later, the client requested the remaining funds; however, Valetutto was unable to pay the entire amount as he had withdrawn more monies than he was entitled to receive. Instead, Valetutto issued a check, which was returned for insufficient funds. Valetutto and his client then executed a promissory note wherein Valetutto agreed to pay the remaining amounts due plus interest. Valetutto thereafter paid his client the remaining monies due before the promissory note obligations arose and before a complaint was filed with the State Bar of Texas.

Valetutto violated Rules 1.14(a) and (b) and 8.04(a)(3). He agreed to pay \$1,596.20 in attorney's fees and costs.

REPRIMANDS

On March 25, 2008, **Joan Myers** [#14761600], 63, of Bedford, received a public reprimand. An evidentiary panel of the District 7-A Grievance Committee found that in 2002, the complainant entered into agreement with Myers for the purpose of collecting on delinquent accounts. Myers collected approximately \$124,429.50 on behalf of the complainant, but subsequently failed to remit all of the funds to the complainant. Thereafter, Myers received payments on behalf of the complainant's clients after the complainant had terminated her representation. Myers subsequently failed to remit these payments to the complainant.

Myers violated Rules 1.14(b) and (c). She was ordered to pay \$1,157 in attorney's fees and \$43,000 in restitution to the complainant. ❖