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REINSTATEMENT

Maurice A. Lyons [#12744000], 61, of Austin, has petitioned the 53rd District Court of Travis County for reinstatement as a member of the State Bar of Texas.

DISBARMENTS

On June 10, **Carl D. Hughes, Jr.** [#10209000], 61, of Dallas, was disbarred. A panel of the District 6-A Grievance Committee found that in 2001, Hughes filed a lawsuit against the

complainant's employer and three managers, claiming race discrimination, retaliation, and slander after the complainant was involuntarily laid off due to a reduction in force. In January 2005, the defendants' motion for summary judgment was granted. Hughes charged and collected unconscionable fees during his representation of the complainant. The complainant requested the file from Hughes, but Hughes refused to provide the file until the complainant paid Hughes \$540 for copying expenses.

Hughes violated Rules 1.04(a) and 1.15(d). He was ordered to pay \$132,540 in restitution and \$10,912.80 in attorney's fees and costs.

On June 2, **Tae Young Kim** [#11417620], 45, of California, was disbarred. A panel of the District 6-A Grievance Committee found that in the first matter, Kim was employed by the complainant to negotiate the complainant's debts with creditors. Thereafter, Kim failed to provide any meaningful legal services on the complainant's behalf, closed his law office without notifying the complainant, and failed to notify the complainant he no longer represented her.

In the second matter, Kim was employed to act as escrow agent in connection with the complainant's purchase of a business. Kim completed the sale and withheld \$50,000, which was to be paid to the seller at a later date. Kim failed to provide the \$50,000 to the seller.

Kim failed to respond to the complaints and asserted no grounds for such failure.

Kim violated Rules 1.01(b)(1); 1.03(a); 1.14(b); 1.15(d); and 8.04(a)(2), (a)(3), and (a)(8). He was

ordered to pay \$34,238 in restitution and \$1,433.68 in attorney's fees and costs.

RESIGNATION

On June 17, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **James W. Myart, Jr.** [#14755950], 53, of San Antonio. At the time of the resignation, criminal charges for misapplying client funds were pending. Also pending were two disciplinary matters. In the first matter, Myart neglected the representation, failed to communicate with his client, and failed to notify his client he was suspended. In the second matter, Myart failed to communicate with his client.

Myart violated Rules 1.01(b)(1), 1.03(a), and 8.04 (a)(2) and (a)(10).

SUSPENSIONS

On June 30, **James E. Porter** [#16149100], 60, of Bedford, received a one-year, fully probated suspension effective July 13, 2008. A panel of the District 7-A Grievance Committee found that Porter violated the terms of the judgment of indefinite disability suspension he is serving, dated Jan. 12, 2005, by holding himself out to others and using his name in conjunction with the words "attorney," "counselor," or "lawyer." Porter failed to notify his current clients, including the clients of Myers and Porter, P.C., of his suspension.

Porter violated Rule 8.04(a)(7). He was ordered to pay attorney's fees in the sum of \$1,068.75.

On June 2, **Scott A. Scher** [#17743500], 48, of Dallas, received a two-year, fully probated suspension effective June 15, 2008. The complainant hired Scher to file suit against her former employer for wrongful termination, agreeing to a contingent fee. Scher failed to prepare a written fee agreement, failed to keep the complainant informed as to the status of her case, and failed to respond to the com-

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plainant's requests for information. Scher filed a lawsuit but failed to have the parties properly served. The complainant's lawsuit was dismissed with prejudice as being barred by the statute of limitations because of lack of timely service. Scher failed to respond to the grievance.

Scher violated Rules 1.01(b)(1), 1.03(a), 1.04(d), and 8.04(a)(8). He was ordered to pay \$2,470.30 in attorney's fees and costs.

On April 8, **Jack Lee McGinnis II** [#13630990], 43, of San Antonio, received a one-year, fully probated suspension effective April 15, 2008. The District 10-C Grievance Committee found McGinnis neglected a criminal defense representation and failed to keep his client informed. Upon termination, McGinnis failed to account for or refund timely the unearned portion of the fees. McGinnis represented the client while administratively suspended from the practice of law.

McGinnis violated Rules 1.01(b)(1) and (b)(2), 1.03(a), 1.15(d), and 8.04(a)(8) and (a)(11). He was ordered to pay \$1,817.35 in attorney's fees and expenses.

On June 16, **Claudia M. Thompson** [#00797773], 62, of North Richland Hills, received a two-year, fully probated suspension effective June 23, 2008. A panel of the District 7-A Grievance Committee found that in September 2006, the complainant hired Thompson to prepare a living trust and a family limited partnership. Thompson subsequently neglected the complainant's legal matter by failing to complete the work on the living trust and by preparing and filing a certificate of limited partnership with incorrect provisions for the complainant's grandchildren. Thompson subsequently failed to return several of the complainant's phone calls and failed to keep him reasonably informed regarding the status of his case.

Thompson violated Rules 1.01(b)(1)

and 1.03(a). She was ordered to pay \$2,138.23 in attorney's fees.

On July 11, **Linda Jane Hevrin McCue** [#24034563], 35, of Mansfield, received a two-year, partially probated suspension effective Aug. 1, 2008, with the first year actively served. A panel of the District 7-A Grievance Committee found that McCue was hired by her sister, who is a dentist, to file lawsuits to collect patients' delinquent accounts. McCue subsequently failed to file the lawsuits. McCue gave the client's office manager a list of cases on official court receipts purportedly filed in the justice of the peace court and a list of judgments bearing the JP court judge's signature stamp. The court clerks later determined that the cases had never been filed, had not been prepared by the court, and had not been entered into the court's computer system. The judge's signature stamp was affixed to the judgments without his knowledge or consent.

McCue violated Rules 1.01(b)(1), 4.01(a), and 8.04(a)(2), (a)(3), and (a)(4). She was ordered to pay \$1,105 in attorney's fees.

On April 22, **John D. Copeland** [#04798700], 65, of Dallas, received a two-year, partially probated suspension effective May 1, 2008, with the first six months actively served and the remainder probated. In the first matter, the complainant employed Copeland in December 2004 to contest the probate of an estate. On Sept. 2, 2005, while Copeland's license to practice law was suspended for failure to pay the Texas Attorney Occupation Tax, Copeland filed a motion for removal of executor in the pending probate case.

In a second matter, on Aug. 15, 2005, Copeland entered an appearance for the complainant in a pending lawsuit against a school district and several district employees. On Nov. 3, 2005, the school district filed a motion for discovery sanctions. After conducting a show cause hearing, the court ordered Copeland to

answer the district's discovery by Nov. 22, 2005 and sanctioned Copeland \$1,335. Copeland failed to timely provide the discovery responses as ordered. Between June 19, 2006 and July 11, 2006, while Copeland's license to practice law was administratively suspended for failure to comply with MCLE requirements, Copeland filed various pleadings in the complainant's lawsuit. The court granted the school district's motion for summary judgment on Aug. 24, 2006, based, in part, on Copeland's failure to timely file pleadings in response to the motion and failure to comply with the local rules. The complainant's claims were dismissed with prejudice on Sept. 11, 2006. In addition, in both matters, Copeland failed to reply in writing to the grievance and asserted no grounds for his failure to do so.

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DISCIPLINARY ACTIONS

Copeland violated Rules 1.01(b)(1) and (b)(2), 3.01, and 8.04(a)(8) and (a)(11). He was ordered to pay \$3,148.17 in attorney's fees and costs.

On July 18, **David Norman Getz** [#00784123], 51, of Lubbock, accepted a 30-month, 11-day partially probated suspension effective June 24, 2008, with the first nine months and 11 days actively served and the remainder probated. The District 16-A Grievance Committee found Getz failed to respond to reasonable requests for information from his client and violated a disciplinary judgment by failing to inform his client he was suspended from the practice of law.

Getz violated Rules 1.03(a), 3.04(d), and 8.04(a)(10). He was ordered to pay \$800 in attorney's fees and expenses.

On June 23, **Prince Cartwright, Jr.** [#03943500], 60, of Houston, received a one-year, fully probated suspension effective July 1, 2008. A panel of the District 4-E Grievance Committee found that Cartwright was hired by siblings to probate their father's will, which he thereafter completed. During the probate proceedings, it was discovered that the estate might have had a cause of action for wrongful death against the father's employer, so Cartwright was hired to file a wrongful death suit. Cartwright later decided not to file suit as he was unable to conduct a complete investigation; however, he failed to inform the siblings of his decision to abandon the representation so that they could seek other legal advice on the matter. As a result, the statute of limitations on the wrongful death claim expired. Additionally, Cartwright failed to timely return the client file upon request.

Cartwright violated Rules 1.03(b) and 1.15(d). He was ordered to pay \$2,362.35 in attorney's fees and costs.

REPRIMANDS

On June 30, **Susan C. Austin** [#01440660], 44, of Dallas, accepted a public reprimand. An evidentiary panel of the District 6-A Grievance Commit-

tee found that Austin was hired to appeal a judgment rendered against the complainant and the complainant's company. Austin timely filed an appeal bond. Thereafter, Austin failed to file the appeal and failed to inform the complainant the appeal had not been filed. A writ of execution was served on the complainant, who paid \$6,958.16 to satisfy the writ. Austin failed to respond to the grievance.

Austin violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$1,000 in attorney's fees.

On July 27, **Ralph Peter Manginello** [#24007597], 37, of Houston, accepted a public reprimand. An evidentiary panel of the District 4-E Grievance Committee found that Manginello filed suit on behalf of his client. Manginello then assigned the case to an associate who never perfected service on the defendant. Although Manginello was notified that the case was on the dismissal docket, he failed to perfect service or take any measures to keep the suit from being dismissed. The case was dismissed for want of prosecution. Manginello also failed to explain matters to the extent reasonably necessary to permit his client to make informed decisions.

Manginello violated Rules 1.01(b)(1), 1.03(b), and 5.01(b). He agreed to pay \$1,345 in attorney's fees and costs.

On July 27, **Emmanuel I. Ihenakwe** [#00795442], 48, of Houston, accepted a public reprimand. An evidentiary panel of the District 4-E Grievance Committee found that Ihenakwe practiced law while administratively suspended for failure to pay bar dues.

Ihenakwe violated Rule 8.04(a)(11). He agreed to pay \$250 in attorney's fees and costs.

On Aug. 5, **Michelle L. Valicek** [#12579850], 50, of San Antonio, accepted a public reprimand. The District 10-C Grievance Committee found Valicek failed to communicate with her client.

Valicek violated Rule 1.03(a). She agreed to pay \$600 in attorney's fees and expenses. ★