



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.

JUDICIAL ACTIONS

On Aug. 29, **James A. Blackstock** [#02403500], 61, judge of County Court at Law No. 3 in Brazoria County, resigned from judicial office, in lieu of discipline. On Aug. 12, Blackstock was charged with 14 counts of official oppression, a Class A misdemeanor. On Aug. 13, after considering the information, the State Commission on Judicial Conduct entered an order suspending Blackstock from office, with pay, pending the outcome of the charges pending

against him. On Aug. 29, Blackstock pleaded *nolo contendere* to one count of official oppression and *nolo contendere* to four counts of assault, Class C misdemeanors. The 23rd District Court of Brazoria County found him guilty of counts 3, 9, 11, 15, and 16. Thereafter, Blackstock submitted his resignation to the members of the Brazoria County Commissioners Court.

DISBARMENTS

On Aug. 28, **Shawn Michael Mulligan** [#24013210], 41, of League City, was disbarred. An evidentiary panel of the District 5-C Grievance Committee found that Mulligan was hired to represent his client in a divorce matter. Mulligan neglected the case and failed to carry out completely the obligations owed to his client. Mulligan failed to abide by his client's decisions and failed to maintain communication, failed to return the client file upon termination of his representation, and failed to provide the Chief Disciplinary Counsel's office with a written response to the grievance.

Mulligan violated Rules 1.01(b)(1) and (b)(2), 1.02(a)(1), 1.03(a), 1.15(d), 8.01(b), and 8.04(a)(8). He was ordered to pay \$6,000 in restitution and \$1,630.67 in attorney's fees and costs.

On Oct. 6, **Madelyn P. Bowman** [#00794449], 38, of Burleson, was disbarred. An evidentiary panel of the District 7-A Grievance Committee found that in November 2005, the complainant gave Bowman a check for \$12,500 to be placed in Bowman's trust account as earnest money for a real estate purchase. The funds were to be held in escrow pending completion of

the transaction. Bowman's trust account balance subsequently fell below the amount of the deposit, and Bowman failed to maintain her trust account balance at or above that amount.

On Aug. 12, 2006, the Land Purchase Agreement was terminated, and Bowman was directed to return the earnest money to the complainant in the amount of \$12,500. Bowman subsequently failed to deliver the funds to the complainant.

Bowman violated Rules 1.14(a), (b), and (c). She was ordered to pay \$2,434.50 in attorney's fees and \$12,500 in restitution.

RESIGNATIONS

On Aug. 27, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Louis S. Robles** [#00785334], 61, of Key Biscayne, Fla. The Court found that on Dec. 5, 2007, Robles pleaded guilty to mail fraud in violation of 18 U.S.C. §1341 and §1346 in Case No. 06-20286-CR-GOLD, styled *United States of America v. Louis S. Robles*, in the U.S. District Court for the Southern District of Florida. As a result of such plea to an intentional and serious crime as defined in Rules 1.06(O) and 1.06(U), Texas Rules of Disciplinary Procedure, Robles would be subject to compulsory discipline under Part VIII of the Rules.

On Sept. 23, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Harry Skeins, Jr.** [#18455500], 73, of Fischer. The Court found that Skeins was found guilty of conspiracy to commit wire fraud and two counts of wire fraud in Case No. CR06-00280RSM, styled *United States of America v. Harry Skeins, Jr.*, in the U.S. District Court for the Western District of Washington, and was committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a total term of four years. Upon release from imprisonment, Skeins shall be on

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DISCIPLINARY ACTIONS

supervised release for a term of three years. He was also ordered to pay \$1,560,000 in restitution and to pay an assessment of \$300, which would subject him to compulsory discipline.

On Sept. 23, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Kandy Rhea Lee Kelly** [#24038222], 34, of Gatesville. The Court found that on March 29, 2007, Kelly pleaded guilty to securing execution of document by deception in Case No. 06-1245-K26, styled *The State of Texas v. Kandy Kelly*, in the 26th District Court of Williamson County. On May 16, 2007, Kelly was sentenced to four years deferred adjudication, a fine of \$2,000, and costs in the amount of \$198, which would subject her to compulsory discipline.

On Sept. 23, the Supreme Court of Texas accepted the resignation, in lieu of discipline, of **Ronald Sefrna** [#17987400], 61, of Tyler. On Aug. 11, 2006, the complainant hired Sefrna to conduct a patent search in conjunction with a product that the complainant invented. Sefrna thereafter failed to do any significant work in the complainant's matter, and he failed to respond to the complainant's inquiries regarding the status of her matter. In addition, Sefrna began serving an active suspension pursuant to a disciplinary judgment issued in another case while he was representing the complainant. He failed, however, to notify the complainant about his suspension, and he failed to return the complainant's property to her as well as any unearned fee pursuant to the judgment. Finally, Sefrna failed to respond to the complainant's grievance.

Sefrna violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(7) and (a)(8). He was ordered to pay \$1,846 in attorney's fees and \$4,100 in restitution.

SUSPENSIONS

On Aug. 7, **Thomas G. Richey** [#16874900], 61, of Houston, received a six-month, fully probated suspension effective Aug. 4. An evidentiary panel of the District 4-B Grievance Committee found that, in the first matter, Richey was retained to file an application for a guardianship in probate court. Richey did not return many of the client's phone calls and generally failed to keep her properly informed about the matter. Richey promised the client a partial refund of his fee, but failed to follow through on that promise.

In the second matter, Richey was retained to file a Medicaid application and handle related issues. For a lengthy period, Richey did not respond to the client's letters or otherwise communicate with the client.

Richey violated Rule 1.03(a). He was ordered to pay \$1,100 in attorney's

fees and \$500 in restitution and to complete one additional hour of continuing legal education in the area of law practice management.

On Sept. 17, **Stephen D. Stephens** [#19161000], 63, of Lewisville, accepted a three-year, fully probated suspension effective Oct. 1. An evidentiary panel of the District 14-B Grievance Committee found that in the first matter, in March 2003, the complainant was notified by his attorney that his son was being threatened with foreclosure on a commercial property. The complainant sent his attorney a check for \$4,450 in payment of two delinquent mortgage payments plus late charges and attorney's fees. The check was endorsed over to Stephens, who represented the sellers. Without the sellers' knowledge or consent, Stephens applied the entire \$4,450 to attorney's fees. Consequently, in June 2005, on the day the property was sold to a third party, the complainant was forced to again pay the two mortgage payments to avoid delaying the sale closing.

In the second matter, in both the U.S. Bankruptcy Court for the Northern District of Texas and the Eastern District, Stephens was sanctioned for misconduct. Stephens was suspended from practicing in the U.S. Bankruptcy Court for the Northern District for one year and in the Eastern District for two years.

Stephens violated Rules 1.14(a), (b), and (c); 3.01; 3.02; 3.03(a)(1) and (a)(2); and 8.04(a)(3). He was ordered to pay \$1,631 in attorney's fees and costs.

On Aug. 6, **Shawn Michael Mulligan** [#24013210], 41, of League City, received a five-year, partially probated suspension effective July 22, with the first year actively served and the remainder probated. An evidentiary panel of the District 5-C Grievance Committee found that in five different matters, Mulligan neglected his clients' cases,

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failed to maintain communication, and closed his office without notifying his clients or providing a forwarding address. Mulligan failed to refund unearned fees or to return the clients' files and original documents when requested to do so.

Mulligan violated Rules 1.01(b)(1), 1.03(a), 1.15(a)(2) and (d), and 8.04(a)(10). He was ordered to pay \$2,511.16 in attorney's fees and costs and \$10,800 in restitution.

On June 27, 2007, **John T. Ketner** [#24029662], 33, of San Antonio, received an interim suspension effective June 27, 2007. The 327th District Court of El Paso County found in accord with the provisions of Texas Rules of Disciplinary Procedure Rule 14.01 *et. seq.* that Ketner should be indefinitely suspended from the practice of law pending the final disposition of a disciplinary matter.

On Feb. 29, **Mary S. Roberts** [#00788294], 52, of San Antonio, received an interim suspension effective Feb. 29. The 224th District Court of Bexar County found in accord with the provisions of Texas Rules of Disciplinary Procedure Rule 14.01 *et. seq.* that Roberts should be indefinitely suspended from the practice of law pending the final disposition of pending disciplinary matters.

On June 15, 2007, **Ted H. Roberts** [#17019705], 52, of San Antonio, received an interim suspension effective June 15, 2007. The 166th District Court of Bexar County found in accord with the provisions of Texas Rules of Disciplinary Procedure Rule 14.01 *et. seq.* that Roberts should be indefinitely suspended from the practice of law pending the final disposition of a disciplinary matter.

On Sept. 2, **David G. Ortiz** [#50511823], 42, of Las Vegas, Nev.,

accepted a two-year, fully probated suspension effective Sept. 1. An evidentiary panel of the District 9-A Grievance Committee found Ortiz to be acting in bad faith by knowingly disobeying the terms of his dismissal in a bankruptcy case. Ortiz also delayed the resolution of the matter by failing to appear at the show cause order hearing.

Ortiz violated Rules 3.02 and 3.04(d). He was ordered to pay \$600 in attorney's fees and costs.

On Sept. 19, **James J. Neel** [#14857500], 62, of Fort Worth, received a five-year, active suspension effective March 6, 2009. An evidentiary panel of the District 7-A Grievance Committee found that on Sept. 9, 2005, the complainant hired Neel to represent him on an agreed divorce. The complainant sent several letters to Neel requesting information regarding the status of his case. Neel subsequently failed to respond to the complainant's letters. Thereafter, Neel failed to complete any meaningful legal work on the complainant's case and failed to communicate with him in any manner. Neel also failed to refund any of the unearned portion of the fee. On Sept. 18, 2007, notice and a copy of the complaint were sent to Neel. He subsequently failed to file a written response to the complaint, as requested, and asserted no grounds for such failure.

Neel violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,040.31 in attorney's fees and \$627 in restitution.

On Sept. 17, **Abel Cavada** [#04021300], 59, of Corpus Christi, accepted a five-year, partially probated suspension effective Nov. 1, with the first three months actively served and the remainder probated. The District 11-A Grievance Committee found Cavada was paid fees to represent a client in two criminal matters but failed to appear or take any action in one of

the cases. All client communication occurred through a non-lawyer representative and Cavada failed to make reasonable efforts to ensure the conduct of the non-lawyer was compatible with Cavada's professional obligations and that the non-lawyer did not engage in the unauthorized practice of law. In connection with the grievance filed, Cavada made false statements of material fact regarding his representation of the client.

Cavada violated Rules 1.01(b)(1), 1.03(a) and (b), 1.15(d), 5.03(a) and (b), 5.04(a)(1), 5.05(b), 8.01(a), and 8.04(a)(3). He was ordered to pay \$1,200 in attorney's fees and expenses.

On Aug. 11, **Monica Lisa Caballero** [#00796288], 40, of San Antonio, received a one-year, partially probated

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suspension effective Sept. 1, with the first six months actively served and the remainder probated. The District 10-A Grievance Committee found that Caballero neglected an immigration representation, failed to communicate with her clients, misrepresented the status of the immigration application for permanent residency, failed to return the clients' files, and failed to timely respond to the grievance.

Caballero violated Rules 1.01(b)(1) and (b)(2), 1.03(a) and (b), 1.15(d), 2.01, and 8.04(a)(3) and (a)(8). She was ordered to pay \$1,445 in attorney's fees and expenses.

On Sept. 10, **William D. Marion** [#00792667], 41, of Galveston, received a two-year, active suspension effective Sept. 8. An evidentiary panel

of the District 5-B Grievance Committee found that in the first of two matters, Marion neglected his client's case, failed to carry out completely the obligations owed to his client, and failed to maintain client communication.

In the second matter, Marion failed to maintain client communication.

In both matters, Marion failed to refund unearned fees or to return the clients' files and original documents when requested to do so. Marion failed to provide the Chief Disciplinary Counsel's office with written responses to the grievances.

Marion violated Rules 1.01(b)(1) and (b)(2), 1.03(a), 1.15(d), and 8.04(a). He was ordered to pay \$1,629.47 in attorney's fees and costs and \$1,700 in restitution.

REPRIMANDS

On Sept. 4, **Gary Wayne Tucker** [#24047002], 46, of Dallas, received a public reprimand after a finding of professional misconduct by the District 6-A Grievance Committee. On Sept. 1, 2005, Tucker was administratively suspended from the practice of law for failure to pay State Bar dues and the attorney occupation tax. While Tucker was administratively suspended, he engaged in the practice of law by filing pleadings on behalf of clients.

Tucker violated Rules 8.04(a)(8) and (a)(11). He was ordered to pay \$1,470 in attorney's fees.

On Aug. 8, **Richard J. Gonzalez** [#08131600], 50, of Laredo, accepted a public reprimand. The District 12-A Grievance Committee found Gonzalez neglected his client's criminal appeal and failed to comply with a court order.

Gonzalez violated Rules 1.01(b)(1) and (b)(2) and 3.04(d). He was ordered to pay \$600 in attorney's fees and expenses.

On Sept. 23, **Hugo X. De Los Santos** [#05653300], 49, of San Antonio,

accepted a judgment of public reprimand. The 57th Judicial District Court in Bexar County found that De Los Santos took positions that unreasonably increased the cost or other burdens of the case or unreasonably delayed resolution of the matter in which he was hired.

De Los Santos violated Rule 3.02. He was ordered to pay \$4,500 in attorney's fees and expenses and \$500 in restitution.

On Sept. 17, **David M. Butler** [#03515300], 62, of Lufkin, accepted a judgment of public reprimand. The 131st District Court of Bexar County found Butler failed to timely respond to a grievance.

Butler violated Rule 8.04(a)(8). He was ordered to pay \$1,900 in attorney's fees and expenses and \$550 in restitution.

On Oct. 7, **Jean Petersen Summers** [#24005804], 41, of Katy, accepted a public reprimand. The District 5-A Grievance Committee found that Summers was hired to file a divorce petition and represent her client in the subsequent proceeding. Summers filed the petition, forwarded the petition and a waiver of service to a Michigan attorney who was representing her client's wife, but took no further steps to pursue the divorce action. During the course of the representation, Summers failed to communicate with her client or respond to her client's reasonable requests for information.

Summers violated Rules 1.01(b)(1) and 1.03(a). She agreed to pay \$440 in attorney's fees. ❖

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