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**G**eneral 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 [txboda.org](http://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.

**BODA ACTIONS**

On Aug. 28, 2012, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against **Gina Dawn Patterson** (#24013301), 47, 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 No. 50977.

On Oct. 10, 2012, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against **Eric Lyle Williams** (#240138510), 45, of Kaufman. On or about April 9, 2012, Williams was found guilty of one count of burglary of a building and one count of theft by a public servant over \$500 and less than \$1,500, Intentional Crimes as defined in the Texas Rules of Disciplinary Procedure, in Case No. 29823-422 styled, *The State of Texas v. Eric Lyle Williams* in the 422nd District Court of Kaufman County, Texas. Williams was sentenced to two years in Texas Department of Criminal Justice State Jail Division, suspended for two years, and ordered to perform 80 hours of community service. Williams has appealed his criminal conviction. The Board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 51062.

On Oct. 24, 2012, the Board of Disciplinary Appeals signed a judgment of suspension against **Suzanne H. Wooten** (#00794881), 44, of McKinney. On or about Dec. 6, 2011, Wooten was found guilty by a jury of engaging in organized criminal activity, six counts of bribery, money laundering, and tampering with a governmental record to defraud or harm, Intentional Crimes as defined in the

Texas Rules of Disciplinary Procedure, in Cause No. 366-81639-2011 styled, *The State of Texas v. Suzanne H. Wooten*, in the 366th District Court of Collin County, Texas. She was sentenced to 10 years in the Institutional Division of the Texas Department of Criminal Justice for each count of bribery and ordered to pay a fine in the amount of \$10,000. Imposition of the criminal sentence was suspended and Wooten was placed on community supervision for a term of 10 years. She was sentenced to 10 years in the Institutional Division of the Texas Department of Criminal Justice for the count of money laundering and ordered to pay a fine in the amount of \$10,000. Imposition of the criminal sentence was suspended and Wooten was placed on community supervision for a term of 10 years. She was sentenced to two years in the Institutional Division of the Texas Department of Criminal Justice for the count of tampering with a governmental record and ordered to pay a fine in the amount of \$10,000. Imposition of the criminal sentences was suspended and Wooten was placed on community supervision for a term of five years. All sentences run concurrently. Wooten did not appeal her criminal conviction and it is final. Wooten is suspended for the term of her criminal probation. BODA Cause No. 50489.

On Oct. 24, 2012, the Board of Disciplinary Appeals signed a default judgment of disbarment against **Emeka M. Uyamadu** (#00788571), 50, of Houston, from the practice of law. Uyamadu did not answer or appear. On July 26, 2010, the Board of Disciplinary Appeals signed an interlocutory order suspending Uyamadu from the practice of law pending the appeal of his conviction. On or



about April 23, 2010, Uyamadu was found guilty of theft over \$20,000 and under \$100,000, a third degree felony, an Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 1138060, styled, *The State of Texas v. Uyamadu, Emeka Michael*, in the 176th Judicial District Court of Harris County, Texas. Uyamadu was sentenced to 10 years in the custody of the Texas Department of Criminal Justice. The sentence was suspended and Uyamadu was placed on community supervision for 10 years and ordered to pay a \$5,000 fine and to serve 60 days in the Harris County Jail. On or about April 23, 2010, Uyamadu was found guilty of tampering with a witness, a state jail felony, an Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 1176507, styled, *The State of Texas v. Uyamadu, Emeka Michael*, in the 176th Judicial District Court of Harris County, Texas. Uyamadu was sentenced to two years in the custody of the State Jail Division of the Texas Department of Criminal Justice and ordered to pay a \$3,000 fine. Uyamadu appealed the criminal conviction and the 14th Court of Appeals for the State of Texas affirmed the conviction and issued its mandates on June 22, 2012. BODA Cause No. 46776.

On Oct. 24, 2012, the Board of Disciplinary Appeals signed a default judgment of disbarment against **William J. Kleinkauf** (#11566500), 66, of Flower Mound. Kleinkauf did not answer or appear. On July 30, 2012, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Kleinkauf suspending him from the practice of law pending his appeal of his conviction. On or about Sept. 2, 2011, Kleinkauf pled guilty to one count of Possession of Child Pornography in violation of 18 U.S.C. §§2252A(a)(5)(B) an Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, in Case No. 4:10CR00013-001, styled, *The United States of America v. William*

*J. Kleinkauf*, in the U.S. District Court for the Eastern District of Texas, Sherman Division. Kleinkauf was sentenced to 36 months in the custody of the U.S. Bureau of Prisons. Upon his release, Kleinkauf shall be supervised for five years. He was also ordered to pay an assessment of \$100. Kleinkauf appealed his criminal conviction. On July 25, 2012, the Court of Appeals for the 5th Circuit of the United States of America affirmed his criminal conviction and issued its mandate. BODA Cause No. 50490.

On Oct. 16, 2012, the Board of Disciplinary Appeals signed an agreed judgment of suspension of **Philip M. Kleinsmith** (#11567650), 73, of Colorado Springs. On March 20, 2012, the Presiding Disciplinary Judge of the Supreme Court of Arizona entered a Judgment and Order against Kleinsmith in a matter styled, *In the Matter of an Active Member of the State Bar of Arizona, Philip M. Kleinsmith, Bar No. 012775, Respondent*, reprimanding Kleinsmith and placing him on probation for one year subject to early termination upon completion of Ethics School. He completed Ethics School and his probation was terminated on June 18, 2012. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Kleinsmith is publicly reprimanded and suspended from the practice of law for three months, with the imposition of the suspension fully probed. BODA Cause No. 51059.

On Oct. 24, 2012, the Board of Disciplinary Appeals signed a judgment of disbarment against **Eric Paul Gifford** (#00796628), 46, of Anna, Texas. Gifford appeared pro se at the hearing before BODA. On Feb. 20, 2012, the Supreme Court of Florida issued an order in a matter styled: *The Florida Bar, Complainant v. Eric P. Gifford, Respondent*, Case No. SC11-1182, disbaring Gifford because he admitted that he committed an unlawful act, failed to comply with Florida's trust account rules and committed a criminal act in violation of the Florida Rules of

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## DISCIPLINARY ACTIONS

Professional Conduct. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Gifford is disbarred. BODA Cause No. 51060.

On Oct. 23, 2012, the Board of Disciplinary Appeals signed an agreed judgment of suspension of **Gary L Lassen** (#11969500), 64, of Tempe, Ariz. On March 20, 2012, the Presiding Disciplinary Judge of the Supreme Court of Arizona entered a Judgment and Order against Lassen in a matter styled, *In the Matter of an Active Member of the State Bar of Arizona, Gary L. Lassen, Bar No. 005259, Respondent*, PDJ-2011-9079, State Bar No. 10-1508, suspending Lassen from the practice of law for 30 days. In accordance with Part IX of the Texas Rules of Disciplinary Procedure, Lassen is suspended from the practice of law in Texas for 30 days beginning Oct. 23, 2012, and ending on Nov. 22, 2012. BODA Cause No. 51061.

### DISBARMENTS

On Sept. 24, 2012, **Yolanda D. Clay** [#00795567], 43, of Houston, was disbarred. Clay violated one or more terms of a disciplinary judgment previously rendered against her. During the investigation of the grievance filed against her, Clay failed to furnish to the Chief Disciplinary Counsel's Office a response to the grievance.

Clay violated Rule 8.04(a)(7) and 8.04(a)(8). She was ordered to pay attorney's fees and costs in the amount of \$793.05.

### SUSPENSIONS

On Sept. 13, 2012, **Annette R. Loyd** [#16731100], 49, of Fort Worth, accepted a one-year, active suspension, effective Oct. 1, 2012. An evidentiary panel of the District 7 Grievance Committee found that Loyd engaged in the practice of law when her right to practice had been suspended due to a disciplinary judgment; and that Loyd violated a disciplinary judgment by practicing while actively suspended. Loyd also failed to file a response

with the Office of the Chief Disciplinary Counsel.

Loyd violated Rules 8.04(a)(1), 8.04(a)(7), 8.04(a)(8), and 8.04(a)(11). She was ordered to pay \$895 in attorneys' fees and costs.

On Sept. 26, 2012, **Jennifer Lynne Clouser** [#24069522], 30, of Houston, received a three-year, partially probated suspension, effective Oct. 22, 2012, with the first three months actively served and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that in representing a client, Clouser neglected the legal matter entrusted to her, failed to promptly comply with reasonable requests for information from the client, and failed to refund to the client fees that had not been earned by her. Clouser also failed to respond to the grievance filed against her.

Clouser violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). She was ordered to pay \$615 in attorney's fees and costs and \$250 in restitution. Clouser had until Oct. 26, 2012 to appeal.

On Oct., 24, 2012, **Darren Christopher Bertin** [#24009897], 45, of Port Neches, accepted a six-month, fully probated suspension, effective Oct. 15, 2012. Bertin was appointed to represent his client in the appeal of her capital murder conviction. Bertin filed an appeal and the conviction was later affirmed; however, Bertin failed to inform his client of the affirmation or that she had the right to file a petition for discretionary review. Bertin also failed to respond to his client's requests for information on her case. Furthermore, Bertin failed to file a response to the grievance.

Bertin violated Rules 1.03(a) and 8.04(a)(8). Bertin was ordered to pay \$500 in attorney's fees.

On Oct. 24, 2012, **Steven Ryan Lafuente** [#24032522], 43, of Dallas, agreed to a four-year partially probated suspension, effective Dec. 1, 2012, with the first two years actively served and the remainder probated. The District 6 Grievance Com-

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mittee found that Lafuente failed to refund to his client advance payments of fees that had not been earned. Further, Lafuente violated a disciplinary judgment by practicing law while on an active suspension; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Lafuente violated Rules 1.15(d), 8.04(a)(3),s and 8.04(a)(7). He was ordered to pay \$1,109 in attorney's fees and costs and \$4,300 in restitution.

On Oct. 18, 2012, **Hugo Rojas** [#00791564], 48, of Inglewood, Calif., accepted a six-month active suspension. The District 9 Evidentiary Panel found that Rojas was hired to represent a client in an immigration matter but failed to take any meaningful action on the client's case. Rojas further failed to keep the client informed about the status of the case and failed to refund unearned fees.

Rojas violated Rules 1.01(b)(1), 1.03(a), 1.15(d) and 8.04(a)(1) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules. Rojas paid \$963.50 in attorney's fees and costs.

On Oct. 9, 2012, **Eraka Watson** [#24001879], 40, of Pearland, agreed to a two-year, fully probated suspension, effective Nov. 1, 2012. The 23rd Judicial District Court of Brazoria County found that Watson violated Rule 8.04(a)(3) (conduct involving dishonesty, fraud, deceit, or misrepresentation). She was ordered to pay \$820 in attorney's fees and costs.

## PUBLIC REPRIMANDS

On Oct. 5, 2012, **Douglas K. Magary** [#12810500], 67, of Dallas, received a public reprimand. The District 6 Panel of the Grievance Committee found that Magary failed to keep complainant reasonably informed about the status of the case and failed to promptly comply with reasonable requests for information from complainant. Magary failed to explain complainant's case to the extent reasonable necessary to permit complainant to

make informed decisions regarding the representation. Magary failed to timely furnish to the Chief Disciplinary Counsel's office 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.

Magary violated Rules 1.03(a), 1.03(b), and 8.04(a)(8). He agreed to pay \$1,449.24 in attorneys' fees and costs.

On Aug. 21, 2012, **Joseph G. Garza** [#07734500], 68, of Victoria, accepted a public reprimand. The District 11-3 Grievance Committee found Garza threatened a person with criminal charges solely to gain an advantage in a civil matter.

Garza violated Rule 4.04(b)(1) and was ordered to pay \$700 in attorney's fees and direct expenses.

On Oct. 15, 2012, **Thomas Lane Hooton** [#09965500], 69, of Dallas, received a public reprimand. The District 6 Panel of the Grievance Committee found that Hooton neglected the appeal of the criminal matter entrusted to him by the complainant. Upon termination of representation, Hooton failed to refund advance payments of fees that had not been earned.

Hooton violated Rules 1.01(b)(1) and 1.15(d). Hooton was ordered to pay \$1,426.20 in attorney's fees.

On Oct. 12, 2012, **Reginaldo P. Villalon** [#24033417], 46, of Houston, agreed to a public reprimand. Villalon engaged in the practice of law when his right to practice had been administratively suspended for failure to timely pay required fees or assessments.

Villalon violated Rule 8.04(a)(11). He agreed to pay attorney's fees and costs in the amount of \$400.65. ❖



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