

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 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.

DISBARMENTS

On Dec. 27, 2012, **Glen Allen Engle** [#00789280], 56, of Beaumont, was disbarred. The 172nd Judicial District Court of Jefferson County found that Engle committed professional misconduct by violating Rule 8.04(a)(2) [a lawyer shall not commit a serious crime or commit any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects] and Rule 8.04(a)(3) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation]. Engle was ordered to pay \$875 in attorneys' fees and \$381 in direct expenses.

SUSPENSIONS

On Dec. 14, 2012, **James A. Endicott Jr.** [#06613800], 73, of Harker Heights, received a three-year partially probated suspension, effective Jan. 1, 2013, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 8 Grievance Committee found that Endicott committed misconduct in five cases. Endicott failed to take any meaningful action on clients' cases, failed to respond to attempts by clients to contact him, failed to keep advanced fees separate from his own property, disbursed client funds to persons or people not entitled to receive the funds, failed to return unearned fees, and

failed to return clients' files. Endicott further failed to furnish written responses to the complaints as directed.

Endicott violated Rules 1.01(b)(1), 1.03(a), 1.14(a), 1.14(b), 1.14(c), 1.15(d), 8.04(a)(1), 8.04(a)(3), and 8.04(a)(8). Endicott was ordered to pay \$8,496.70 in attorneys' fees and direct expenses and \$15,000 in restitution to complainants.

On Dec. 17, 2012, **Raymond Mbala** [#24013120], 40, of Dallas, agreed to a one-year active suspension. An evidentiary panel of the District 6 Grievance Committee found that Mbala did not comply with certain terms and conditions of three separate disciplinary judgments. Mbala failed to comply with the requirements that he become current with minimum Continuing Legal Education requirements, pay attorneys' fees and costs to the State Bar of Texas, pay ordered restitution, and attend a Law Office Management seminar.

Mbala violated Rule 8.04(a)(7). Mbala was ordered to pay \$1,421.42 in attorneys' fees and direct expenses.

On Jan. 9, 2013, **Stephen T. Leas** [#12095255], 58, of McAllen, received a 60-month partially probated suspension effective Feb. 8, 2013, with the six months actively served and the remainder probated. The 332nd Judicial District Court of Hidalgo County found that Leas violated Rule 1.14(b) [Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this Rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is enti-

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bled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property]. The disciplinary case was on appeal before Court of Appeals for the 13th District from a judgment signed Feb. 17, 2010.

Leas was ordered to pay \$33,050 in attorneys' fees and litigation expenses.

On Jan. 11, 2013, **Jerry Goh** [#00795378], 50, of Dallas, received a six-month active suspension, effective Jan. 31, 2013. An evidentiary panel of the District 6 Grievance Committee found that in representing complainant in an immigration matter, Goh neglected the legal matter entrusted to him by failing to file required documents. Goh failed to promptly comply with reasonable requests for information from complainant about the immigration matter.

Goh violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$2,137.50 in attorneys' fees and \$252.75 in direct expenses.

On Jan. 11, 2013, the Board of Disciplinary Appeals entered an agreed order of indefinite disability suspension that actively suspends **Basil Sartin St. Clair** [#18984700], 56, of Fort Worth, from practicing law until further order of the board.

On Jan. 14, 2013, **Paul R. Alexander** [#00966500], 67, of Dallas, received a one-year partially probated suspension, effective Feb. 1, 2013, with the first months actively suspended and the remainder probated. The 95th District Court of Dallas County found that Alexander committed professional misconduct by violating Rule 1.01(b)(1) [In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer], Rule 1.01(b)(2) [In representing a client, a lawyer shall not frequently fail to carry out completely the obligations that the lawyer owes

to a client or clients], and Rule 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].

Alexander was ordered to pay \$1,500 in attorneys' fees and costs.

On Jan. 16, 2013, **Juan A. Vega** [#00795697], 44, of San Antonio, accepted a two-year, six-month partially probated suspension effective Feb. 11, 2013, with the first seven months actively served and the remainder probated. An evidentiary panel of the District 10-3 Grievance Committee found that Vega neglected client matters, failed to communicate with clients, failed to return the unearned portion of fees, and failed to respond to grievances.

Vega violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8) and

was ordered to pay \$800 in attorneys' fees and \$9,859 in restitution.

On Jan. 23, 2013, **Claudia Arrieta Smith** [#24000308], 43, of San Antonio, received a three-year fully probated suspension effective Feb. 1, 2013. An evidentiary panel of the District 10 Grievance Committee found Smith neglected a client matter and failed to communicate with her client.

Smith violated Rules 1.01(b)(1) and 1.03(a). She was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On Jan. 31, 2013, **Arlene Gay McKinney** [#24011660], 52, of San Antonio, accepted a two-year fully probated suspension, effective Jan. 1, 2013. An evidentiary panel of the District 10 Grievance Committee found McKinney neglected a client matter, failed to keep her clients rea-

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DISCIPLINARY ACTIONS

sonably informed, and upon termination failed to refund unearned fees.

McKinney violated Rules 1.01(b)(1), 1.03(a)&(b), and 1.15(d). She was ordered to pay \$5,500 in restitution and \$1,000 in attorneys' fees and direct expenses.

On Feb. 4, 2013, **C. Bruce Abraham** [#00819800], 62, of Marshall, received a three-year fully probated suspension, effective Feb. 1, 2013. An evidentiary panel of the District 1 Grievance Committee found that Abraham failed to keep the client reasonably informed about the status of her case. Abraham failed to promptly comply with reasonable requests for information from the client about her legal matter. Abraham 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. Abraham did not in good faith timely assert a privilege or other legal ground for failure to do so.

Abraham violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$2,879.03 in attorneys' fees and direct expenses.

Abraham had until March 3, 2013, to file an appeal.

On Feb. 21, 2013, **Bennie Gary Heitmann Jr.** [#09385800], 50, of Carmine, agreed to a 64-month partially probated suspension, effective March 1, 2013, with the first 12 months actively suspended and the remainder probated. An evidentiary panel of the District 5 Grievance Committee found that Heitmann committed a serious crime or another criminal act that reflected adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects.

Heitmann violated Rule 8.04(a)(2). He was ordered to pay \$400 in attorneys' fees.

On Feb. 23, 2013, **Kenavon T. Carter** [#24044913], 39, of Austin, received a one-year fully probated suspension effective Feb. 15, 2013. An evidentiary panel of the District 9 Grievance Committee found that on Feb. 1, 2012, complainant hired Carter to secure her husband's release from jail. Complainant paid Carter \$500. At the time of hiring, Carter stated that if he was unable to secure the release of complainant's husband, Carter would refund \$400. Respondent failed to secure the release of complainant's husband. After the court appointed counsel to represent complainant's husband, respondent failed to return the prepaid fee as agreed. Carter failed to furnish a written response to the complaint as directed.

Carter violated Rules 1.15(d), 8.04(a)(1), and 8.04(a)(8). He was ordered to pay \$600 in attorneys' fees and costs and \$400 in restitution.

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On March 1, 2013, **Tara N. Long** [#24032680], 38, of Houston accepted a 12-month fully probated suspension effective Feb. 4, 2013. An evidentiary panel of the District 4 Grievance Committee found that in representing a client, Long failed to timely disburse settlement proceeds to the client. Respondent also failed to safeguard the client's settlement funds and failed to hold the client's proceeds separate from her own property.

Long violated Rules 1.14(a) and 1.14(b). She was ordered to pay restitution in the amount of \$2,000 and attorneys' fees and costs in the amount of \$603.05.

PUBLIC REPRIMANDS

On Jan. 30, 2013, **Robert H. Holmes** [#09908400], 74, of Dallas, received an agreed judgment of public reprimand. The 14th District Court of Dallas County found that Holmes committed professional misconduct by violating Rule 4.04(b)(1) [A lawyer shall not present, participate in presenting, or threaten to present criminal or disciplinary charges solely to gain an advantage in a civil matter].

Holmes was ordered to pay \$2,500 in attorneys' fees and direct expenses.

On Feb. 25, 2013, **Don R. Stewart** [#19206700], 70, of Arlington, received an agreed judgment of public reprimand. An evidentiary panel of the District 7 Grievance Committee found that in the first matter, in representing complainant, Stewart neglected the eviction matter entrusted to him. In the second matter, in representing complainant, Stewart neglected the family law matter entrusted to him.

Stewart violated Rule 1.01(b)(1) in each matter. He agreed to pay \$800 in attorneys' fees and costs.

On Feb. 26, 2013, **Paul Andrew Smith** [#24010408], 43, of Austin, received an agreed judgment of public reprimand. An evidentiary panel

of the District 9 Grievance Committee found that Smith engaged in the practice of law while administratively suspended.

Smith violated Rules 8.04(a)(1) and 8.04(a)(11). He was ordered to pay \$573 in attorneys' fees and costs.

PRIVATE REPRIMAND

Listed below is the rule violation

for one attorney. Please note that an attorney may be reprimanded for more than one rule violation. Texas Disciplinary Rules of Professional Conduct: **8.04(a)(8)**—for failing to timely furnish a district grievance committee a response or other information as required unless he/she timely asserts a privilege or other legal ground for failure to do so.

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