



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF
MARC MANUEL ARIZA
STATE BAR CARD NO. 01302250**

§
§
§

CAUSE NO. 49553

JUDGMENT OF DISBARMENT

On the 26th day of April 2013, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas, represented by the Chief Disciplinary Counsel of the State Bar of Texas, appeared and announced ready. Respondent, Marc Manuel Ariza, although having answered and having been duly notified of the hearing date and time, failed to appear and made default.

All issues of fact as well as all questions of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Marc Manuel Ariza, State Bar Card Number 01302250, is licensed by the Supreme Court of Texas but not currently authorized to practice law in the State of Texas due to being administratively suspended for failure to pay state bar dues.
- (2) On or about April 2, 2008, Marc Manuel Ariza was charged by Indictment with Engaging in Organized Criminal Activity in Case No. 1160642, styled *The State of Texas v. Marc Manuel Ariza*, in the 263rd Judicial District Court of Harris County, Texas.

- (3) On or about July 17, 2009, an Order of Deferred Adjudication was entered in Case No. 1160642, styled *The State of Texas v. Ariza, Marc Manuel*, in the 263rd District Court of Harris County, Texas, wherein Respondent pled guilty to False Statement to Obtain Credit, a First Degree Felony, in violation of Texas Penal Code § 32.32. Respondent was placed on Community Supervision for a term of ten (10) years and ordered to serve ninety (90) days in the Harris County Jail as a condition of deferred adjudication. Respondent was further ordered to complete five hundred (500) hours of community service, pay restitution in the amount of \$51,870.00 to Farmers Insurance Company, a fine in the amount of \$10,000.00, court costs of \$203.00, and ordered not to engage in the practice of law in any real estate matters.
- (4) Respondent, Marc Manuel Ariza, is the same person as the Marc Manuel Ariza, who is the subject of the Order of Deferred Adjudication described above.
- (5) Respondent's criminal sentence was fully probated.
- (6) Respondent has an extensive prior disciplinary history and has failed to comply with the terms and conditions of at least one past disciplinary judgment.
- (7) Respondent practiced law while administratively suspended.
- (8) Respondent's criminal conduct was related to his practice of law.

Conclusions of Law. Based upon the foregoing findings of fact the Board of Disciplinary

Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP").
- (2) Respondent, Marc Manuel Ariza, having been convicted of false statement to obtain credit in violation of Texas Penal Code § 32.32, has been convicted for purposes of TRDP 8.04 of an Intentional Crime as defined by TRDP 1.06(T) which is also a serious crime as defined by TRDP 1.06(Z).
- (3) The conviction is final.
- (4) Respondent, Marc Manuel Ariza, should be disbarred. TRDP 8.05.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Marc Manuel Ariza, State Bar Card No. 01302250, be and he is hereby DISBARRED from the practice of law in the State of Texas and his license to practice law in this state be and is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Marc Manuel Ariza, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Marc Manuel Ariza, shall notify in writing, no later than thirty (30) days from the date of this Judgment, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Marc Manuel Ariza, has any legal matter pending, if any, of his disbarment, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Marc Manuel Ariza, shall immediately notify each of his current clients and opposing counsel, if any, in writing, of his disbarment. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former

clients, if any, to those respective clients or former clients within thirty (30) days after the date on which this Judgment is signed by the Board. Respondent is further ORDERED to file, within thirty (30) days, an affidavit stating that all current clients and opposing counsel have been notified of his disbarment and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail copies of all notification letters to clients to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Marc Manuel Ariza, immediately surrender his Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 29th day of April 2013.



CHAIR PRESIDING