



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

<b>IN THE MATTER OF</b>	§	
<b>CARON DENEAN AVERY</b>	§	<b>CAUSE NO. 53872</b>
<b>STATE BAR CARD NO. 00789135</b>	§	

**JUDGMENT OF DISBARMENT**

On the 2nd day of May 2014, 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 appeared by attorney and announced ready. Respondent, Caron Denean Avery, although duly cited to appear, and having notice of the time and place of the hearing, failed to appear and wholly 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, Caron Denean Avery, State Bar Card Number 00789135, is licensed but not currently authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about May 17, 2013, Caron D. Avery was charged by Amended Information with Count I: Forgery and Count II: Forgery, in violation of W.S. §6-3-602(a)(iii), in Case No. CR-2012-107, styled The State of Wyoming v. Caron D. Avery, in the District Court for the Fourth Judicial District, County of Sheridan, State of Wyoming.

- (3) On or about November 4, 2013, a Judgment and Sentence was entered in Case No. CR-2012-107, styled The State of Wyoming v. Caron Denean Avery, in the District Court of the Fourth Judicial District within and for the County of Sheridan, State of Wyoming, wherein Respondent pled guilty to Count I: Forgery and Count II: Forgery and was sentenced to be imprisoned by the Department of Corrections for a period of not less than three (3) years nor more than five (5) years on Count I and not less than three (3) years nor more than five (5) years on Count II, to run concurrent to Count I. It was further Ordered, Adjudged and Decreed that the execution of the foregoing sentence was suspended and Respondent was placed on supervised probation for a period of five (5) years on both Count I and Count II, to run concurrently. Respondent was further ordered to pay restitution in the amount of \$2,921.48.
- (4) Respondent, Caron Denean Avery, is the same person as the Caron Denean Avery who is the subject of the criminal judgments described above.
- (5) Respondent was personally served with the Petition for Compulsory Discipline and hearing notice by a duly authorized private process server in Sheridan County, Wyoming, on March 17, 2014, and the affidavit of service was filed with BODA on March 24, 2014.
- (6) The Commission withdrew Respondent's conviction for manslaughter as a basis for compulsory discipline.
- (7) Respondent's criminal sentence for forgery was fully probated.
- (8) Respondent is currently serving a three-year active disciplinary suspension which began April 11, 2012 in Cause No. D0021142386.

**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).
- (2) Respondent, Caron Denean Avery, 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 criminal conviction is final.

(4) Respondent, Caron Denean Avery should be disbarred. TRDP 8.05.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Caron Denean Avery, State Bar Card No. 00789135, be and she is hereby DISBARRED from the practice of law in the State of Texas and her license to practice law in this state be and is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Caron Denean Avery, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding herself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services not completed before the date of this judgment, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Caron Denean Avery, 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, Caron Denean Avery, has any legal matter pending, if any, of her 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, Caron Denean Avery, shall immediately notify each of her current clients and opposing counsel, if any, in writing, of her 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 her 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 with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating that all current clients and opposing counsel have been notified of her 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. 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 her inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of said affidavit and 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, Caron Denean Avery, immediately surrender her 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.

It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Judgment, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 7<sup>th</sup> day of May 2014.

  
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CHAIR PRESIDING