



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

<b>IN THE MATTER OF</b>	§	
<b>CLAUDE ROBERT GRAHAM</b>	§	<b>CAUSE NO. 54877</b>
<i>State Bar of Texas Card No. 24064208</i>	§	

**JUDGMENT OF SUSPENSION**

On the 23rd day of October 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, Claude Robert Graham, appeared in person and by attorney, and announced ready. All questions of fact as well as all issues 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, Claude Robert Graham, State Bar of Texas Card Number 24064208, is licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about May 12, 2011, a Petition for Emergency Suspension was filed in the Supreme Court of Florida in a matter styled, *The Florida Bar, Complainant, v. Claude Robert Graham, Respondent*, in [TFB Case No. 2011-31,169(09E)(CES)].

- (3) On or about June 29, 2011, a Complaint was filed in the Supreme Court of Florida in a matter styled, *The Florida Bar, Complainant, v. Claude Robert Graham, Respondent*, in [TFB File No. 2011-30,455(09E)].
- (4) On or about November 8, 2011, a Conditional Guilty Plea for Consent Judgment was filed in the Supreme Court of Florida (Before a Referee) in a matter styled, *The Florida Bar, Complainant, v. Claude Robert Graham, Respondent*, in Case No. SC11-1309, TFB File No. 2011-30,455(09E). The Conditional Guilty Plea for Consent Judgment established that Respondent violated the following Rules Regulating the Florida Bar: 4-1.15 A lawyer shall comply with the Florida Bar Rules Regulating Trust Accounts; 5-1.1(b) Money or other property entrusted to an attorney for a specific purpose, including advances for fees, costs, and expenses, is held in a trust and must be applied only to that purpose; money and other property of clients coming into the hands of an attorney are not subject to counterclaim or setoff for attorney's fees, and a refusal to account for and deliver over such property upon demand shall be deemed a conversion; 5-1.2(b) The following are the minimum trust accounting records that shall be maintained...; 5-1.2[d] The minimum trust accounting procedures that shall be followed by all members of the Florida Bar...are as follows...; 5-1.2[f] A lawyer or law firm that receives and disburses client or third-party funds or property shall maintain the records required by this chapter for 6 years subsequent to the final conclusion of each representation in which the trust funds or property were received.
- (5) On or about November 15, 2011, a Report of the Referee Accepting Consent Judgment was filed in the Supreme Court of Florida (Before a Referee) in a matter styled, *The Florida Bar, Complainant, v. Claude Robert Graham, Respondent*, in Case No. SC11-1309, TFB File No. 2011-30,455(09E).
- (6) On or about December 22, 2011, an Order was filed in the Supreme Court of Florida in a matter styled, *The Florida Bar, Complainant(s), v. Claude Robert Graham, Respondent(s)*, in Case No. SC11-1309, Lower Tribunal No(s): 2011-30,455(09E), that states in pertinent part as follows:

...The uncontested report of the referee is approved and respondent is suspended from the practice of law for three years...
- (7) Respondent, Claude Robert Graham, is the same person as the Claude Robert Graham, who is the subject of the Order entered in the Supreme Court of the State of Oregon; and
- (8) The Order Accepting Stipulation for Discipline entered in the Supreme Court of Florida is final.

**Conclusions of Law.** Based upon the foregoing findings of facts 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. Rule 7.08(H).
- (2) Reciprocal discipline identical to that imposed by the Supreme Court of Florida is warranted in this case.

It is, accordingly, **ORDERED, ADJUDGED, AND DECREED** that Respondent, Claude Robert Graham, State Bar Card No. 24064208, is hereby **SUSPENDED** from the practice of law in Texas for a period of three years beginning November 1, 2014, and ending October 31, 2017.

It is further **ORDERED** that during the term of active suspension ordered herein, Respondent shall be prohibited 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 not completed before the effective date of the suspension, 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."

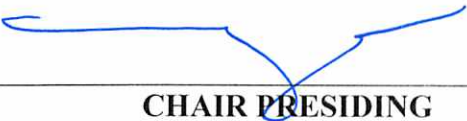
It is further **ORDERED** that Respondent, Claude Robert Graham, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Claude Robert Graham, has any legal matter pending, if any, of his suspension, 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, Claude Robert Graham, shall immediately notify each of his current clients and opposing counsel, if any, in writing, of his suspension. 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 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 have been notified of his suspension 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 his 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, Claude Robert Graham, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 24<sup>TH</sup> day of October 2014.

  
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**CHAIR PRESIDING**